



House Bill No. 7007

September Special Session, Public Act No. 09-7

**AN ACT IMPLEMENTING THE PROVISIONS OF THE BUDGET
CONCERNING GENERAL GOVERNMENT AND MAKING
CHANGES TO VARIOUS PROGRAMS.**

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

Section 1. (*Effective from passage*) Notwithstanding section 1 of public act 09-3 of the June special session, the amounts appropriated in said section for the following purposes shall not be expended and the following sums are appropriated in lieu thereof for the purposes described:

GENERAL FUND

2009-2010

\$

STATE COMPTROLLER

Personal Services

22,448,964

DEPARTMENT OF ADMINISTRATIVE SERVICES

Personal Services

23,116,943

Other Expenses

13,803,820

ATTORNEY GENERAL

Personal Services

31,180,000

DIVISION OF CRIMINAL JUSTICE

Forensic Sex Evidence Exams

0

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BOARD OF FIREARMS PERMIT EXAMINERS	
Personal Services	72,390
Other Expenses	8,971
Equipment	100
COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES	
Personal Services	6,057,632
Other Expenses	728,152
Equipment	100
DEPARTMENT OF PUBLIC SAFETY	
Personal Services	130,265,313
DEPARTMENT OF ENVIRONMENTAL PROTECTION	
Boating Account	0
DEPARTMENT OF CHILDREN AND FAMILIES	
Personal Services	289,022,680
JUDICIAL DEPARTMENT	
Forensic Sex Evidence Exams	1,021,060
DEBT SERVICE - STATE TREASURER	
Debt Service	1,488,430,083
STATE COMPTROLLER - FRINGE BENEFITS	
Unemployment Compensation	9,438,980
State Employees Retirement Contributions	635,501,904
Insurance - Group Life	8,101,143
Employers Social Security Tax	239,716,376
State Employees Health Service Cost	554,918,978

Sec. 2. (*Effective from passage*) Notwithstanding section 2 of public act 09-3 of the June special session, the amounts appropriated in said section for the following purposes shall not be expended and the

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following sums are appropriated in lieu thereof for the purposes described:

SPECIAL TRANSPORTATION FUND

2009-2010

\$

DEPARTMENT OF MOTOR VEHICLES

Personal Services

44,365,796

DEPARTMENT OF TRANSPORTATION

Personal Services

156,859,684

Rail Operations

117,635,208

Bus Operations

125,318,445

STATE COMPTROLLER - FRINGE BENEFITS

Unemployment Compensation

220,960

State Employees Retirement Contributions

77,508,000

Insurance - Group Life

314,300

Employers Social Security Tax

18,228,071

State Employees Health Service Cost

33,423,070

Sec. 3. (*Effective from passage*) Notwithstanding section 11 of public act 09-3 of the June special session, the amounts appropriated in said section for the following purposes shall not be expended and the following sums are appropriated in lieu thereof for the purposes described:

GENERAL FUND

2010-2011

\$

STATE COMPTROLLER

Personal Services

23,024,256

DEPARTMENT OF ADMINISTRATIVE SERVICES

Personal Services

23,500,389

Other Expenses

14,803,653

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ATTORNEY GENERAL	
Personal Services	31,270,000
DIVISION OF CRIMINAL JUSTICE	
Forensic Sex Evidence Exams	0
BOARD OF FIREARMS PERMIT EXAMINERS	
Personal Services	73,536
Other Expenses	8,971
Equipment	100
COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES	
Personal Services	5,789,994
Other Expenses	663,076
Equipment	100
DEPARTMENT OF PUBLIC SAFETY	
Personal Services	131,161,610
DEPARTMENT OF ENVIRONMENTAL PROTECTION	
Boating Account	0
DEPARTMENT OF CHILDREN AND FAMILIES	
Personal Services	289,599,056
JUDICIAL DEPARTMENT	
Forensic Sex Evidence Exams	1,021,060
DEBT SERVICE-STATE TREASURER	
Debt Service	1,510,443,670
STATE COMPTROLLER - FRINGE BENEFITS	
Unemployment Compensation	6,323,979
State Employees Retirement Contributions	663,329,057
Insurance - Group Life	8,254,668
Employers Social Security Tax	249,827,582
State Employees Health Service Cost	516,871,061

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Sec. 4. (*Effective from passage*) Notwithstanding section 12 of public act 09-3 of the June special session, the amounts appropriated in said section for the following purposes shall not be expended and the following sums are appropriated in lieu thereof for the purposes described:

SPECIAL TRANSPORTATION FUND

2010-2011

\$

DEPARTMENT OF MOTOR VEHICLES

Personal Services

45,045,027

DEPARTMENT OF TRANSPORTATION

Personal Services

157,723,930

Rail Operations

127,726,327

Bus Operations

132,955,915

STATE COMPTROLLER - FRINGE BENEFITS

Unemployment Compensation

334,000

State Employees Retirement Contributions

82,437,000

Insurance - Group Life

324,000

Employers Social Security Tax

20,652,971

State Employees Health Service Cost

37,104,290

Sec. 5. Subsection (c) of section 4d-2 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) The Chief Information Officer shall: (1) Develop and implement an integrated set of policies and architecture pertaining to information and telecommunication systems for state agencies; (2) develop a series of comprehensive standards and planning guidelines pertaining to the development, acquisition, implementation, and oversight and management of information and telecommunication systems for state agencies; (3) identify and implement (A) optimal information and

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telecommunication systems to efficiently service the needs of state agencies, and (B) opportunities for reducing costs for such systems; (4) approve or disapprove, in accordance with guidelines established by the Chief Information Officer, each proposed state agency acquisition of hardware or software for an information or telecommunication system, except for (A) hardware or software having a cost of less than twenty thousand dollars, or (B) hardware or software having a cost of twenty thousand dollars or more, but less than one hundred thousand dollars, which is for a project that complies with the agency's business systems plan as approved by the Chief Information Officer; (5) approve or disapprove, in accordance with guidelines established by the Chief Information Officer, all state agency requests or proposed contracts for consultants for information and telecommunication systems; (6) be responsible for purchasing, leasing and contracting for all information system and telecommunication system facilities, equipment and services for state agencies, in accordance with the provisions of subsection (a) of section 4d-8, except for the offices of the Governor, Lieutenant Governor, Treasurer, Attorney General, Secretary of the State and Comptroller; (7) review existing and new information and telecommunication system technologies to ensure consistency with the strategic plan established under section 4d-7 and approved state agency architecture and make recommendations to the Standardization Committee established under section 4a-58 for review and appropriate action; (8) cooperate with the General Assembly, the Judicial Department and the constituent units of the state system of higher education in assessing opportunities for cost savings and greater sharing of information resources which could result if such entities acquire information and telecommunication systems similar to those of state agencies; [and] (9) ensure state-wide implementation of the 9-1-1 and E 9-1-1 systems; and (10) report annually, on or before February fifteenth, in accordance with section 11-4a, to the joint standing committees of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies

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and government administration and elections on all technology projects on which the department is working or that the department plans to undertake.

Sec. 6. Section 60 of public act 09-3 of the June special session is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The total number of positions which may be filled by any state agency shall not exceed the number of positions recommended by the joint standing committee of the General Assembly on appropriations and the budgets of state agencies, including any revisions to such recommendation resulting from enactments of the General Assembly, as set forth in the report on the state budget for the current biennium published by the legislative Office of Fiscal Analysis, except upon the recommendation of the Governor and approval of the Finance Advisory Committee. The provisions of this section shall not apply to the constituent units of the state system of higher education.

Sec. 7. Section 1-123 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The board of directors of each quasi-public agency shall annually submit a report to the Governor and the Auditors of Public Accounts and two copies of such report to the Legislative Program Review and Investigations Committee. Such report shall include, but not be limited to, the following: (1) A list of all bond issues for the preceding fiscal year, including, for each such issue, the financial advisor and underwriters, whether the issue was competitive, negotiated or privately placed, and the issue's face value and net proceeds; (2) a list of all projects other than those pertaining to owner-occupied housing or student loans receiving financial assistance during the preceding fiscal year, including each project's purpose, location, and the amount of funds provided by the agency; (3) a list of all outside individuals

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and firms receiving in excess of five thousand dollars in the form of loans, grants or payments for services, except for individuals receiving loans for owner-occupied housing and education; (4) a balance sheet showing all revenues and expenditures; (5) the cumulative value of all bonds issued, the value of outstanding bonds, and the amount of the state's contingent liability; (6) the affirmative action policy statement, a description of the composition of the agency's work force by race, sex, and occupation and a description of the agency's affirmative action efforts; and (7) a description of planned activities for the current fiscal year. Not later than thirty days after receiving copies of such report from the board of a quasi-public agency, the Legislative Program Review and Investigations Committee shall prepare an assessment of whether the report complies with the requirements of this section and shall submit the assessment and a copy of the report to the joint standing committee of the General Assembly having cognizance of matters relating to the quasi-public agency.

(b) For the quarter commencing July 1, 2009, and for each quarter thereafter, the board of directors of each quasi-public agency shall submit a report to the Office of Fiscal Analysis accounting for moneys received or held by the agency during the quarter. Such accounting shall include, at a minimum, all expenditures and revenues of the agency. For the purposes of this subsection, "expenditures" and "revenues" have the same meaning as provided in section 4-69.

Sec. 8. Section 3-21b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Notwithstanding the provisions of any general statute, public act or special act, upon a determination by the Treasurer and approval by the State Bond Commission that unexpended proceeds of general obligation bonds of the state issued pursuant to section 3-20 and accounted for in a general obligation bond fund of the state established by the Treasurer are no longer required for any of the purposes or

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projects funded or remaining to be funded from amounts in such bond fund, the Treasurer is authorized to transfer all or any portion of said unexpended bond proceeds from such bond fund for further credit to the General Fund, provided the Treasurer shall further determine that such transfer shall not adversely affect the exclusion from gross income of the interest on the bonds from which such unexpended proceeds were derived pursuant to Section 103 of the Internal Revenue Code of 1986 or any corresponding internal revenue code of the United States, as from time to time amended.

(b) Commencing January 1, 2010, and annually thereafter, the Office of Policy and Management, in consultation with the Treasurer, shall submit a report, in accordance with section 11-4a, to the State Bond Commission, the joint standing committee of the General Assembly having cognizance of matters relating to finance, revenue and bonding, and to the legislative Office of Fiscal Analysis, identifying (1) all fully-issued general obligation bond funds, with (A) a description of the projects that may be eligible for funding under each such bond fund, (B) an identification of which such bond funds are encumbered, and (C) an account of expenditures from each such fund for the past five years or, if such bond fund is less than five years old, since its inception, and (2) any fully-issued and unencumbered general obligation bond funds from which no expenditures have been made for at least five years, and that have been determined by the Treasurer to be fully eligible for transfer pursuant to subsection (a) of this section.

[(b)] (c) The provisions of subsection (a) of this section shall not apply to any consolidated amounts, as defined in section 8-37rr.

Sec. 9. Section 2-36b of the general statutes, as amended by section 1 of public act 09-214, is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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(a) No later than November thirtieth each year, the joint standing committees of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies and finance, revenue and bonding shall meet with the Secretary of the Office of Policy and Management, the director of the legislative Office of Fiscal Analysis, and such other persons as they deem appropriate, to consider the items submitted pursuant to subsection (b) of this section.

(b) On or before November fifteenth, annually, the Secretary of the Office of Policy and Management and the director of the legislative Office of Fiscal Analysis shall each submit the following to the joint standing committees of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies and finance, revenue and bonding: (1) A consensus estimate of state revenues developed in accordance with subsection (a) of section 2 of this act, an estimate of expenditures and ending balance for each fund, for the current biennium and the next ensuing three fiscal years, and the assumptions on which such estimates are based; (2) the projected tax credits to be used in the current biennium and the next ensuing three fiscal years, and the assumptions on which such projections are based; (3) a summary of any estimated deficiencies in the current fiscal year, the reasons for such deficiencies, and the assumptions upon which such estimates are based; (4) the projected balance in the Budget Reserve Fund at the end of each uncompleted fiscal year of the current biennium and the next ensuing three fiscal years; (5) the projected bond authorizations, allocations and issuances in each of the next ensuing five fiscal years and their impact on the debt service of the major funds of the state; (6) an analysis of revenue and expenditure trends and of the major cost drivers affecting state spending, including identification of any areas of concern and efforts undertaken to address such areas, including, but not limited to, efforts to obtain federal funds; and (7) an analysis of possible uses of surplus funds, including, but not limited to, the Budget Reserve Fund, debt retirement

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and funding of pension liabilities.

(c) On or before November 15, 2010, and annually thereafter, the Secretary of the Office of Policy and Management shall submit to the joint standing committees of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies and finance, revenue and bonding for the biennium commencing July 1, 2011, and each biennium thereafter, a summary in electronic database format of all nonappropriated moneys held by each budgeted agency, which shall be an accounting of moneys received or held by the agency that are authorized or received by any manner other than as an appropriation, at the end of the last-completed fiscal year in a form consistent with accepted accounting practice.

Sec. 10. Section 4-77 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The administrative head of each budgeted agency shall transmit, on or before September first of each even-numbered year, to the Secretary of the Office of Policy and Management, on blanks to be furnished by him not later than the preceding August first, and to the joint standing committee of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies, through the Office of Fiscal Analysis, and the standing committee having cognizance of matters relating to such budgeted agency, estimates of expenditure requirements for each fiscal year of the next biennium. On or before September first of each odd-numbered year, said agency head shall transmit recommended adjustments and revisions, if any, of such estimates. The secretary shall set guidelines for standard economic and planning factors and for unit costs, based on source of supply, for fuel oil, electricity, gas and water usage by state agencies, which shall be used by all agencies in the preparation of their estimates of expenditure requirements. The expenditure requirements shall be classified to show expenditures estimated for

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each major function and activity, project or program of the budgeted agency and its subdivisions, grants or aids to governmental units and capital outlay, and shall include details setting forth the estimated expenditures classified by objects according to a standard plan of classification, with citations of the statutes, if any, relating thereto. Each expenditure requirement for any purpose other than capital outlay involving an increase in or addition to any appropriation of the current fiscal year shall be accompanied by an explanation of the increase or addition. Each expenditure requirement involving a capital outlay shall be accompanied by such supporting schedules of data and explanations as may be required by the secretary.

(b) The administrative head of each budgeted agency shall transmit, on or before September first of each year, to the secretary, in the form required by him, and, on or before November fifteenth of each year, to the joint committee of the General Assembly having cognizance of matters relating to state finance, revenue and bonding, through the Office of Fiscal Analysis, a statement showing in detail the revenue and estimated revenue of the agency for the current fiscal year, an estimate of the revenue from the same or any additional sources for the next fiscal year and, in the even-numbered year, for the next biennium. Said agency head shall include in such statement recommendations as to any changes in the management, practices, regulations or laws governing his budgeted agency affecting the amount of revenue from operations, fees, taxes or other sources or the collection thereof, and any other information required by the secretary.

(c) The administrative head of each budgeted agency shall transmit, to the Office of Fiscal Analysis, copies of the agency's monthly (1) financial status report, (2) personnel status report, and (3) nonappropriated moneys status report which shall be an accounting of moneys received or held by the agency that are authorized or received by any manner other than as an appropriation. Such accounting of

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nonappropriated moneys shall include, at a minimum, an assessment of the status of any agency fund or account of such agency receiving or holding such moneys. Such assessments of such funds and accounts shall, at a minimum, account for all expenditures, encumbrances, liabilities, reimbursements and revenues.

[(c)] (d) If any budgeted agency fails to submit [such] estimates required pursuant to this section within the time specified, the [secretary] Secretary of the Office of Policy and Management shall cause such estimates to be prepared for the budgeted agency. [The administrative head of each budgeted agency shall transmit a copy of the agency's monthly financial status report and monthly personnel status report to the Office of Fiscal Analysis.]

Sec. 11. Subsection (a) of section 3-13a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The Treasurer shall, with the advice and consent of the Investment Advisory Council, appoint a chief investment officer for the Connecticut retirement pension and trust funds, who shall serve at the pleasure of the Treasurer and whose compensation shall be determined by the Treasurer within a salary range established by the Treasurer in consultation with the Investment Advisory Council. The provisions of section 4-40 shall not apply to the compensation of said officer. Said officer shall be sworn to the faithful discharge of duties under law. Said officer shall, under the direction of the Treasurer and subject to the provisions of sections 3-13 to 3-13d, inclusive, and 3-31b, advise the Treasurer on investing the trust funds of the state. Said officer shall also perform such other duties as the Treasurer may direct. In addition to said officer, the Treasurer may, with the advice and consent of the Investment Advisory Council, appoint a deputy chief investment officer, whose compensation shall be determined by the Treasurer within salary ranges established by the Treasurer in

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consultation with the Investment Advisory Council and that shall not be subject to the provisions of section 4-40, principal investment officers, investment officers and other personnel to assist said chief investment officer, which officers and other personnel shall serve at the pleasure of the Treasurer.

Sec. 12. Section 10-397 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2010*):

(a) There are established [~~five~~] three regional tourism districts, each of which shall promote and market districts as regional leisure and business traveler destinations to stimulate economic growth. The districts shall be as follows:

(1) The eastern regional district, which shall consist of Ashford, Bozrah, Brooklyn, Canterbury, Chaplin, Colchester, Columbia, Coventry, East Lyme, Eastford, Franklin, Griswold, Groton, Hampton, Killingly, Lebanon, Ledyard, Lisbon, Lyme, Mansfield, Montville, New London, North Stonington, Norwich, Old Lyme, Plainfield, Pomfret, Preston, Putnam, Salem, Scotland, Sprague, Sterling, Stonington, Thompson, Union, Voluntown, Waterford, Willington, Windham and Woodstock;

(2) The central regional district, which shall consist of Andover, Avon, Berlin, Bethany, Bloomfield, Bolton, Branford, Canton, Cheshire, 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, Madison, Manchester, Marlborough, Meriden, Middlefield, Middletown, Milford, New Britain, New Haven, Newington, North Branford, North Haven, Old Saybrook, Orange, Plainville, Portland, Rocky Hill, Somers, South Windsor, Southington, Simsbury, Stafford, Suffield, Tolland, Vernon, [Windsor Locks] Wallingford, West Hartford, West

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Haven, Westbrook, Wethersfield, [and] Windsor, Windsor Locks and Woodbridge; and

(3) The [northwestern] western regional district, which shall consist of Ansonia, Barkhamsted, Beacon Falls, Bethel, Bethlehem, Bridgeport, Bridgewater, Bristol, Brookfield, Burlington, Canaan, Colebrook, Cornwall, Danbury, Darien, Derby, Easton, Fairfield, Goshen, Greenwich, Hartland, Harwinton, Kent, Litchfield, Middlebury, Morris, Naugatuck, New Fairfield, New Hartford, New Milford, Monroe, New Canaan, Newtown, Norfolk, North Canaan, Norwalk, Oxford, Plymouth, Prospect, Redding, Ridgefield, Roxbury, Salisbury, Seymour, Sharon, Shelton, Sherman, Southbury, Stamford, Stratford, Thomaston, Torrington, Trumbull, Warren, Washington, Waterbury, Watertown, Weston, Westport, Wilton, Winchester, Wolcott and Woodbury. [;]

[(4) The south central regional district, which shall consist of Bethany, Branford, Cheshire, Clinton, Durham, East Haven, Guilford, Hamden, Killingworth, Madison, Middlefield, Milford, Orange, New Haven, North Branford, North Haven, Wallingford, West Haven and Woodbridge;

(5) The southwestern regional district, which shall consist of Bridgeport, Darien, Easton, Fairfield, Greenwich, New Canaan, Monroe, Norwalk, Shelton, Stamford, Stratford, Trumbull, Weston, Westport and Wilton.]

(b) Each regional tourism district shall be overseen by a board of directors consisting of one representative from each municipality within the district, appointed by the legislative body of the municipality and, where the legislative body is a town meeting, by the board of selectmen. Any such member of a board of directors shall serve for a term of three years. In addition, the board of directors may appoint up to twenty-one persons representing tourism interests

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within the district to serve on the board. No board member shall be deemed a state employee for serving on said board. All appointments to the board of directors shall be reported to the executive director of the Connecticut Commission on Culture and Tourism.

(c) The provisions of the Freedom of Information Act, as defined in section 1-200, shall apply to each regional tourism district.

(d) [Not later than October 1, 2003, the commission shall assist each regional tourism district in establishing a committee to draft a charter and bylaws for the regional tourism district and to organize the initial meeting of the board of directors of the district, to be held no later than October 15, 2003.] Not later than February 1, 2010, the commission shall assist the central and western regional tourism districts in establishing a committee to draft a charter and bylaws for each district and to organize the initial meeting of the board of directors of each district, to be held no later than February 15, 2010.

(e) Each regional tourism district shall (1) comply with uniform standards for accounting and reporting expenditures that are established by the commission in accordance with section 10-392 and are based on industry accounting standards developed by the International Association of Convention and Visitor Bureaus or other national organizations related to tourism, and (2) on or before January first of each year, submit to the commission, the Office of Policy and Management and the Office of Fiscal Analysis an independent audit in accordance with the provisions of sections 4-230 to 4-236, inclusive, as amended by this act.

(f) Each regional tourism district shall solicit and may accept private funds for the promotion of tourism within its towns and cities and shall coordinate its activities with any private nonprofit tourist association within the district and within this state, that promotes tourism industry businesses in this state, in order to foster cooperation

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in the promotion of such businesses. Any funds received by a regional tourism district may be deposited in the account established in section 10-395 or in an account established by such tourism district to receive such funds.

(g) The central regional district office shall be located within the Hartford offices of the commission.

Sec. 13. Subsection (a) of section 10-393 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2010*):

(a) The Connecticut Commission on Culture and Tourism shall consist of thirty-five voting commissioners and nonvoting ex-officio members. Such ex-officio members shall be the executive directors of the Connecticut Trust for Historic Preservation and the Connecticut Humanities Council, the State Poet Laureate, the State Historian and the State Archaeologist. The State Poet Laureate, the State Historian and the State Archaeologist shall serve as commissioners without being appointed and without receiving compensation for such service. The remaining thirty commissioners shall be appointed as follows:

(1) The Governor shall appoint eight commissioners: (A) One commissioner shall be an individual with knowledge of and experience in the tourism industry from within the state; (B) three commissioners shall be individuals with knowledge of or experience or interest in history or humanities; (C) one commissioner shall be an individual with knowledge of or experience or interest in the arts; (D) one commissioner shall be an individual with experience relating directly to the production of digital media or motion pictures; and (E) two commissioners shall be selected at large.

(2) The speaker of the House of Representatives shall appoint four commissioners: (A) One commissioner shall be an individual with

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knowledge of and experience in the tourism industry from the [southwestern] western regional tourism district, established under section 10-397, as amended by this act; (B) one commissioner shall be an individual with knowledge of or experience or interest in history or humanities; (C) one commissioner shall be an individual with knowledge of or experience or interest in the arts; and (D) one commissioner shall be an individual with experience relating directly to the production of digital media or motion pictures.

(3) The president pro tempore of the Senate shall appoint four commissioners: (A) One commissioner shall be an individual with knowledge of and experience in the tourism industry from the central regional tourism district, established under section 10-397, as amended by this act; (B) one commissioner shall be an individual with knowledge of or experience or interest in history or humanities; (C) one commissioner shall be an individual with knowledge of or experience or interest in the arts; and (D) one commissioner shall be an individual with experience relating directly to the production of digital media or motion pictures.

(4) The majority leader of the House of Representatives shall appoint three commissioners: (A) One commissioner shall be an individual with knowledge of and experience in the tourism industry from the [south] central regional tourism district, established under section 10-397, as amended by this act; (B) one commissioner shall be an individual with knowledge of or experience or interest in the arts; and (C) one commissioner shall be an individual with experience relating directly to the production of digital media or motion pictures.

(5) The majority leader of the Senate shall appoint three commissioners: (A) One commissioner shall be an individual with knowledge of and experience in the tourism industry from the eastern regional tourism district; (B) one commissioner shall be an individual with knowledge of or experience or interest in the arts; and (C) one

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commissioner shall be an individual with experience relating directly to the production of digital media or motion pictures.

(6) The minority leader of the House of Representatives shall appoint four commissioners: (A) One commissioner shall be an individual with knowledge of and experience in the tourism industry from within the state; (B) one commissioner shall be an individual with knowledge of or experience or interest in history or humanities; (C) one commissioner shall be an individual with knowledge of or experience or interest in the arts; and (D) one commissioner shall be an individual with experience relating directly to the production of digital media or motion pictures.

(7) The minority leader of the Senate shall appoint four commissioners: (A) One commissioner shall be an individual with knowledge of and experience in the tourism industry from the [northwestern] western regional tourism district, established under section 10-397, as amended by this act; (B) one commissioner shall be an individual with knowledge of or experience or interest in history or humanities; (C) one commissioner shall be an individual with knowledge of or experience or interest in the arts; and (D) one commissioner shall be an individual with experience relating directly to the production of digital media or motion pictures.

Sec. 14. Subsection (b) of section 10-397a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2010*):

(b) Any former tourism district having a cash surplus, after accounting for all liabilities, may distribute such surplus to the regional tourism district or districts serving the towns formerly served by such district. Any distribution shall be divided among the new district or districts in accordance with the following schedule:

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Former District	New District(s)
Northeastern	Eastern (100%)
Southeastern	Eastern (100%)
North Central	Central (100%)
Greater Hartford	Central (95%) [Northwestern] <u>Western</u> (5%)
Central Connecticut	Central [(80%)] <u>(100%)</u> [South Central (20%)]
Connecticut Valley	Central [(60%)] <u>(100%)</u> [South Central (40%)]
Greater New Haven	[South] Central (67%) [Northwestern (20%)] <u>Western (33%)</u> [Southwestern (13%)]
Litchfield Hills	[Northwestern] <u>Western</u> (100%)
Housatonic Valley	[Northwestern] <u>Western</u> (100%)
Greater Waterbury	[Northwestern] <u>Western</u> (100%)
Greater Fairfield	[Southwestern] <u>Western</u> (100%)

Sec. 15. Section 12-94b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) As used in this section, "municipality" means each town, city, borough, consolidated town and city and consolidated town and borough and each district, as defined in section 7-324, and "next succeeding" means the second such date.

(b) On or before March fifteenth, annually, commencing March 15, 1998, the assessor or board of assessors of each municipality shall certify to the Secretary of the Office of Policy and Management, on a form furnished by said secretary, the amount of exemptions approved under the provisions of subdivision (74) of section 12-81, together with

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such supporting information as said secretary may require including the number of taxpayers with approved claims under said subdivision (74) and the original copy of the applications filed by them. Said secretary shall review each such claim as provided in section 12-120b. Not later than December first next succeeding the conclusion of the assessment year for which the assessor approved such exemption, the secretary shall notify each claimant of the modification or denial of the claimant's exemption, in accordance with the procedure set forth in section 12-120b. Any claimant aggrieved by the results of the secretary's review shall have the rights of appeal as set forth in section 12-120b. With respect to property first approved for exemption under the provisions of subdivision (74) of section 12-81 for the assessment years commencing on or after October 1, 2000, the grant payable for such property to any municipality under the provisions of this subsection shall be equal to eighty per cent of the property taxes which, except for the exemption under the provisions of subdivision (74) of section 12-81, would have been paid. The secretary shall, on or before December fifteenth, annually, certify to the Comptroller the amount due each municipality under the provisions of this subsection, including any modification of such claim made prior to December first, and the Comptroller shall draw an order on the Treasurer on or before the twenty-fourth day of December following and the Treasurer shall pay the amount thereof to such municipality on or before the thirty-first day of December following. If any modification is made as the result of the provisions of this subsection on or after the December fifteenth following the date on which the assessor has provided the amount of the exemption in question, any adjustments to the amount due to any municipality for the period for which such modification was made shall be made in the next payment the Treasurer shall make to such municipality pursuant to this subsection. [The amount of the grant payable to each municipality in any year in accordance with this subsection shall be reduced proportionately in the event that the total of such grants in such year exceeds the amount appropriated for the

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purposes of this subsection with respect to such year.]

(c) On or before March fifteenth, annually, commencing March 15, 2007, and ending March 15, 2011, the assessor or board of assessors of each municipality shall certify to the Secretary of the Office of Policy and Management, on a form furnished by said secretary, the amount of exemptions approved under the provisions of subdivision (72) of section 12-81, together with such supporting information as said secretary may require including the number of taxpayers with approved claims under said subdivision (72) and the original copy of the applications filed by them. Said secretary shall review each such claim as provided in section 12-120b. Not later than December first next succeeding the conclusion of the assessment year for which the assessor approved such exemption, the secretary shall notify each claimant of the modification or denial of the claimant's exemption, in accordance with the procedure set forth in section 12-120b. Any claimant aggrieved by the results of the secretary's review shall have the rights of appeal as set forth in section 12-120b. With respect to property first approved for exemption under the provisions of subdivision (72) of section 12-81 for the assessment years commencing on or after October 1, 2000, but on or before October 1, 2010, the grant payable for such property to any municipality under the provisions of this subsection shall be equal to eighty per cent of the property taxes which, except for the exemption under the provisions of subdivision (72) of section 12-81, would have been paid. The secretary shall, on or before December fifteenth, annually, certify to the Comptroller the amount due each municipality under the provisions of this subsection, including any modification of such claim made prior to December first, and the Comptroller shall draw an order on the Treasurer on or before the twenty-fourth day of December following and the Treasurer shall pay the amount thereof to such municipality on or before the thirty-first day of December following. If any modification is made as the result of the provisions of this subsection on or after the December

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fifteenth following the date on which the assessor has provided the amount of the exemption in question, any adjustments to the amount due to any municipality for the period for which such modification was made shall be made in the next payment the Treasurer shall make to such municipality pursuant to this subsection.

(d) Machinery and equipment acquired between October 2, 2006, to October 1, 2010, inclusive, and approved for exemption under the provisions of subdivision (72) of section 12-81 for the assessment year commencing October 1, 2010, shall continue to be exempt from taxation for assessment years commencing on and after October 1, 2011. The grant determined in accordance with section 12-94g shall replace the grant payable under the provisions of this section, in the fiscal year commencing July 1, 2013, and each fiscal year thereafter.

(e) The amount of the grant payable to each municipality in any year in accordance with this section shall be reduced proportionately in the event that the total of such grants in such year exceeds the amount appropriated for the purposes of this section with respect to such year.

Sec. 16. Section 12-94f of the general statutes is amended by adding subsection (f) as follows (*Effective from passage*):

(NEW) (f) The amount of the grant payable to each municipality in any year in accordance with this section shall be reduced proportionately in the event that the total of such grants in such year exceeds the amount appropriated for the purposes of this section with respect to such year.

Sec. 17. Section 12-94g of the general statutes is amended by adding subsection (c) as follows (*Effective from passage*):

(NEW) (c) The amount of the grant payable to each municipality in any year in accordance with this section shall be reduced

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proportionately in the event that the total of such grants in such year exceeds the amount appropriated for the purposes of this section with respect to such year.

Sec. 18. Section 5-259 of the general statutes, as amended by section 7 of public act 09-114, is amended by adding subsection (m) as follows (*Effective from passage*):

(NEW) (m) (1) Notwithstanding any provision of the general statutes, the Comptroller shall begin procedures to convert the group hospitalization and medical and surgical insurance plans set forth in subsection (a) of this section, including any prescription drug plan offered in connection with or in addition to such insurance plans, to self-insured plans for benefit periods beginning on or after July 1, 2010, except that any dental plan offered in connection with or in addition to such self-insured plans may be fully insured.

(2) The Comptroller may enter into contracts with third-party administrators to provide administrative services only for the self-insured plans set forth in subdivision (1) of this subsection. Any such third-party administrator shall be required under such contract to charge such third-party administrator's lowest available rate for such services.

Sec. 19. Section 4d-9 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

There shall be a Technical Services Revolving Fund in the Department of Information Technology for the purchase, installation and utilization of information systems, as defined in section 4d-1, for budgeted agencies of the state. [The working capital balance allocated to said Technical Services Revolving Fund shall be one million one hundred thousand dollars.] The Chief Information Officer and the Secretary of the Office of Policy and Management shall jointly be

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responsible for the administration of such fund. Said officer and secretary shall develop appropriate review procedures and accountability standards for such fund and measures for determining the performance of the fund in carrying out the purposes of this part.

Sec. 20. (*Effective from passage*) (a)(1) Up to \$264,000 of the funds appropriated to the Department of Social Services in sections 1 and 11 of public act 09-3 of the June special session, for Housing/Homeless Services, shall be made available to provide rental assistance and services for Round 3 development projects for the Next Steps Initiative, established pursuant to section 17a-485c of the general statutes, during the fiscal years ending June 30, 2010, and June 30, 2011.

(2) Up to \$510,000 of the funds appropriated to the Department of Mental Health and Addiction Services in section 1 of public act 09-3 of the June special session, for Housing Supports and Services, shall be made available to provide rental assistance and services for Round 3 development projects for the Next Steps Initiative, established pursuant to section 17a-485c of the general statutes, during the fiscal year ending June 30, 2010.

(3) Up to \$1,000,000 of the funds appropriated to the Department of Mental Health and Addiction Services in section 11 of public act 09-3 of the June special session, for Housing Supports and Services, shall be made available to provide rental assistance and services for Round 3 development projects for the Next Steps Initiative, established pursuant to section 17a-485c of the general statutes, during the fiscal year ending June 30, 2011.

(4) Any funds made available in subdivisions (1), (2) and (3) of this subsection that are not used to provide rental assistance and services for Round 3 development projects for the Next Steps Initiative, established pursuant to section 17a-485c of the general statutes, shall be used for other rental assistance and services for new scattered site

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supportive housing.

(b) Up to \$1,000,000 of the funds appropriated to Debt Service - State Treasurer in sections 1 and 11 of public act 09-3 of the June special session, for Debt Service, shall be made available to provide debt service, in accordance with section 17a-485e of the general statutes, for Round 3 development projects for the Next Steps Initiative, established pursuant to section 17a-485c of the general statutes, for the fiscal years ending June 30, 2010, and June 30, 2011.

Sec. 21. (*Effective from passage*) Not later than December 1, 2009, the Department of Transportation and the Department of Public Safety shall enter into a memorandum of understanding to provide that all associated costs incurred by the Department of Public Safety in providing sworn members of the Division of State Police within the Department of Public Safety to the Bradley International Airport for the purposes of security shall be paid from the Bradley Enterprise Fund.

Sec. 22. Section 51-193c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The Judicial Branch may permit, in any civil, criminal, family, juvenile or other matter, the filing of any document or data that is required by law to be filed with the Superior Court or with a judge or judge trial referee thereof, including, but not limited to, a summons issued pursuant to section 51-164n, a complaint or a summons issued pursuant to section 54-1h, and an information filed pursuant to section 54-46, by computer or facsimile transmission or by employing [new] other technology. [as it is developed.]

(b) For the purposes of this section, the judges of the Superior Court may prescribe alternative methods for the signing, subscribing or verifying [of such document] by a person of any document or data that

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is required by law to be filed with the Superior Court or with a judge or judge trial referee thereof so that such document or data shall have the same validity and status as a paper document that was signed, subscribed or verified by such person.

(c) Notwithstanding any other provision of the general statutes, the Chief Court Administrator may permit [the] any payment [of any fee] that is required by law to be paid to the clerk of the Superior Court to be made by the use of any [existing] technology. [or new technology as it is developed.] The payor may be charged a service fee for any such payment. The service fee shall not exceed any charge by the service provider, including any discount rate.

(d) Any notice, order, judgment, decision, decree, memorandum, ruling, opinion, mittimus or similar document that is issued by the Superior Court or by a judge, judge trial referee or family support magistrate thereof, or by a magistrate appointed pursuant to section 51-193l, may be signed or verified by computer or facsimile transmission or by employing other technology in accordance with procedures and technical standards established by the Office of the Chief Court Administrator, and such notice, order, judgment, decision, decree, memorandum, ruling, opinion, mittimus or similar document shall have the same validity and status as a paper document that was signed or verified by the Superior Court or by a judge, judge trial referee or family support magistrate thereof, or by a magistrate appointed pursuant to section 51-193l.

[[d)] (e) The judges of the Superior Court may adopt any rules they deem necessary to implement the provisions of this section and the Office of the Chief Court Administrator shall prescribe any forms required to implement such provisions.

Sec. 23. Subsection (a) of section 51-36 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from*

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passage):

(a) The Chief Court Administrator may cause any and all court records, papers or documents, and any and all other records, papers or documents maintained by the Judicial Branch, required to be retained indefinitely or for a period of time defined by (1) rules of court, (2) directives promulgated by the Office of the Chief Court Administrator, or (3) statute, to be microfilmed or reproduced as a computerized image. The device used to reproduce such records, papers or documents on microfilm or as a computerized image shall be one which accurately reproduces the original thereof in detail. Such microfilm or computerized image shall be considered and treated the same as the original records, papers or documents [, provided a certificate of authenticity appears on each roll of microfilm. A] in accordance with directives promulgated by the Office of the Chief Court Administrator. A transcript, exemplification or certified copy [thereof] of such microfilm or computerized image shall for all purposes be deemed to be a transcript, exemplification or certified copy of the original. The original [court] records, papers or documents so reproduced may be disposed of in such manner as approved by the Office of the Chief Court Administrator. For the purposes of this subsection, "microfilm" includes microcard, microfiche, microphotograph, electronic medium or any other process which actually reproduces or forms a durable medium for so reproducing the original, and "computerized image" means any electronic reproduction of the original by a computer-based imaging system or process.

Sec. 24. Section 4a-19 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

There shall be a State Insurance and Risk Management Board consisting of eleven persons whom the Governor shall appoint subject to the provisions of section 4-9a. Four of such appointees shall be public members and seven shall be qualified by training and

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experience to carry out their duties under the provisions of sections 4a-20 and 4a-21. The Comptroller shall be an ex-officio voting member of said board and may designate another person to act in his place. Not more than six appointed members of said board shall, at any time, be members of the same political party. Said appointed members shall receive no compensation for the performance of their duties as such but shall be reimbursed for their necessary expenses. The Governor may fill any vacancy on said board for the unexpired portion of the term. The board shall meet at least once during each calendar quarter and at such other times as the chairperson deems necessary. Special meetings shall be held on the request of a majority of the board after notice in accordance with the provisions of section 1-225. A majority of the members of the board shall constitute a quorum. 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. No member shall serve more than two full consecutive terms which commence on or after July 1, 1983. Said board shall be within the [Office of the State Comptroller for administrative purposes only] Department of Administrative Services, provided the board shall have independent decision-making authority. Said department shall provide staff support for the board.

Sec. 25. Section 4-142a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The Claims Commissioner shall be appointed by the Governor with the advice and consent of the General Assembly to serve for a term of four years from the first day in July in the year of his appointment and until his successor has been appointed and has qualified. The commissioner shall be an attorney-at-law and shall have been admitted to practice before the courts of the state of Connecticut for at least five years prior to his appointment. The commissioner shall receive such compensation as is fixed under the provisions of section

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4-40. The commissioner may enter into such contractual agreements, in accordance with established procedures, as may be necessary for the discharge of his duties. Subject to the provisions of section 4-32, and unless otherwise provided by law, the commissioner is authorized to receive any money, revenue or services from the federal government, corporations, associations or individuals, including payments from the sale of printed matter or any other materials or services.

(b) The Office of the Claims Commissioner shall be within the [office of the Comptroller for administrative purposes only] Department of Administrative Services, provided the office shall have independent decision-making authority.

Sec. 26. Section 4-142b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

[The Claims Commissioner shall appoint and may at his pleasure remove a clerk of the Office of the Claims Commissioner and may employ such assistants as he finds necessary to administer the provisions of this chapter. The clerk of the Office of the Claims Commissioner and such assistants shall be in the unclassified service and shall receive such compensation as is fixed under the provisions of section 4-40.] The Department of Administrative Services shall provide staff support for the Office of the Claims Commissioner. The Claims Commissioner shall maintain a permanent office in Hartford County in such suitable space as the Commissioner of Public Works provides. All papers required to be filed with the Claims Commissioner shall be delivered to such office.

Sec. 27. Section 4-154 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Not later than ninety days after hearing a claim, the Claims Commissioner shall render a decision as provided in subsection (a) of

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section 4-158. The Claims Commissioner shall make a finding of fact for each claim and file such finding with the order, recommendation or authorization disposing of the claim. The [clerk of the] Office of the Claims Commissioner shall deliver a copy of such finding and order, recommendation or authorization to the claimant and to the representative for the state, which representative may in appropriate cases be the Attorney General.

(b) If such claim will automatically be submitted to the General Assembly by the Claims Commissioner pursuant to the provisions of subdivision (1) of subsection (a) of section 4-159, the [clerk] Office of the Claims Commissioner shall give written notice to the claimant that such claim will be so submitted and that the General Assembly may accept, modify or reject the recommendation of the Claims Commissioner or remand the claim to the Claims Commissioner.

(c) If the claimant has the right pursuant to subsection (b) of section 4-158 to request the General Assembly to review the decision of the Claims Commissioner, the [clerk] Office of the Claims Commissioner shall give written notice to the claimant that the claimant may request the General Assembly to review the decision and that the General Assembly may confirm, modify or vacate the decision or remand the claim to the Claims Commissioner. The notice shall indicate the date by which such a request must be filed with the Office of the Claims Commissioner.

Sec. 28. Subsection (c) of section 4-149 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) When the representative for the state, which representative may in appropriate cases be the Attorney General, desires to oppose a claim, such representative shall file with the [clerk of the] Office of the Claims Commissioner a notice of opposition, in duplicate, containing a

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concise statement of such representative's objections. The [clerk] Office of the Claims Commissioner shall promptly deliver a copy thereof to the claimant.

Sec. 29. Section 4-147 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Any person wishing to present a claim against the state shall file with the [clerk of the] Office of the Claims Commissioner a notice of claim, in duplicate, containing the following information: (1) The name and address of the claimant; the name and address of his principal, if the claimant is acting in a representative capacity, and the name and address of his attorney, if the claimant is so represented; (2) a concise statement of the basis of the claim, including the date, time, place and circumstances of the act or event complained of; (3) a statement of the amount requested; and (4) a request for permission to sue the state, if such permission is sought. A notice of claim, if sent by mail, shall be deemed to have been filed with the Office of the Claims Commissioner on the date such notice of claim is postmarked. Claims in excess of five thousand dollars shall be accompanied by a check or money order in the sum of fifty dollars payable to the Treasurer, state of Connecticut. Claims for five thousand dollars or less shall be accompanied by a check or money order in the sum of twenty-five dollars payable to the Treasurer, state of Connecticut. Fees may be waived by the commissioner for good cause but such action by the commissioner shall not relieve the claimant from the obligation of filing his notice of claim in timely fashion within the statute of limitations under section 4-148. The [clerk of the] Office of the Claims Commissioner shall promptly deliver a copy of the notice of claim to the Attorney General. Such notice shall be for informational purposes only and shall not be subject to any formal or technical requirements, except as may be necessary for clarity of presentation and facility of understanding.

Sec. 30. Subsection (e) of section 52-592 of the general statutes is

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repealed and the following is substituted in lieu thereof (*Effective from passage*):

(e) The provisions of this section shall apply to any claim against the state for which a notice of claim has been properly and timely filed with the [clerk of the] Office of the Claims Commissioner in accordance with sections 4-147, as amended by this act, and 4-148 and which thereafter has been dismissed by the Claims Commissioner pursuant to section 4-142.

Sec. 31. Section 6-38b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) There is established a State Marshal Commission which shall consist of eight members appointed as follows: (1) The Chief Justice shall appoint one member who shall be a judge of the Superior Court; (2) the speaker of the House of Representatives, the president pro tempore of the Senate, the majority and minority leaders of the House of Representatives and the majority and minority leaders of the Senate shall each appoint one member; and (3) the Governor shall appoint one member who shall serve as chairperson. No member of the commission shall be a state marshal, except that two state marshals appointed by the State Marshals Advisory Board in accordance with section 6-38c shall serve as ex officio, nonvoting members of the commission.

(b) The chairperson shall serve for a three-year term and all appointments of members to replace those whose terms expire shall be for terms of three years.

(c) No more than four of the members, other than the chairperson, may be members of the same political party. Of the seven nonjudicial members, other than the chairperson, at least three shall not be members of the bar of any state.

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(d) If any vacancy occurs on the commission, the appointing authority having the power to make the initial appointment under the provisions of this section shall appoint a person for the unexpired term in accordance with the provisions of this section.

(e) Members shall serve without compensation but shall be reimbursed for actual expenses incurred while engaged in the duties of the commission.

(f) The commission, in consultation with the State Marshals Advisory Board, shall adopt regulations in accordance with the provisions of chapter 54 to establish professional standards, including training requirements and minimum fees for execution and service of process.

(g) The commission shall be responsible for the equitable assignment of service of restraining orders to the state marshals in each county and ensure that such restraining orders are served expeditiously. Failure of any state marshal to accept for service any restraining order assigned by the commission or to serve such restraining order expeditiously without good cause shall be sufficient for the convening of a hearing for removal under subsection (j) of this section.

(h) Any vacancy in the position of state marshal in any county as provided in section 6-38 shall be filled by the commission with an applicant who shall be an elector in the county where such vacancy occurs. Any applicant for such vacancy shall be subject to the application and investigation requirements of the commission.

(i) Except as provided in section 6-38f, no person may be a state marshal and a state employee at the same time. This subsection does not apply to any person who was both a state employee and a deputy sheriff or special deputy sheriff on April 27, 2000.

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(j) No state marshal may be removed except by order of the commission for cause after due notice and hearing.

(k) The commission may adopt such rules as it deems necessary for conduct of its internal affairs and shall adopt regulations in accordance with the provisions of chapter 54 for the application and investigation requirements for filling vacancies in the position of state marshal.

(l) The commission shall be within the Department of Administrative Services, [for administrative purposes only] provided the commission shall have independent decision-making authority.

Sec. 32. Section 7-294d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The Police Officer Standards and Training Council shall have the following powers:

(1) To develop and periodically update and revise a comprehensive municipal police training plan;

(2) To approve, or revoke the approval of, any police training school and to issue certification to such schools and to revoke such certification;

(3) To set the minimum courses of study and attendance required and the equipment and facilities to be required of approved police training schools;

(4) To set the minimum qualifications for law enforcement instructors and to issue appropriate certification to such instructors;

(5) To require that all probationary candidates receive the hours of basic training deemed necessary before being eligible for certification, such basic training to be completed within one year following the appointment as a probationary candidate, unless the candidate is

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granted additional time to complete such basic training by the council;

(6) To require the registration of probationary candidates with the academy within ten days of hiring for the purpose of scheduling training;

(7) To issue appropriate certification to police officers who have satisfactorily completed minimum basic training programs;

(8) To require that each police officer satisfactorily complete at least forty hours of certified review training every three years in order to maintain certification, unless the officer is granted additional time not to exceed one year to complete such training by the council;

(9) To renew the certification of those police officers who have satisfactorily completed review training programs;

(10) To establish uniform minimum educational and training standards for employment as a police officer in full-time positions, temporary or probationary positions and part-time or voluntary positions;

(11) To visit and inspect police basic training schools and to inspect each school at least once each year;

(12) To consult with and cooperate with universities, colleges and institutes for the development of specialized courses of study for police officers in police science and police administration;

(13) To consult with and cooperate with departments and agencies of this state and other states and the federal government concerned with police training;

(14) To employ an executive director [, an unclassified executive secretary] and, within available appropriations, to employ any other personnel that may be necessary in the performance of its functions;

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(15) To perform any other acts that may be necessary and appropriate to carry out the functions of the council as set forth in sections 7-294a to 7-294e, inclusive;

(16) To accept contributions, grants, gifts, donations, services or other financial assistance from any governmental unit, public agency or the private sector;

(17) To conduct any inspection and evaluation that may be necessary to determine if a law enforcement unit is complying with the provisions of this section;

(18) At the request and expense of any law enforcement unit, to conduct general or specific management surveys;

(19) To develop objective and uniform criteria for granting any waiver of regulations or procedures established by the council;

(20) To recruit, select and appoint candidates to the position of probationary candidate, as defined in section 7-294a, and provide recruit training for candidates of the Connecticut Police Corps program in accordance with the Police Corps Act, 42 USC 14091 et seq., as amended from time to time;

(21) To develop, adopt and revise, as necessary, comprehensive accreditation standards for the administration and management of law enforcement units, to grant accreditation to those law enforcement units that demonstrate their compliance with such standards and, at the request and expense of any law enforcement unit, to conduct such surveys as may be necessary to determine such unit's compliance with such standards; and

(22) To appoint any council training instructor, or such other person as determined by the council, to act as a special police officer throughout the state as such instructor or other person's official duties

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may require, provided any such instructor or other person so appointed shall be a certified police officer. Each such special police officer shall be sworn and may arrest and present before a competent authority any person for any offense committed within the officer's precinct.

(b) No person may be employed as a police officer by any law enforcement unit for a period exceeding one year unless he has been certified under the provisions of subsection (a) of this section or has been granted an extension by the council. No person may serve as a police officer during any period when his certification has been cancelled or revoked pursuant to the provisions of subsection (c) of this section. In addition to the requirements of this subsection, the council may establish other qualifications for the employment of police officers and require evidence of fulfillment of these qualifications. The certification of any police officer who is not employed by a law enforcement unit for a period of time in excess of two years, unless such officer is on leave of absence, shall be considered lapsed. Upon reemployment as a police officer, such officer shall apply for recertification in a manner provided by the council. The council shall certify any applicant who presents evidence of satisfactory completion of a program or course of instruction in another state equivalent in content and quality to that required in this state, provided he passes an examination or evaluation as required by the council.

(c) (1) The council may refuse to renew any certificate if the holder fails to meet the requirements for renewal of his or her certification.

(2) The council may cancel or revoke any certificate if: (A) The certificate was issued by administrative error, (B) the certificate was obtained through misrepresentation or fraud, (C) the holder falsified any document in order to obtain or renew any certificate, (D) the holder has been convicted of a felony, (E) the holder has been found not guilty of a felony by reason of mental disease or defect pursuant to

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section 53a-13, (F) the holder has been convicted of a violation of subsection (c) of section 21a-279 or section 29-9, (G) the holder has been refused issuance of a certificate or similar authorization or has had his or her certificate or other authorization cancelled or revoked by another jurisdiction on grounds which would authorize cancellation or revocation under the provisions of this subdivision, (H) the holder has been found by a law enforcement unit, pursuant to procedures established by such unit, to have used a firearm in an improper manner which resulted in the death or serious physical injury of another person, or (I) the holder has been found by a law enforcement unit, pursuant to procedures established by such unit, to have committed any act that would constitute tampering with or fabricating physical evidence in violation of section 53a-155, perjury in violation of section 53a-156 or false statement in the second degree in violation of section 53a-157b. Whenever the council believes there is a reasonable basis for cancellation or revocation of the certification of a police officer, police training school or law enforcement instructor, it shall give notice and an adequate opportunity for a hearing prior to such cancellation or revocation. The council may cancel or revoke any certificate if, after a de novo review, it finds by clear and convincing evidence (i) a basis set forth in subparagraphs (A) to (G), inclusive, of this subdivision, or (ii) that the holder of the certificate committed an act set forth in subparagraph (H) or (I) of this subdivision. Any police officer or law enforcement instructor whose certification is cancelled or revoked pursuant to this section may reapply for certification no sooner than two years after the date on which the cancellation or revocation order becomes final. Any police training school whose certification is cancelled or revoked pursuant to this section may reapply for certification at any time after the date on which such order becomes final.

(d) Notwithstanding the provisions of subsection (b) of this section, any police officer, except a probationary candidate, who is serving

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under full-time appointment on July 1, 1982, shall be deemed to have met all certification requirements and shall be automatically certified by the council in accordance with the provisions of subsection (a) of section 7-294e.

(e) The provisions of this section shall apply to any person who performs police functions. As used in this subsection, "performs police functions" for a person who is not a police officer, as defined in section 7-294a, means that in the course of his official duties, such person carries a firearm and exercises arrest powers pursuant to section 54-1f or engages in the prevention, detection or investigation of crime, as defined in section 53a-24. The council shall establish criteria by which the certification process required by this section shall apply to police officers.

(f) The provisions of this section shall not apply to (1) any state police training school or program, (2) any sworn member of the Division of State Police within the Department of Public Safety, (3) Connecticut National Guard security personnel, when acting within the scope of their National Guard duties, who have satisfactorily completed a program of police training conducted by the United States Army or Air Force, (4) employees of the Judicial Department, (5) municipal animal control officers appointed pursuant to section 22-331, or (6) fire police appointed pursuant to section 7-313a. The provisions of this section with respect to renewal of certification upon satisfactory completion of review training programs shall not apply to any chief inspector or inspector in the Division of Criminal Justice who has satisfactorily completed a program of police training conducted by the division.

Sec. 33. (NEW) (*Effective from passage*) The Office of Workforce Competitiveness shall, within available appropriations, fund Connecticut Career Choices.

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Sec. 34. Subsection (h) of section 12-263m of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(h) The Commissioner of Economic and Community Development shall establish procedures for distribution of the grants and shall adopt criteria to carry out the provisions of this section. Such criteria shall specify (1) who may apply for grants; (2) how establishments, whether owned or leased, will be determined to be eligible for grants; [and] (3) the costs for which grants may be made; and (4) a method for ensuring timely payment of funds to grant recipients.

Sec. 35. Section 18-101a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The Commissioner of Correction, at the commissioner's discretion, may extend the limits of the place of confinement of an inmate as to whom there is reasonable belief he or she will honor his or her trust, by authorizing the inmate under prescribed conditions to visit a specifically designated place or places, within or without the state, for periods not exceeding [thirty] forty-five days and return to the same or another institution or facility. Such periods may be renewed at the discretion of the commissioner. Such furlough may be granted only to permit a visit to a dying relative, attendance at the funeral of a relative, the obtaining of medical services not otherwise available, [or] the contacting of prospective employers [, provided the commissioner has confirmed that an employment opportunity exists or an employment interview is scheduled] or for any compelling reason consistent with rehabilitation. Any inmate who fails to return from furlough as provided in the furlough agreement shall be guilty of the crime of escape in the first degree.

Sec. 36. Subsection (e) of section 54-124a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from*

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passage):

(e) Of the members appointed prior to February 1, 2008, the chairperson shall assign seven members exclusively to parole release hearings and shall assign five members exclusively to pardons hearings. Except for the chairperson, no member assigned to parole release hearings may be assigned subsequently to pardons hearings and no member assigned to pardons hearings may be assigned subsequently to parole release hearings. Prior to July 1, 2008, each parole release panel shall be composed of two members from among the members assigned by the chairperson exclusively to parole release hearings or the members appointed by the Governor on or after February 1, 2008, to serve exclusively on parole release panels, and the chairperson or a member designated to serve temporarily as chairperson, for each correctional institution. On and after July 1, 2008, and prior to the effective date of this section, each parole release panel shall be composed of two members appointed by the Governor on or after February 1, 2008, to serve on parole release panels, at least one of whom is a full-time member, and the chairperson or a full-time member designated to serve temporarily as chairperson, for each correctional institution. On and after the effective date of this section, each parole release panel shall be composed of two members appointed by the Governor to serve on parole release panels and the chairperson or a full-time member designated to serve temporarily as chairperson, for each correctional institution. Such parole release panels shall be the paroling authority for the institutions to which they are assigned and not less than two members shall be present at each parole hearing. Each pardons panel shall be composed of three members from among the members assigned by the chairperson exclusively to pardons hearings or the members appointed by the Governor on or after February 1, 2008, to serve on pardons panels, one of whom may be the chairperson, except that for hearings on commutations from the penalty of death, one member of the panel

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shall be the chairperson.

Sec. 37. (*Effective from passage*) Section 6 of public act 09-114 shall take effect July 1, 2011, and shall be applicable to premiums paid on or after said date.

Sec. 38. Section 45a-8b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The Probate Court Administrator shall establish, within available appropriations, an extended family guardianship and assisted care pilot program in the regional children's probate court for the district of New Haven, established pursuant to section 45a-8a, for the purpose of reducing the number of children who are placed out of their communities and in foster care due to abuse and neglect. The program shall be designed to (1) provide outreach to extended family members and nonrelative caregivers in the community and appoint such family members or nonrelative caregivers as guardians, [and] (2) seek volunteers to act as assisted care providers to assist guardians in caring for children, and (3) provide and pay for needed services to assist guardians in meeting the needs of such children. Under the program, each guardian appointed by the court shall be eligible to receive a maximum grant of [five hundred] one thousand dollars per child.

(b) The Probate Court Administrator shall adopt regulations, in accordance with [chapter 54] subsection (c) of section 45a-77, to implement the provisions of this section. The regulations shall establish the [eligibility] criteria for (1) becoming a guardian or an assisted care provider under the program, [and] (2) the awarding of grants pursuant to subsection (a) of this section, (3) the provision of services pursuant to subsection (a) of this section, and (4) obtaining and paying for studies from private child-placing agencies in connection with guardianship proceedings.

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[(c) On or before January 1, 2009, the Probate Court Administrator, or a designee, shall report, in accordance with section 11-4a, to the joint standing committee of the General Assembly having cognizance of matters relating to the judiciary and the select committee of the General Assembly having cognizance of matters relating to children, on the status and effectiveness of the pilot program established pursuant to subsection (a) of this section.]

Sec. 39. Subsection (d) of section 3 of special act 09-6, as amended by section 76 of public act 09-3 of the June special session, is amended to read as follows (*Effective from passage*):

(d) The Chief Justice of the Supreme Court [shall] may order judges of the superior court to take schedule reduction days in accordance with the provisions of this section.

Sec. 40. (NEW) (*Effective from passage*) The Police Officer Standards and Training Council may recover from any municipality that (1) operated a local police training school, and (2) ceased the operation of such school on or after January 1, 2007, the costs of providing law enforcement training at the Connecticut Police Academy for such municipality's recruits.

Sec. 41. (*Effective from passage*) The sum of \$170,000 dollars is transferred from the General Fund, to the community investment account, established under section 4-66aa of the general statutes, as amended by section 28 of public act 09-229.

Sec. 42. (*Effective from passage*) The Commissioner of Correction and the Chief Court Administrator shall, in consultation with the Secretary of the Office of Policy and Management, develop a plan to consolidate inmate transportation services presently provided by the Correction Department and the Judicial Department. On or before January 1, 2010, the Commissioner of Correction and the Chief Court Administrator

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shall submit, in accordance with section 11-4a of the general statutes, to the joint standing committees of the General Assembly having cognizance of matters relating to judiciary and appropriations and the budgets of state agencies a report that describes the level of transportation services provided, and the cost of providing such services, before and after the proposed consolidation.

Sec. 43. (*Effective from passage*) The Commissioner of Correction and the Board of Trustees of Charter Oak State College shall, within available appropriations, enter into a memorandum of understanding, on or before November 1, 2009, for the purpose of implementing an online learning program for inmates, which shall focus on completion of high school credit requirements, preparation for the General Educational Development test and Adult High School Credit Diploma Program courses. On or before January 1, 2010, and quarterly thereafter until June 30, 2011, said commissioner and board of trustees shall submit progress and statistical reports on the program to the joint standing committees of the General Assembly having cognizance of matters relating to judiciary and appropriations and the budgets of state agencies, which shall include recommendations for expansion of the program to additional correctional facilities as appropriate.

Sec. 44. Section 4-230 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

As used in sections 4-230 to 4-236, inclusive, as amended by this act:

(1) "Cognizant agency" means a state agency which is assigned by the secretary the responsibility for implementing the requirements of sections 4-230 to 4-236, inclusive, as amended by this act;

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

(3) "State financial assistance" means assistance that a nonstate

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entity receives or administers which is provided by a state agency or pass-through entity in the form of grants, contracts, loans, loan guarantees, property, cooperative agreements, interest subsidies, insurance or direct appropriations, but does not include direct state cash assistance to individuals or payments to a vendor;

(4) "State agency" means any department, board, commission, institution or other agency of the state;

(5) "Generally accepted accounting principles" has the meaning specified in the generally accepted auditing standards issued by the American Institute of Certified Public Accountants (AICPA);

(6) "Generally accepted government auditing standards" (GAGAS) means the generally accepted government auditing standards issued by the Comptroller General of the United States that are applicable to financial audits;

(7) "Independent auditor" means a public accountant who is licensed to practice in the state and meets the independence standards included in generally accepted government auditing standards;

(8) "Internal controls" means a process, effected by an entity's board of directors, management and other personnel, designed to provide reasonable assurance regarding the achievement of objectives in: (A) Reliability of financial reporting, (B) effectiveness and efficiency of operations and (C) compliance with applicable laws and regulations;

(9) "Municipality" means a town, consolidated town and city, consolidated town and borough, city or borough, including a local board of education as described in subsection (c) of section 7-392;

(10) "Audited agency" means a [fire district, fire and sewer district, sewer district or other municipal utility] district, as defined in section 7-324, the Metropolitan District of Hartford County, a regional board

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of education, a regional planning agency, any other political subdivision of similar character which is created or any other agency created or designated by a municipality to act for such municipality whose [average] annual receipts from all sources exceed [two hundred thousand] one million dollars or any tourism district established under section 10-397, as amended by this act;

(11) "Nonprofit agency" means any organization that is not a for-profit business and provides services contracted for by (A) the state or (B) a nonstate entity. It also means private institutions of higher learning which receive state financial assistance;

(12) "Major state program" means any program, excluding an exempt program, [for which total expenditures of state financial assistance by a nonstate entity during the applicable year exceed the larger of (A) one hundred thousand dollars or (B) one per cent of the total amount of state financial assistance expended, excluding expenditures of an exempt program by the nonstate entity during the audited year] determined to be a major state program by the independent auditor pursuant to the requirements of the risk-based approach, provided such requirements shall (A) encompass factors consistent with requirements established by the United State Office of Management and Budget, and (B) include, but not be limited to, current and prior audit experience, oversight by state agencies and pass-through entities and the risk inherent in state programs;

(13) "Public accountant" means an individual who meets the standards included in generally accepted government auditing standards for personnel performing government audits and the licensing requirements of the State Board of Accountancy;

(14) "Subrecipient" means a nonstate entity that receives state financial assistance from a pass-through entity, but does not include an individual who receives such assistance;

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(15) "Tourism district" means a district established under section 10-397, as amended by this act;

(16) "Nonstate entity" means a municipality, tourism district, audited agency or nonprofit agency;

(17) "Pass-through entity" means a nonstate entity that provides state financial assistance to a subrecipient;

(18) "Program-specific audit" means an audit of a single state program conducted in accordance with the regulations adopted under section 4-236;

(19) "Expended" and "expenditures" have the meanings attributed to those terms in generally accepted accounting principles, except that (A) state financial assistance received which does not specify a required use shall be assumed to be fully expended in the fiscal year of receipt, and (B) exempt programs shall be assumed to be expended in the fiscal year that the state financial assistance is received;

(20) "Exempt program" means any [of the following programs: Education cost sharing, pursuant to sections 10-262f to 10-262j, inclusive; public and nonpublic school pupil transportation, pursuant to sections 10-54, 10-97, 10-266m, 10-273a, 10-277 and 10-281; special education, excess costs equity and excess costs student-based, pursuant to subsection (e) of section 10-76d, subsections (a), (b) and (c) of section 10-76g and section 10-253; school building grants-principal and interest subsidy, pursuant to chapter 173 and section 10-264h; and school construction grants pursuant to public act 97-265 and public act 97-11 of the June 18 Special Session*] state program designated to be exempt by the secretary after consultation with the Auditors of Public Accounts and the commissioner of the state agency that awarded the state financial assistance; [and]

(21) "Vendor" means a dealer, distributor, merchant or other seller

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providing goods or services that are required for the conduct of a state program. Such goods or services may be for an organization's own use or for the use of beneficiaries of the state program; and

(22) "Single audit" means an audit, as provided in section 4-235, as amended by this act, that encompasses an entity's financial statements and state financial assistance.

Sec. 45. Section 4-231 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) (1) Each nonstate entity which expends a total amount of state financial assistance equal to or in excess of [one] three hundred thousand dollars in any fiscal year of such nonstate entity beginning on or after July 1, [1998] 2009, shall have either a single audit or a program-specific audit made for such fiscal year, in accordance with the provisions of subdivision (2) or (3) of this subsection and the requirements of regulations adopted pursuant to section 4-236. [If a provision of the general statutes or an administrative rule, regulation, guideline, standard or policy, which is effective on July 1, 1992, requires a nonstate entity to conduct a biennial audit, the audit required under this section shall be conducted on the same biennial basis and shall cover both years of the biennial period.]

(2) If the total amount of state financial assistance expended in any such fiscal year is for a single program, such nonstate entity may elect to have a program-specific audit made in lieu of a single audit, provided a grant agreement or a statutory or regulatory provision governing the program of state financial assistance does not require a financial statement audit of such nonstate entity.

(3) If the total amount of state financial assistance expended in any such fiscal year is for more than one program, such entity shall have a single audit made for such fiscal year.

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(b) Notwithstanding any provision of the general statutes or any regulation adopted under any provision of the general statutes, each nonstate entity that expends total state financial assistance of less than [one] three hundred thousand dollars in any fiscal year of such nonstate entity beginning on or after July 1, [1998] 2009, shall be exempt with respect to such year from complying with any statutory or regulatory requirements concerning financial or financial and compliance audits that would otherwise be applicable.

(c) No provision of this section shall be deemed to exempt a nonstate entity from complying with any statutory or regulatory provision requiring the entity to (1) maintain records concerning state financial assistance or (2) provide access to such records to a state agency.

Sec. 46. Section 4-232 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Each nonstate entity which is required to be audited pursuant to sections 4-230 to 4-236, inclusive, as amended by this act, shall designate an independent auditor to conduct such audit. Not later than thirty days before the end of the fiscal period for which the audit is required, the nonstate entity shall file the name of such auditor with the cognizant agency. If a nonstate entity fails to make such filing, the cognizant agency may designate an independent auditor to conduct the audit. A nonstate entity shall be responsible for paying the costs of any audit conducted by an independent auditor designated by a cognizant agency.

(b) (1) Upon the completion of the audit, pursuant to sections 4-230 to 4-236, inclusive, as amended by this act, the nonstate entity shall file [copies] a copy of the audit report with [state grantor agencies,] the cognizant agency and, if applicable, state grantor agencies and pass-through entities. Once filed, such report shall be made available by the

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nonstate entity for public inspection. Copies of the report shall be filed not later than thirty days after completion of such report, if possible, but not later than six months after the end of the audit period. The cognizant agency may grant an extension of not more than thirty days, if the auditor [making] conducting the audit and the chief executive officer of the nonstate entity jointly submit a request in writing to the cognizant agency [stating] that includes the reasons for such extension and an estimate of the time needed for completion of such audit, at least thirty days prior to the end of such six-month period. If the reason for the extension relates to deficiencies in the accounting system of the nonstate entity, the request shall be accompanied by a corrective action plan. The auditor or chief executive officer shall promptly provide any additional information the cognizant agency may require. Before determining whether to grant an extension request, the cognizant agency may [, after a hearing with] require the auditor and officials of the nonstate entity [, grant an additional extension if conditions warrant] to meet with representatives of the cognizant agency.

(2) Any nonstate entity, or auditor of such nonstate entity, which fails to have the audit report filed on its behalf within six months after the end of the fiscal year or within the time granted by the cognizant agency may be assessed, by the Secretary of the Office of Policy and Management, a civil penalty of not less than one thousand dollars but not more than ten thousand dollars. In addition to, or in lieu of such penalty, the cognizant agency may assign an auditor to perform the audit of such nonstate entity. In such case, the nonstate entity shall be responsible for the costs related to the audit. The secretary may, upon receipt of a written request from an official of the nonstate entity or its auditor, waive all such penalties if the secretary determines that there appears to be reasonable cause for the entity not having completed or provided the required audit report.

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Sec. 47. Section 4-233 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Each audit required by sections 4-230 to 4-236, inclusive, as amended by this act, shall:

(1) Be conducted in accordance with generally accepted government auditing standards, except that, for the purposes of said sections such standards shall not be construed to require economy and efficiency audits, program results audits, or program evaluations; and

(2) Except in the case of program-specific audits, cover the entire operations, including financial operations, of the nonstate entity, except that such audit may exclude public hospitals.

(b) Each such audit shall determine and report whether: (1) The financial statements of the nonstate entity are presented fairly in all material respects in conformity with generally accepted accounting principles; (2) the schedule of expenditures of state financial assistance of the nonstate entity is presented fairly in all material respects in relation to the financial statements taken as a whole; (3) in addition to the requirements of generally accepted government auditing standards, the auditor has performed procedures to obtain an understanding of internal control over state programs sufficient to (A) plan the audit to support a low assessed level of control risk for major state programs, (B) plan the testing of internal control over major state programs to support a low assessed level of control risk for the assertions relevant to the compliance requirement for each major state program, and (C) perform testing of internal controls; and (4) the nonstate entity has complied with laws, regulations and grant or contract provisions that may have a material effect upon individual compliance requirements for each major state program. In complying with the requirements of subdivision (4) of this subsection, the independent auditor shall select and test a representative number of

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transactions from each major state program to provide the auditor sufficient evidence to support an opinion of compliance. Each audit report shall identify which programs were tested for compliance.

(c) [(1)] When the total expenditures of a nonstate entity's major state programs are less than fifty per cent of such nonstate entity's total expenditures of state financial assistance, excluding exempt program expenditures, the independent auditor shall select and test additional programs as major state programs as may be necessary to achieve audit coverage of at least fifty per cent of the nonstate entity's total expenditures of state financial assistance, excluding exempt program expenditures. [The provisions of this subsection shall be carried out in accordance with the regulations adopted pursuant to section 4-236 and shall be subject to the provisions of subdivision (2) of this subsection.

(2) In achieving the audit coverage in accordance with subdivision (1) of this subsection, no more than two programs which each have total state financial assistance expenditures of twenty-five thousand dollars or more but not more than one hundred thousand dollars shall be tested, if such programs are required to be tested to achieve the audit coverage of subdivision (1) of this subsection.]

(d) If an audit conducted pursuant to this section finds any material or reportable noncompliance by a nonstate entity with applicable laws, regulations and grant or contract provisions, or finds any [reportable condition] significant deficiency or material weakness with respect to the internal controls of the nonstate entity concerning the matters described in subsection (b) of this section, the nonstate entity shall submit to appropriate state officials a plan for corrective action to eliminate such material or reportable noncompliance, [reportable condition] significant deficiency or material weakness.

Sec. 48. Section 4-235 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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(a) The secretary shall designate cognizant agencies for audits conducted pursuant to sections 4-230 to 4-236, inclusive, as amended by this act, and shall periodically issue a state single audit compliance supplement containing information to assist independent auditors in conducting state single audits. Such information shall include, but is not limited to, identification of state financial assistance programs and their significant compliance requirements, suggested audit procedures for determining compliance, exempt programs and information relevant to the risk-based approach for use in determining major state programs.

(b) A cognizant agency shall: (1) Ensure through coordination with state agencies, that audits are made in a timely manner and in accordance with the requirements of sections 4-230 to 4-236, inclusive, as amended by this act; (2) ensure that corrective action plans made pursuant to section 4-233, as amended by this act, are transmitted to the appropriate state officials; and (3) (A) coordinate, to the extent practicable, audits done by or under contract with state agencies that are in addition to the audits conducted pursuant to sections 4-230 to 4-236, inclusive, as amended by this act; and (B) ensure that such additional audits build upon the audits conducted pursuant to said sections.

(c) (1) Each pass-through entity which is subject to the audit requirements of sections 4-230 to 4-236, inclusive, as amended by this act, shall:

(A) Advise subrecipients of requirements imposed on them by state laws, regulations, and the provisions of contracts or grant agreements, and any supplemental requirements imposed by the pass-through entity;

(B) If the subrecipient is subject to an audit in accordance with the requirements of said sections 4-230 to 4-236, inclusive, as amended by

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this act, review such audit and ensure that prompt and appropriate corrective action is taken with respect to material or reportable findings of noncompliance with individual compliance requirements or [reportable conditions] significant deficiencies or material weaknesses in internal controls pertaining to state financial assistance provided to the subrecipient by the pass-through entity; or

(C) If the subrecipient is not subject to an audit in accordance with the requirements of said sections 4-230 to 4-236, inclusive, as amended by this act, monitor the activities of subrecipients as necessary to ensure that state financial assistance is used for authorized purposes in compliance with laws, regulations, and the provisions of contracts or grant agreements.

(2) Each pass-through entity, as a condition of receiving state financial assistance, shall require each of its subrecipients to permit the independent auditor of the pass-through entity to have such access to the subrecipient's records and financial statements as may be necessary for the pass-through entity to comply with sections 4-230 to 4-236, inclusive, as amended by this act.

Sec. 49. Section 9 of public act 09-2 is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) There is established a Commission on Enhancing Agency Outcomes that shall identify functional overlaps and other redundancies among state agencies and promote efficiency and accountability in state government by identifying ways to eliminate such overlaps and redundancies and by making such other recommendations as the commission deems appropriate, with the goal of reducing costs to the state and enhancing the quality and accessibility of state services. The commission shall also consider the merging of state agencies [such as (1) the Departments of Mental Health and Addiction Services and Social Services, and (2) the

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Connecticut Commission on Culture and Tourism, portions of the Office of Workforce Competitiveness and the Department of Economic and Community Development] and streamlining state operations to further the goals of the commission.

(b) The commission shall consist of: (1) The chairpersons and the ranking members of the joint standing [committees] committee of the General Assembly having cognizance of matters relating to government administration and elections, [and appropriations and the budgets of state agencies,] (2) the chairpersons and the ranking members of the joint standing committee of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies, or said chairpersons' designees, (3) the chairpersons of the Legislative Program Review and Investigations Committee, or said chairpersons' designees, (4) the Secretary of the Office of Policy and Management, or the secretary's designee, [(3)] (5) two members each appointed by the speaker of the House of Representatives and the president pro tempore of the Senate, [(4)] (6) one member each appointed by the majority leader of the House of Representatives and the majority leader of the Senate, and [(5)] (7) one member each appointed by the minority leader of the House of Representatives and the minority leader of the Senate. The chairpersons and ranking members of the joint standing committee of the General Assembly having cognizance of an agency under consideration by the commission shall be ex-officio, nonvoting members of the commission for purposes of the review of such agency. Members of the commission shall receive no compensation for their services.

(c) Members of the General Assembly may be appointed to and serve on the commission. All appointments to the commission shall be made not later than seven days after the effective date of this section. Any vacancy shall be filled by the appointing authority.

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(d) The chairpersons of the joint standing committee of the General Assembly having cognizance of matters relating to government administration and elections shall be the chairpersons of the commission. The chairpersons shall schedule the first meeting of the commission, which shall be held not later than fourteen days after the effective date of this section.

(e) The Legislative Program Review and Investigations Committee shall assist the commission, within existing budgetary resources, as determined by the Legislative Program Review and Investigations Committee.

~~[(e)]~~ (f) The commissioners and agency heads of each agency under consideration by the commission shall provide, in a timely manner, testimony, data and any other information or materials that the commission requests for purposes of its review and deliberations under this section.

~~[(f)]~~ (g) The administrative staff of the joint standing committee of the General Assembly having cognizance of matters relating to government administration and elections and nonpartisan legislative staff shall serve as administrative staff of the commission.

~~[(g)]~~ (h) Not later than [July 1, 2009] February 1, 2010, the commission shall submit [a] an initial report [on its findings and recommendations] identifying subjects for further study to the Governor, the speaker of the House of Representatives and the president pro tempore of the Senate, in accordance with the provisions of section 11-4a of the general statutes. Not later than December 31, 2010, the commission shall submit a full report on its findings and recommendations to the Governor, the speaker of the House of Representatives and the president pro tempore of the Senate, in accordance with the provisions of section 11-4a. The commission shall terminate on [the date that it submits such report or July 1, 2009,

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whichever is later] December 31, 2011.

Sec. 50. Special Act 09-14 is amended to read as follows (*Effective from passage*):

(a) The Commissioner of Economic and Community Development shall, within available appropriations, conduct a three-year study of programs initiated, conducted and coordinated by the Department of Economic and Community Development that promote and assist Connecticut businesses with international trade with African countries with whom the United States has diplomatic relations. In each of the three years of such study, the commissioner shall focus on four different countries in Africa.

(b) On or before July 1, 2010, July 1, 2011, and July 1, 2012, the commissioner shall, in accordance with the provisions of section [11-4a] 32-1m of the general statutes, report to the joint standing committee of the General Assembly having cognizance of matters relating to commerce on the results of each phase of such three-year study undertaken pursuant to subsection (a) of this section. Each report shall include statistics on the progress of the department and a description of the implementation of such programs.

Sec. 51. Section 10-394 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2010*):

(a) On or before June first of each year, each regional tourism district established under section 10-397, as amended by this act, shall prepare a proposed budget for the next succeeding fiscal year beginning July first to carry out its statutory duties. After approval by said tourism district's board of directors, and no later than June first of each year, the tourism district shall submit the proposed budget to the executive director of the Commission on Culture and Tourism for review, comments and recommendations by the commission

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concerning the proposed expenditures. [The] On and after December 31, 2010, and annually thereafter, the commission shall review, in consultation with the tourism district, the proposed budget no later than June thirtieth, and approve or disapprove the budget. If the commission disapproves any annual budget, the commission shall adopt an interim budget and such interim budget shall take effect at the commencement of the fiscal year and shall remain in effect until the tourism district submits and the commission approves a modified budget. The tourism district shall, on or before [September fifteenth] March 15, 2011, and annually thereafter, submit a copy of the budget to the joint standing committees of the General Assembly having cognizance of matters relating to appropriations, finance, revenue and bonding and commerce and the Office of Policy and Management, including an explanation detailing the proposed expenditures for the tourism district for the succeeding fiscal year. No funds shall be expended on or after December 31, 2010, by the tourism district without prior approval of the budget or adoption of an interim budget by the Commission on Culture and Tourism.

(b) [Each] On and after December 31, 2010, each regional tourism district shall ensure that no more than twenty per cent of the total annual grant amount received by [it pursuant to section 10-398] the district is used for administrative costs. The executive director, with the approval of the commissioners, shall develop guidelines concerning administrative costs for tourism districts.

Sec. 52. Section 16-331bb of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) There is established an account to be known as the "municipal video competition trust account", which shall be a separate, nonlapsing account within the General Fund. The account shall contain any moneys required by this section to be deposited in the account. [and] In the fiscal year commencing July 1, 2008, and in each fiscal year

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thereafter, the amount in said account at the end of the preceding fiscal year shall be distributed as property tax relief to the towns, cities and boroughs of this state pursuant to subsection (c) of this section.

(b) The Comptroller shall deposit into the municipal video competition trust account, established pursuant to this section, a sum not to exceed five million dollars per fiscal year from the gross earnings tax imposed on certified competitive video service providers pursuant to section 12-256.

(c) (1) The amount to be distributed to each town from said account shall be a proportional part of the total amount of such distribution determined with respect to each town by the following ratio: The total number of subscribers to certified competitive video service located in such town at the end of [such fiscal year] the fiscal year preceding the fiscal year during which the distribution to municipalities under this section occurs shall be the numerator of the fraction, and the total number of subscribers to certified competitive video service located in all towns in this state at the end of such fiscal year shall be added together, and the sum shall be the denominator of the fraction.

(2) Any city or borough not consolidated with the town in which it is located and any town containing such a city or borough shall receive a portion of the amount allocated to such town under subdivision (1) of this subsection on the basis of the following ratio: The total property taxes levied [in such fiscal year] by such town, city or borough in the most recent fiscal year for which a certified copy of an audit report is received by the Secretary of the Office of Policy and Management, in accordance with section 7-393, shall be the numerator of the fraction, and the total property taxes levied in such fiscal year by the town and all cities or boroughs located within such town shall be added together, and the sum shall be the denominator of the fraction. On and after July 1, 2009, the town in which a city or borough is located shall be entitled to retain the amount otherwise allocable to a city or

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borough under the provisions of this subsection if the application of such ratio results in an allocation of less than five dollars to such city or borough. Any such city or borough may, by vote of its legislative body, direct the Secretary of the Office of Policy and Management to reallocate all or a portion of the share of such city or borough to the town in which it is located.

(d) Not later than September 15, 2008, and annually thereafter, the Secretary of the Office of Policy and Management shall certify to the Comptroller the [percentage of the amount in said account] amount to be paid to each municipality from said account in accordance with this section and the Comptroller shall draw the Comptroller's order on the Treasurer not later than the twenty-fifth day of September in the same year. The Treasurer shall pay the respective amount to each municipality in accordance with this section on or before the thirtieth day of September in the same year.

(e) Not later than July 30, 2008, and annually thereafter, each certified competitive video service provider shall file with the Office of Policy and Management the total number of subscribers to certified competitive video service in each town and the total subscribers to certified competitive video service in all towns in this state as of the last day of the immediately preceding fiscal year.

Sec. 53. Section 8-13s of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage and applicable to payments issued in the fiscal year ending June 30, 2009, and in each fiscal year thereafter*):

(a) Upon the determination that (1) the housing incentive zone has been adopted; (2) the time for appeal of the final adoption of the regulations has expired or a final and unappealable judgment upholding such regulations has been issued in any civil action challenging or delaying such regulations; and (3) the municipality has

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otherwise complied with the requirements of sections 8-13m to 8-13x, inclusive, the Secretary of the Office of Policy and Management shall, subject to the availability of funds, make a zone adoption payment to the municipality [in the amount] of up to two thousand dollars for each unit of housing that can, as-of-right, be built as part of an incentive housing development within such zone or zones based on the definition of developable land and the minimum as-of-right densities set forth in subdivision (3) of subsection (b) of section 8-13n.

(b) Subject to the availability of funds the secretary shall issue to the municipality a one-time building permit payment for each building permit for a residential housing unit in an approved incentive housing development upon submission by a municipality to the secretary of proof of issuance of such building permit and after determining that (1) no appeal from or challenge to such building permit has been filed or is pending, and (2) such building permit was issued for housing in an incentive housing development not later than five years after the date of the final adoption of incentive housing zone regulations by the zoning commission in accordance with the provisions of subsection (b) of section 8-13q. The amount of payment shall be up to two thousand dollars for each multifamily housing unit, duplex unit or townhouse unit and up to five thousand dollars for each single-family detached unit. Such payment shall be made by the secretary not more than sixty days after receipt of proof of the issuance of building permits and verification of the absence of any appeal or challenge.

(c) Residential units that are located within an approved incentive housing zone that are part of a development that constitutes housing for older persons permitted by the federal Fair Housing Act, 42 USC 3607 or sections 46a-64c and 46a-64d shall not be eligible for payments under this section.

Sec. 54. (*Effective from passage*) Notwithstanding any provision of the general statutes, the personal property tax paid on August 7, 2009, for

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property acquired by the Commissioner of the Department of Public Works, as described in public act 09-15, shall be deemed payment in full for said property for the assessment year commencing October 1, 2008.

Sec. 55. Section 1-1j of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Each state agency, as defined in section 4-166, as amended by this act, shall accept payment in cash or by check, draft or money order for any license issued by such agency pursuant to the provisions of the general statutes.

(b) Except as otherwise provided by the general statutes, the Secretary of the Office of Policy and Management may authorize any state agency (1) to [allow an applicant for a license to pay the license fee] accept payment of any fee, cost or fine payable to such agency by means of a credit card, charge card or debit card, or an electronic payment service, and (2) to charge [such applicant] a service fee for any such payment made by credit card, charge card or debit card or an electronic payment service. Such service fee shall be (A) related to the cost of service, (B) uniform for all credit cards, charge cards and debit cards accepted, and (C) applied only when allowed by the operating rules and regulations of the credit card, charge card or debit card issuer or processor involved or when authorized in writing by such issuer or processor. Payments by credit card, charge card, [or] debit card or an electronic payment service shall be made at such times and under such conditions as the secretary may prescribe in regulations adopted in accordance with the provisions of chapter 54. Payment of a [license] fee, cost or fine by credit card, charge card, [or] debit card or an electronic payment service shall constitute full payment of such fee, regardless of any discount applied by a credit card company.

Sec. 56. (*Effective from passage*) Notwithstanding section 30 of public

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act 09-229, the sum of \$10,000,000 appropriated to the Department of Agriculture in section 1 of public act 09-3 of the June special session, for Dairy Farmers, shall be used for grants to milk producers, as defined in subsection (a) of section 30 of public act 09-229, to offset the difference between the minimum sustainable monthly cost of production, as defined in subsection (a) of section 30 of public act 09-229, and the federal pay price, as defined in subsection (a) of section 30 of public act 09-229, paid to such milk producers during the period from January 1, 2009, to June 30, 2009. The Commissioner of Agriculture may use up to \$100,000 of such appropriated amount for costs directly related to the administration of such grants. Said commissioner shall calculate any payment made to a milk producer under this section on the basis of the amount of milk produced by such milk producer during said period and shall distribute such grant moneys no later than November 1, 2009.

Sec. 57. (*Effective from passage*) Notwithstanding the provisions of section 4-66aa of the general statutes, as amended by section 28 of public act 09-229 and section 69 of public act 09-3 of the June special session, the sum of \$125,000 shall be transferred from the portion of funds received from the community investment account by each of the following agencies, after all distributions required by said section are made, and credited to the resources of the General Fund for the fiscal year ending June 30, 2010: (1) The Department of Agriculture; (2) the Department of Environmental Protection; (3) the Connecticut Commission on Culture and Tourism; and (4) the Connecticut Housing Finance Authority.

Sec. 58. Section 40 of public act 09-3 of the June special session is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Up to \$1,100,000 made available to the Department of Mental Health and Addiction Services, for the Pre-Trial Alcohol Substance

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Abuse Program, shall be available for Regional Action Councils during each of the fiscal years ending June 30, 2010, and June 30, 2011.

(b) Up to \$510,000 made available to the Department of Mental Health and Addiction Services, for the Pre-Trial Alcohol Substance Abuse Program, shall be available for the Governor's Partnership to Protect Connecticut's Workforce during each of the fiscal years ending June 30, 2010, and June 30, 2011.

(c) Up to \$100,000 made available to the Department of Mental Health and Addiction Services, for the Pre-Trial Alcohol Substance Abuse Program, shall be available to provide funding to a nonprofit organization with expertise in primary and secondary substance abuse prevention to build a community-wide, broad-based and inter-institutional approach to substance abuse prevention during each of the fiscal years ending June 30, 2010, and June 30, 2011.

(d) Up to \$125,000 made available to the Department of Mental Health and Addiction Services, for the Pre-Trial Alcohol Substance Abuse Program, shall be available for the Regional Youth/Adult Substance Abuse Project in Bridgeport during each of the fiscal years ending June 30, 2010, and June 30, 2011.

[(e) Up to \$125,000 made available to the Department of Mental Health and Addiction Services, for the Pre-Trial Alcohol Substance Abuse Program, shall be available for the RYASAP Regional Action Council in Bridgeport during each of the fiscal years ending June 30, 2010, and June 30, 2011.]

Sec. 59. Subsection (a) of section 14-270c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective September 1, 2010*):

(a) The Commissioners of Public Safety and Motor Vehicles shall staff the official weighing areas as follows:

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(1) Greenwich: Eight work shifts in each seven-day period from Sunday through Saturday. No such shifts shall be worked consecutively, except that two shifts may be worked consecutively on not more than three days;

(2) Danbury: [Three] The Department of Public Safety shall staff three work shifts in each seven-day period from Sunday through Saturday and the Department of Motor Vehicles shall staff three work shifts in each seven-day period from Sunday through Saturday. The Commissioner of Public Safety shall, whenever possible, coordinate coverage between this official weighing area and the official weighing area in Greenwich in order to ensure concurrent coverage;

(3) Union: Between five and eight work shifts in each seven-day period from Sunday through Saturday. The Commissioner of Motor Vehicles shall coordinate the hours of operation of this official weighing area; and

(4) Portable scale locations: Ten shifts in each seven-day period from Sunday through Saturday which shall be staggered throughout the four geographical areas established by the Commissioner of Public Safety with concentration in areas that have fewer hours of operation for the permanent weighing areas.

Sec. 60. Subsection (a) of section 10-393 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The Connecticut Commission on Culture and Tourism shall consist of [thirty-five] twenty-eight voting commissioners and nonvoting ex-officio members. Such ex-officio members shall be the executive directors of the Connecticut Trust for Historic Preservation and the Connecticut Humanities Council, the State Poet Laureate, the State Historian and the State Archaeologist. The State Poet Laureate,

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the State Historian and the State Archaeologist shall serve as commissioners without being appointed and without receiving compensation for such service. The remaining [thirty] twenty-three commissioners shall be appointed as follows:

(1) The Governor shall appoint [eight] seven commissioners: (A) One commissioner shall be an individual with knowledge of and experience in the tourism industry from within the state; (B) three commissioners shall be individuals with knowledge of or experience or interest in history or humanities; (C) one commissioner shall be an individual with knowledge of or experience or interest in the arts; and (D) [one commissioner shall be an individual with experience relating directly to the production of digital media or motion pictures; and (E)] two commissioners shall be selected at large.

(2) The speaker of the House of Representatives shall appoint [four] three commissioners: (A) One commissioner shall be an individual with knowledge of and experience in the tourism industry from the southwestern tourism district, established under section 10-397; (B) one commissioner shall be an individual with knowledge of or experience or interest in history or humanities; and (C) one commissioner shall be an individual with knowledge of or experience or interest in the arts. [; and (D) one commissioner shall be an individual with experience relating directly to the production of digital media or motion pictures.]

(3) The president pro tempore of the Senate shall appoint [four] three commissioners: (A) One commissioner shall be an individual with knowledge of and experience in the tourism industry from the central tourism district, established under section 10-397; (B) one commissioner shall be an individual with knowledge of or experience or interest in history or humanities; and (C) one commissioner shall be an individual with knowledge of or experience or interest in the arts. [; and (D) one commissioner shall be an individual with experience

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relating directly to the production of digital media or motion pictures.]

(4) The majority leader of the House of Representatives shall appoint [~~three~~] two commissioners: (A) One commissioner shall be an individual with knowledge of and experience in the tourism industry from the south central tourism district, established under section 10-397; and (B) one commissioner shall be an individual with knowledge of or experience or interest in the arts. [; and (C) one commissioner shall be an individual with experience relating directly to the production of digital media or motion pictures.]

(5) The majority leader of the Senate shall appoint [~~three~~] two commissioners: (A) One commissioner shall be an individual with knowledge of and experience in the tourism industry from the eastern tourism district; and (B) one commissioner shall be an individual with knowledge of or experience or interest in the arts. [; and (C) one commissioner shall be an individual with experience relating directly to the production of digital media or motion pictures.]

(6) The minority leader of the House of Representatives shall appoint [~~four~~] three commissioners: (A) One commissioner shall be an individual with knowledge of and experience in the tourism industry from within the state; (B) one commissioner shall be an individual with knowledge of or experience or interest in history or humanities; and (C) one commissioner shall be an individual with knowledge of or experience or interest in the arts. [; and (D) one commissioner shall be an individual with experience relating directly to the production of digital media or motion pictures.]

(7) The minority leader of the Senate shall appoint [~~four~~] three commissioners: (A) One commissioner shall be an individual with knowledge of and experience in the tourism industry from the northwestern tourism district, established under section 10-397; (B) one commissioner shall be an individual with knowledge of or experience

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or interest in history or humanities; (C) one commissioner shall be an individual with knowledge of or experience or interest in the arts. [; and (D) one commissioner shall be an individual with experience relating directly to the production of digital media or motion pictures.]

Sec. 61. Subsection (a) of section 32-1c of the general statutes, as amended by section 5 of public act 09-234, is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) In addition to any other powers, duties and responsibilities provided for in this chapter, chapter 131, chapter 579 and section 4-8 and subsection (a) of section 10-409, the commissioner shall have the following powers, duties and responsibilities: (1) To administer and direct the operations of the Department of Economic and Community Development; (2) to report annually to the Governor, as provided in section 4-60; (3) to conduct and administer the research and planning functions necessary to carry out the purposes of said chapters and sections; (4) to encourage and promote the development of industry and business in the state and to investigate, study and undertake ways and means of promoting and encouraging the prosperous development and protection of the legitimate interest and welfare of Connecticut business, industry and commerce, within and outside the state; (5) to serve, ex officio as a director on the board of Connecticut Innovations, Incorporated; (6) to serve as a member of the Committee of Concern for Connecticut Jobs; (7) to promote and encourage the location and development of new business in the state as well as the maintenance and expansion of existing business and for that purpose to cooperate with state and local agencies and individuals both within and outside the state; (8) to plan and conduct a program of information and publicity designed to attract tourists, visitors and other interested persons from outside the state to this state and also to encourage and coordinate the efforts of other public and private organizations or groups of citizens to publicize the facilities and attractions of the state

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for the same purposes; (9) to advise and cooperate with municipalities, persons and local planning agencies within the state for the purpose of promoting coordination between the state and such municipalities as to plans and development; (10) to provide all necessary staff, services, accounting and office space and equipment required by the Connecticut Development Authority subject to the provisions of section 4b-23, as amended by this act, where real estate acquisitions are involved; (11) to aid minority businesses in their development; (12) to appoint such assistants, experts, technicians and clerical staff, subject to the provisions of chapter 67, as are necessary to carry out the purposes of said chapters and sections; (13) to employ other consultants and assistants on a contract or other basis for rendering financial, technical or other assistance and advice; (14) to acquire or lease facilities located outside the state subject to the provisions of section 4b-23, as amended by this act; (15) to advise and inform municipal officials concerning economic development and collect and disseminate information pertaining thereto, including information about federal, state and private assistance programs and services pertaining thereto; (16) to inquire into the utilization of state government resources and coordinate federal and state activities for assistance in and solution of problems of economic development and to inform and advise the Governor about and propose legislation concerning such problems; (17) to conduct, encourage and maintain research and studies relating to industrial and commercial development; (18) to prepare and review model ordinances and charters relating to these areas; (19) to maintain an inventory of data and information and act as a clearinghouse and referral agency for information on state and federal programs and services relative to the purpose set forth herein. The inventory shall include information on all federal programs of financial assistance for defense conversion projects and other projects consistent with a defense conversion strategy and shall identify businesses which would be eligible for such assistance and provide notification to such business of such programs; (20) to

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conduct, encourage and maintain research and studies and advise municipal officials about forms of cooperation between public and private agencies designed to advance economic development; (21) to promote and assist the formation of municipal and other agencies appropriate to the purposes of this chapter; (22) to require notice of the submission of all applications by municipalities and any agency thereof for federal and state financial assistance for economic development programs as relate to the purposes of this chapter; (23) with the approval of the Commissioner of Administrative Services, to reimburse any employee of the department, including the commissioner, for reasonable business expenses, including but not limited to, mileage, travel, lodging, and entertainment of business prospects and other persons to the extent necessary or advisable to carry out the purposes of subdivisions (4), (7), (8) and (11) of this subsection and other provisions of this chapter; (24) to assist in resolving solid waste management issues; [and] (25) (A) to serve as an information clearinghouse for various public and private programs available to assist businesses, [and] (B) to identify specific micro businesses, as defined in section 32-344, whose growth and success could benefit from state or private assistance and contact such small businesses in order to (i) identify their needs, (ii) provide information about public and private programs for meeting such needs, including, but not limited to, technical assistance, job training and financial assistance, and (iii) arrange for the provision of such assistance to such businesses; and (26) to enhance and promote the digital media and motion picture industries in the state.

Sec. 62. Section 8-31a of the general statutes, as amended by section 1 of public act 09-80, is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Within any planning region of the state as defined or redefined by the Secretary of the Office of Policy and Management, or his designee

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under the provisions of section 16a-4a a regional planning agency may be created by the adoption of sections 8-31a to 8-37a, inclusive, by ordinance of the legislative bodies of two or more towns, cities or boroughs within such region, provided the total number of representatives of such towns, cities or boroughs shall equal sixty per cent or more of the total number of representatives possible of all the towns, cities or boroughs within such region computed as prescribed in this section. Any other town, city or borough within such region may join such regional planning agency by the adoption of said sections by ordinance of its legislative body. [The chief elected official of each] Each town, city or borough within such region, [or the designee of such official, shall be a representative on such agency and each such town, city or borough,] except as provided herein, shall be entitled to two [other] representatives on such agency, one of whom shall be the chief elected official of such town, city or borough or the designee of such official, and additional representation on such agency at the ratio of one representative for each fifty thousand of population or fraction thereof over and above a population of twenty-five thousand as determined by the last-completed federal census. Cities and boroughs with boundaries not coterminous with the boundaries of the town in which they are located, upon adoption of the provisions of said sections, may have their chief elected official, or the designee of such official, and one other representative on such agency provided the population of the city or borough is greater than fifty per cent of the total population of the town as determined by the last-completed federal census, and the town, upon adoption of the provisions of said sections, may have the chief elected official of such town, or the designee of such official, and one other representative on such agency. If the total population of the town is greater than twenty-five thousand, the town may elect or appoint the extra representative or representatives as prescribed above, except that, for each fifty thousand population residing in the city or borough, the city or borough may have one additional representative. Noncoterminous

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cities or boroughs which do not contain fifty per cent or more of the total population of the town in which they are located shall not adopt the provisions of said sections and shall not join such regional planning agency. Where a planning commission exists in a town, city or borough established under the provisions of the general statutes or any special act, at least one of the representatives from such town, city or borough to the regional planning agency shall be appointed by such planning commission. The other representative or representatives shall be elected or appointed in the manner provided by ordinance adopted by the legislative body of such town, city or borough.

Sec. 63. (NEW) (*Effective from passage*) (a) If, in the exercise of the Secretary of the Office of Policy and Management's powers pursuant to title 16a of the general statutes, the secretary finds that the use of a certain technology, product or process would promote energy conservation, energy efficiency or renewable energy technology, the secretary may direct a state agency to test such technology, product or process by using it in the operations of such agency on a trial basis. The purpose of such test program shall be to validate the effectiveness of such technology, product or process in reducing energy usage and costs or reducing dependence on fossil fuels or green house gas emissions. No agency shall undertake such testing of any technology, product or process unless the business manufacturing or marketing the technology, product or process demonstrates that (1) the use of such technology, product or process by the state agency will not adversely affect safety, (2) a certified independent third party or accredited laboratory has found that the technology, product or process reduces energy consumption and cost, and (3) the technology, product or process is presently available for commercial sale and distribution or has potential for commercialization not later than two years following the completion of any test program by a state agency pursuant to this section.

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(b) If the secretary finds that using such technology, product or process would be feasible in the operations of a state agency and would not have any detrimental effect on such operations, the secretary, notwithstanding the requirements of chapter 58 of the general statutes, may direct a state agency to accept delivery of such technology, product or process and to undertake such a test program. Any costs associated with the acquisition and use of such technology, product or process by the testing agency for the test period shall be borne by the manufacturer, the marketer or any investor or participant in such business. The acquisition of any technology, product or process for purposes of the test program established pursuant to this section shall not be deemed to be a purchase under the provisions of state procurement law. The manufacturer, the marketer or any investor or participant in such business shall maintain records related to such test program, as required by the secretary. All proprietary information derived from such test program shall be exempt from the provisions of subsection (a) of section 1-210 of the general statutes.

(c) If the secretary determines that the test program sufficiently demonstrates that the technology, product or process reduces energy usage and costs or reduces dependence on fossil fuels or green house gas emissions, the testing agency may request that the Commissioner of Administrative Services (1) procure such technology for use by any or all state agencies, and (2) make such procurement pursuant to subsection (b) of section 4a-58 of the general statutes.

Sec. 64. Section 46b-38b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2010*):

(a) Whenever a peace officer determines upon speedy information that a family violence crime, except a family violence crime involving a dating relationship, has been committed within such officer's jurisdiction, such officer shall arrest the person or persons suspected of its commission and charge such person or persons with the

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appropriate crime. The decision to arrest and charge shall not (1) be dependent on the specific consent of the victim, (2) consider the relationship of the parties, or (3) be based solely on a request by the victim. Whenever a peace officer determines that a family violence crime has been committed, such officer may seize any firearm or electronic defense weapon, as defined in section 53a-3, at the location where the crime is alleged to have been committed that is in the possession of any person arrested for the commission of such crime or suspected of its commission or that is in plain view. Not later than seven days after any such seizure, the law enforcement agency shall return such firearm or electronic defense weapon in its original condition to the rightful owner thereof unless such person is ineligible to possess such firearm or electronic defense weapon or unless otherwise ordered by the court.

(b) No peace officer investigating an incident of family violence shall threaten, suggest or otherwise indicate the arrest of all parties for the purpose of discouraging requests for law enforcement intervention by any party. Where complaints are made by two or more opposing parties, the officer shall evaluate each complaint separately to determine whether such officer should make an arrest or seek a warrant for an arrest. Notwithstanding the provisions of subsection (a) of this section, when a peace officer reasonably believes that a party in an incident of family violence has used force as a means of self defense, such officer is not required to arrest such party under this section.

(c) No peace officer shall be held liable in any civil action regarding personal injury or injury to property brought by any party to a family violence incident for an arrest based on probable cause or for any conditions of release imposed pursuant to subsection (b) of section 54-63c.

(d) It shall be the responsibility of the peace officer at the scene of a

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family violence incident to provide immediate assistance to the victim. Such assistance shall include, but not be limited to: (1) Assisting the victim to obtain medical treatment if such treatment is required; (2) notifying the victim of the right to file an affidavit or warrant for arrest; [and] (3) informing the victim of services available and referring the victim to the Office of Victim Services; and (4) providing assistance in accordance with the uniform protocols for treating victims of family violence whose immigration status is questionable established pursuant to subsection (g) of this section. In cases where the officer has determined that no cause exists for an arrest, assistance shall include: (A) Assistance as provided in subdivisions (1) to [(3)] (4), inclusive, of this subsection; and (B) remaining at the scene for a reasonable time until, in the reasonable judgment of the officer, the likelihood of further imminent violence has been eliminated.

(e) (1) Each law enforcement agency shall develop, in conjunction with the Division of Criminal Justice, and implement specific operational guidelines for arrest policies in family violence incidents. Such guidelines shall include, but not be limited to: [(1)] (A) Procedures for the conduct of a criminal investigation; [(2)] (B) procedures for arrest and for victim assistance by peace officers; [(3)] (C) education as to what constitutes speedy information in a family violence incident; [(4)] (D) procedures with respect to the provision of services to victims; and [(5)] (E) such other criteria or guidelines as may be applicable to carry out the purposes of sections 46b-1, 46b-15, 46b-38a to 46b-38f, inclusive, as amended by this act, and 54-1g. Such procedures shall be duly promulgated by such law enforcement agency.

(2) On and after July 1, 2010, each law enforcement agency shall designate at least one officer with supervisory duties to expeditiously process, upon request of a victim of family violence or other crime who is applying for U Nonimmigrant Status (A) a certification of

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helpfulness on Form I-918, Supplement B, or any subsequent corresponding form designated by the United States Department of Homeland Security, confirming that the victim of family violence or other crime has been helpful, is being helpful, or is likely to be helpful in the investigation or prosecution of the criminal activity, and (B) any subsequent certification required by the victim.

(f) The Police Officer Standards and Training Council, in conjunction with the Division of Criminal Justice, shall establish an education and training program for law enforcement officers, supervisors and state's attorneys on the handling of family violence incidents. Training under such program shall: (1) Stress the enforcement of criminal law in family violence cases and the use of community resources, and include training for peace officers at both recruit and in-service levels; and (2) include, but not be limited to: (A) The nature, extent and causes of family violence; (B) legal rights of and remedies available to victims of family violence and persons accused of family violence; (C) services and facilities available to victims and batterers; (D) legal duties imposed on police officers to make arrests and to offer protection and assistance, including applicable probable cause standards; and (E) techniques for handling incidents of family violence that minimize the likelihood of injury to the officer and promote the safety of the victim. On and after July 1, 2010, training under such program shall also include, within available appropriations, information on (i) the impact of arrests of multiple parties in a family violence case on the immigration status of the parties; (ii) crime scene investigation and evaluation practices in family violence cases designed by the council to reduce the number of multiple arrests in family violence cases; and (iii) practical considerations in the application of state statutes related to family violence. On and after July 1, 2010, such training shall also address, within available appropriations, eligibility for federal T Visas for victims of human trafficking and federal U Visas for unauthorized

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immigrants who are victims of family violence and other crimes.

(g) Not later than July 1, 2010, the Police Officer Standards and Training Council shall establish uniform protocols for treating victims of family violence whose immigration status is questionable, and shall make such protocols available to law enforcement agencies. Each law enforcement agency shall adopt and use such protocols on and after the date they are established by the council.

Sec. 65. Section 46b-38c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2010*):

(a) There shall be family violence response and intervention units in the Connecticut judicial system to respond to cases involving family violence. The units shall be coordinated and governed by formal agreement between the Chief State's Attorney and the Judicial Department.

(b) The Court Support Services Division, in accordance with the agreement between the Chief State's Attorney and the Judicial Department, shall establish within each geographical area of the Superior Court a local family violence intervention unit to implement sections 46b-1, 46b-15, 46b-38a to 46b-38f, inclusive, as amended by this act, and 54-1g. The Court Support Services Division shall oversee direct operations of the local units.

(c) Each such local family violence intervention unit shall: (1) Accept referrals of family violence cases from a judge or prosecutor, (2) prepare written or oral reports on each case for the court by the next court date to be presented at any time during the court session on that date, (3) provide or arrange for services to victims and offenders, (4) administer contracts to carry out such services, and (5) establish centralized reporting procedures. All information provided to a family relations officer in a local family violence intervention unit shall be

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solely for the purposes of preparation of the report and the protective order forms for each case and recommendation of services and shall otherwise be confidential and retained in the files of such unit and not be subject to subpoena or other court process for use in any other proceeding or for any other purpose, except that if the victim has indicated that the defendant holds a permit to carry a pistol or revolver or possesses one or more firearms, the family relations officer shall disclose such information to the court and the prosecuting authority for appropriate action.

(d) In all cases of family violence, a written or oral report and recommendation of the local family violence intervention unit shall be available to a judge at the first court date appearance to be presented at any time during the court session on that date. A judge of the Superior Court may consider and impose the following conditions to protect the parties, including, but not limited to: (1) Issuance of a protective order pursuant to subsection (e) of this section; (2) prohibition against subjecting the victim to further violence; (3) referral to a family violence education program for batterers; and (4) immediate referral for more extensive case assessment. Such protective order shall be an order of the court, and the clerk of the court shall cause (A) a certified copy of such order to be sent to the victim, and (B) a copy of such order, or the information contained in such order, to be sent by facsimile or other means within forty-eight hours of its issuance to the law enforcement agency for the town in which the victim resides and, if the defendant resides in a town different from the town in which the victim resides, to the law enforcement agency for the town in which the defendant resides. If the victim is employed in a town different from the town in which the victim resides, the clerk of the court shall, upon the request of the victim, send, by facsimile or other means, a copy of such order, or the information contained in such order, to the law enforcement agency for the town in which the victim is employed within forty-eight hours of the issuance of such order.

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(e) A protective order issued under this section may include provisions necessary to protect the victim from threats, harassment, injury or intimidation by the defendant, including, but not limited to, an order enjoining the defendant from (1) imposing any restraint upon the person or liberty of the victim, (2) threatening, harassing, assaulting, molesting or sexually assaulting the victim, or (3) entering the family dwelling or the dwelling of the victim. A protective order issued under this section may include provisions necessary to protect any animal owned or kept by the victim including, but not limited to, an order enjoining the defendant from injuring or threatening to injure such animal. Such order shall be made a condition of the bail or release of the defendant and shall contain the following language: "In accordance with section 53a-223 of the Connecticut general statutes, any violation of this order constitutes criminal violation of a protective order which is punishable by a term of imprisonment of not more than five years, a fine of not more than five thousand dollars, or both. Additionally, in accordance with section 53a-107 of the Connecticut general statutes, entering or remaining in a building or any other premises in violation of this order constitutes criminal trespass in the first degree which is punishable by a term of imprisonment of not more than one year, a fine of not more than two thousand dollars, or both. Violation of this order also violates a condition of your bail or release, and may result in raising the amount of bail or revoking release." Every order of the court made in accordance with this section after notice and hearing shall also contain the following language: "This court had jurisdiction over the parties and the subject matter when it issued this protection order. Respondent was afforded both notice and opportunity to be heard in the hearing that gave rise to this order. Pursuant to the Violence Against Women Act of 1994, 18 USC 2265, this order is valid and enforceable in all fifty states, any territory or possession of the United States, the District of Columbia, the Commonwealth of Puerto Rico and tribal lands." The information contained in and concerning the issuance of any protective order

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issued under this section shall be entered in the registry of protective orders pursuant to section 51-5c.

(f) In cases referred to the local family violence intervention unit, it shall be the function of the unit to (1) identify victim service needs and, by contract with victim service providers, make available appropriate services and (2) identify appropriate offender services and where possible, by contract, provide treatment programs for offenders.

(g) There shall be a pretrial family violence education program for persons who are charged with family violence crimes. At a minimum, such program shall inform participants of the basic elements of family violence law and applicable penalties. The court may, in its discretion, invoke such program on motion of the defendant when it finds: (1) That the defendant has not previously been convicted of a family violence crime which occurred on or after October 1, 1986; (2) the defendant has not had a previous case assigned to the family violence education program; (3) the defendant has not previously invoked or accepted accelerated rehabilitation under section 54-56e for a family violence crime which occurred on or after October 1, 1986; and (4) that the defendant is not charged with a class A, class B or class C felony, or an unclassified felony carrying a term of imprisonment of more than ten years, or unless good cause is shown, a class D felony or an unclassified offense carrying a term of imprisonment of more than five years. Participation by any person in the accelerated pretrial rehabilitation program under section 54-56e prior to October 1, 1986, shall not prohibit eligibility of such person for the pretrial family violence education program under this section. The court may require that the defendant answer such questions under oath, in open court or before any person designated by the clerk and duly authorized to administer oaths, under the penalties of perjury as will assist the court in making these findings. The court, on such motion, may refer the defendant to the family violence intervention unit, and may continue

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[his] the defendant's case pending the submission of the report of the unit to the court. The court shall also give notice to the victim or victims that the defendant has requested assignment to the family violence education program, and, where possible, give the victim or victims opportunity to be heard. Any defendant who accepts placement in the family violence education program shall agree to the tolling of any statute of limitations with respect to the crime or crimes with which [he] the defendant is charged, and to a waiver of [his] the defendant's right to a speedy trial. Any such defendant shall appear in court and shall be released to the custody of the family violence intervention unit for such period, not exceeding two years, and under such conditions as the court shall order. If the defendant refuses to accept, or, having accepted, violates such conditions, [his] the defendant's case shall be brought to trial. If the defendant satisfactorily completes the family violence education program and complies with the conditions imposed for the period set by the court, [he] the defendant may apply for dismissal of the charges against [him] the defendant and the court, on finding satisfactory compliance, shall dismiss such charges. Upon dismissal all records of such charges shall be erased pursuant to section 54-142a.

(h) A fee of two hundred dollars shall be paid to the court by any person who enters the family violence education program, except that no person shall be excluded from such program for inability to pay the fee, provided (1) the person files with the court an affidavit of indigency or inability to pay and (2) the court enters a finding thereof. All such fees shall be credited to the General Fund.

(i) The Judicial Department shall establish an ongoing training program for judges, Court Support Services Division personnel and clerks to inform them about the policies and procedures of sections 46b-1, 46b-15, 46b-38a to 46b-38f, inclusive, as amended by this act, and 54-1g, including, but not limited to, the function of the family violence

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intervention units and the use of restraining and protective orders.

Sec. 66. (NEW) (*Effective July 1, 2010*) (a) The Judicial Department shall provide training to Judicial Department staff, including court personnel, within available appropriations, on family violence issues and law, including, but not limited to, issues and law related to family violence in immigrant communities. Such training shall address arrest policies and eligibility for federal T Visas for victims of human trafficking and federal U Visas for unauthorized immigrants who are victims of family violence and other crimes.

(b) The Judicial Department shall, on an ongoing basis, within available appropriations, study and implement methods to reduce disparities in the disposition of family violence cases among geographic areas.

Sec. 67. Subsections (a) and (b) of section 4b-51 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The Commissioner of Public Works shall have charge and supervision of the remodeling, alteration, repair or enlargement of any real asset, except any dam, flood or erosion control system, highway, bridge or any mass transit, marine or aviation transportation facility, a facility of the Connecticut Marketing Authority, an asset of the Department of Agriculture program established pursuant to section 26-237a, or any building under the supervision and control of the Joint Committee on Legislative Management, involving an expenditure in excess of five hundred thousand dollars, and except that (1) the Judicial Branch may have charge and supervision of the remodeling, alteration, repair, construction or enlargement of any real asset involving an expenditure of not more than one million two hundred fifty thousand dollars, (2) each constituent unit of the state system of higher education may have charge and supervision of the remodeling,

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alteration, repair, construction or enlargement of any real asset involving an expenditure of not more than two million dollars, [except that] and (3) The University of Connecticut shall have charge and supervision of the remodeling, alteration, repair, construction, or enlargement of any project, as defined in subdivision (16) of section 10a-109c, notwithstanding the amount of the expenditure involved. In any decision to remodel, alter, repair or enlarge any real asset, the commissioner shall consider the capability of the real asset to facilitate recycling programs.

(b) No officer, department, institution, board, commission or council of the state government, except the Commissioner of Public Works, the Commissioner of Transportation, the Connecticut Marketing Authority, the Department of Agriculture for purposes of the program established pursuant to section 26-237a, the Joint Committee on Legislative Management, the Judicial Branch or a constituent unit of the state system of higher education as authorized in subsection (a) of this section, shall, unless otherwise specifically authorized by law, make or contract for the making of any alteration, repair or addition to any real asset involving an expenditure of more than five hundred thousand dollars.

Sec. 68. Subsections (a) and (b) of section 4b-52 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) (1) No repairs, alterations or additions involving expense to the state of five hundred thousand dollars or less or, in the case of repairs, alterations or additions to a building rented or occupied by the Judicial Branch, one million two hundred fifty thousand dollars or less or, in the case of repairs, alterations or additions to a building rented or occupied by a constituent unit of the state system of higher education, two million dollars or less, shall be made to any state building or premises occupied by any state officer, department, institution, board,

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commission or council of the state government and no contract for any construction, repairs, alteration or addition shall be entered into without the prior approval of the Commissioner of Public Works, except repairs, alterations or additions to a building under the supervision and control of the Joint Committee on Legislative Management and repairs, alterations or additions to a building under the supervision of The University of Connecticut. Repairs, alterations or additions which are made pursuant to such approval of the Commissioner of Public Works shall conform to all guidelines and procedures established by the Department of Public Works for agency-administered projects. (2) Notwithstanding the provisions of subdivision (1) of this subsection, repairs, alterations or additions involving expense to the state of [one hundred thousand] five hundred thousand dollars or less may be made to any state building or premises under the supervision of the Office of the Chief Court Administrator or a constituent unit of the state system of higher education, under the terms of section 4b-11, and any contract for any such construction, repairs or alteration may be entered into by the Office of the Chief Court Administrator or a constituent unit of the state system of higher education without the approval of the Commissioner of Public Works.

(b) Except as provided in this section, no repairs, alterations or additions involving an expense to the state of more than five hundred thousand dollars or, in the case of repairs, alterations or additions to a building rented or occupied by the Judicial Branch, more than one million two hundred fifty thousand dollars, or, in the case of repairs, alterations or additions to a building rented or occupied by a constituent unit of the state system of higher education, more than two million dollars, shall be made to any state building or premises occupied by any state officer, department, institution, board, commission or council of the state government, nor shall any contract for any construction, repairs, alteration or addition be entered into, until the Commissioner of Public Works or, in the case of the

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construction or repairs, alterations or additions to a building under the supervision and control of the Joint Committee on Legislative Management of the General Assembly, said joint committee or, in the case of construction, repairs, alterations or additions to a building involving expenditures in excess of five hundred thousand dollars but not more than one million two hundred fifty thousand dollars under the supervision and control of the Judicial Branch, said Judicial Branch or, in the case of the construction, repairs, alterations or additions to a building involving expenditures in excess of five hundred thousand dollars but not more than two million dollars under the supervision and control of one of the constituent units of higher education, the constituent unit, has invited bids thereon and awarded a contract thereon, in accordance with the provisions of sections 4b-91 to 4b-96, inclusive. The Commissioner of Public Works, with the approval of the authority having the supervision of state employees or the custody of inmates of state institutions, without the necessity of bids, may employ such employees or inmates and purchase or furnish the necessary materials for the construction, erection, alteration, repair or enlargement of any such state building or premises occupied by any state officer, department, institution, board, commission or council of the state government.

Sec. 69. Section 46b-120 of the general statutes, as amended by section 73 of public act 07-4 of the June special session, is repealed and the following is substituted in lieu thereof (*Effective January 1, 2010*):

The terms used in this chapter shall, in its interpretation and in the interpretation of other statutes, be defined as follows:

(1) "Child" means any person under sixteen years of age, except that (A) for purposes of delinquency matters and proceedings, "child" means any person [(A)] (i) under [eighteen] seventeen years of age who has not been legally emancipated, or [(B) eighteen] (ii) seventeen years of age or older who, prior to attaining [eighteen] seventeen years

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of age, has committed a delinquent act and, subsequent to attaining [eighteen] seventeen years of age, (I) violates any order of the Superior Court or any condition of probation ordered by the Superior Court with respect to such delinquency proceeding, or (II) wilfully fails to appear in response to a summons under section 46b-133, as amended by this act, with respect to such delinquency proceeding, and (B) for purposes of family with service needs matters and proceedings, child means a person under seventeen years of age;

(2) ["youth"] (A) "Youth" means any person sixteen or seventeen years of age who has not been legally emancipated, and (B) "youth in crisis" means any person seventeen years of age who has not been legally emancipated and who, within the last two years, (i) has without just cause run away from the parental home or other properly authorized and lawful place of abode, (ii) is beyond the control of the youth's parents, guardian or other custodian, or (iii) has four unexcused absences from school in any one month or ten unexcused absences in any school year;

(3) ["abused"] "Abused" means that a child or youth (A) has been inflicted with physical injury or injuries other than by accidental means, (B) has injuries that are at variance with the history given of them, or (C) is in a condition that is the result of maltreatment, including, but not limited to, malnutrition, sexual molestation or exploitation, deprivation of necessities, emotional maltreatment or cruel punishment;

(4) [a] A child may be found "mentally deficient" who, by reason of a deficiency of intelligence that has existed from birth or from early age, requires, or will require, for such child's protection or for the protection of others, special care, supervision and control;

(5) [a] (A) A child may be convicted as "delinquent" who has [violated (A)] (i) while under sixteen years of age, violated any federal

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or state law [, other than the commission of (i) an infraction or violation by a youth under subsection (b) of section 51-164n, or (ii) a motor vehicle violation by a youth for which a sentence to a term of imprisonment may be imposed, (B) any order of the Superior Court, except as provided in section 46b-148, or (C) conditions of probation as ordered by the court; (6)] or municipal or local ordinance, except an ordinance regulating behavior of a child in a family with service needs, (ii) wilfully failed to appear in response to a summons under section 46b-133, as amended by this act, or at any other court hearing of which the child had notice, (iii) violated any order of the Superior Court, except as provided in section 46b-148, or (iv) violated conditions of probation as ordered by the court;

(B) A child may be convicted as "delinquent" who has (i) while sixteen years of age, violated any federal or state law, other than (I) an infraction, (II) a violation, (III) a motor vehicle offense or violation as defined in chapter 248, or (IV) a violation of a municipal or local ordinance, (ii) wilfully failed to appear in response to a summons under section 46b-133, as amended by this act, or at any other court hearing of which the child had notice, (iii) violated any order of the Superior Court, except as provided in section 46b-148, or (iv) violated conditions of probation as ordered by the court;

(6) A child or youth may be found "dependent" whose home is a suitable one for the child or youth, except for the financial inability of the child's or youth's parents, parent or guardian, or other person maintaining such home, to provide the specialized care the condition of the child or youth requires; [(7) "family]

(7) "Family with service needs" means a family that includes a child or a youth sixteen years of age who (A) has without just cause run away from the parental home or other properly authorized and lawful place of abode, (B) is beyond the control of the child's or youth's parent, parents, guardian or other custodian, (C) has engaged in

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indecent or immoral conduct, (D) is a truant or habitual truant or who, while in school, has been continuously and overtly defiant of school rules and regulations, or (E) is thirteen years of age or older and has engaged in sexual intercourse with another person and such other person is thirteen years of age or older and not more than two years older or younger than such child or youth; [(8) a]

(8) A child or youth may be found "neglected" who (A) has been abandoned, (B) is being denied proper care and attention, physically, educationally, emotionally or morally, (C) is being permitted to live under conditions, circumstances or associations injurious to the well-being of the child or youth, or (D) has been abused; [(9) a]

(9) A child or youth may be found "uncared for" who is homeless or whose home cannot provide the specialized care that the physical, emotional or mental condition of the child or youth requires. For the purposes of this section, the treatment of any child or youth by an accredited Christian Science practitioner, in lieu of treatment by a licensed practitioner of the healing arts, shall not of itself constitute neglect or maltreatment; [(10) "delinquent act"]

(10) "Delinquent act" means [the violation of any federal or state law, or the violation of any order of the Superior Court, other than the commission of (A) an infraction or violation by a youth under subsection (b) of section 51-164n, or (B) a motor vehicle violation by a youth for which a sentence to a term of imprisonment may be imposed; (11) "serious] (A) the violation by a child under the age of sixteen of any federal or state law or municipal or local ordinance, except an ordinance regulating behavior of a child in a family with service needs, (B) the violation by a child sixteen years of age of any federal or state law, other than (i) an infraction, (ii) a violation, (iii) a motor vehicle offense or violation under chapter 248, or (iv) a violation of a municipal or local ordinance, (C) wilful failure of a child to appear in response to a summons under section 46b-133, as amended by this

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act, or at any other court hearing of which the child has notice, (D) the violation of any order of the Superior Court by a child, except as provided in section 46b-148, or (E) the violation of conditions of probation by a child as ordered by the court;

(11) "Serious juvenile offense" means (A) the violation of, including attempt or conspiracy to violate, (i) section 21a-277, 21a-278, 29-33, 29-34, 29-35, 53-21, 53-80a, 53-202b, 53-202c, 53-390 to 53-392, inclusive, 53a-54a to 53a-56a, inclusive, 53a-59 to 53a-60c, inclusive, 53a-70 to 53a-71, inclusive, 53a-72b, 53a-86, 53a-92 to 53a-94a, inclusive, 53a-95, 53a-101, 53a-102a, 53a-103a or 53a-111 to 53a-113, inclusive, subdivision (1) of subsection (a) of section 53a-122, subdivision (3) of subsection (a) of section 53a-123, section 53a-134, 53a-135, 53a-136a, 53a-166 or 53a-167c, subsection (a) of section 53a-174, or section 53a-196a, 53a-211, 53a-212, 53a-216 or 53a-217b, by a child, or (ii) section 53a-56b or 53a-57 by a child under sixteen years of age, or (B) running away, without just cause, from any secure placement other than home while referred as a delinquent child to the Court Support Services Division or committed as a delinquent child to the Commissioner of Children and Families for a serious juvenile offense; [(12) "serious juvenile offender"]

(12) "Serious juvenile offender" means any child convicted as delinquent for the commission of a serious juvenile offense; [(13) "serious juvenile repeat offender"]

(13) "Serious juvenile repeat offender" means any child charged with the commission of any felony if such child has previously been convicted as delinquent or otherwise convicted at any age for two violations of any provision of title 21a, 29, 53 or 53a that is designated as a felony; [(14) "alcohol-dependent"]

(14) "Alcohol-dependent" means a psychoactive substance dependence on alcohol as that condition is defined in the most recent

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edition of the American Psychiatric Association's "Diagnostic and Statistical Manual of Mental Disorders"; and [(15) "drug-dependent"]

(15) "Drug-dependent" means a psychoactive substance dependence on drugs as that condition is defined in the most recent edition of the American Psychiatric Association's "Diagnostic and Statistical Manual of Mental Disorders". No child shall be classified as [drug dependent] drug-dependent who is dependent (A) upon a morphine-type substance as an incident to current medical treatment of a demonstrable physical disorder other than drug dependence, or (B) upon amphetamine-type, ataractic, barbiturate-type, hallucinogenic or other stimulant and depressant substances as an incident to current medical treatment of a demonstrable physical or psychological disorder, or both, other than drug dependence.

Sec. 70. Section 46b-121 of the general statutes, as amended by section 74 of public act 07-4 of the June special session, is repealed and the following is substituted in lieu thereof (*Effective January 1, 2010*):

(a) (1) Juvenile matters in the civil session include all proceedings concerning uncared-for, neglected or dependent children and youths within this state, termination of parental rights of children committed to a state agency, matters concerning families with service needs, contested matters involving termination of parental rights or removal of guardian transferred from the Probate Court and the emancipation of minors, but does not include matters of guardianship and adoption or matters affecting property rights of any child or youth over which the Probate Court has jurisdiction, except that appeals from probate concerning adoption, termination of parental rights and removal of a parent as guardian shall be included.

(2) Juvenile matters in the criminal session include all proceedings concerning delinquent children within this state and persons [eighteen] seventeen years of age and older who are under the

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supervision of a juvenile probation officer while on probation or a suspended commitment to the Department of Children and Families, for purposes of enforcing any court orders entered as part of such probation or suspended commitment.

(b) (1) In juvenile matters, the Superior Court shall have authority to make and enforce such orders directed to parents, including any person who acknowledges before the court paternity of a child born out of wedlock, guardians, custodians or other adult persons owing some legal duty to a child or youth therein, as the court deems necessary or appropriate to secure the welfare, protection, proper care and suitable support of a child or youth subject to the court's jurisdiction or otherwise committed to or in the custody of the Commissioner of Children and Families. The Superior Court may order a local or regional board of education to provide to the court educational records of a child or youth for the purpose of determining the need for services or placement of the child or youth. In proceedings concerning a child charged with a delinquent act or with being from a family with service needs, records produced subject to such an order shall be maintained under seal by the court and shall be released only after a hearing or with the consent of the child. Educational records obtained pursuant to this section shall be used only for dispositional purposes. In addition, with respect to proceedings concerning delinquent children, the Superior Court shall have authority to make and enforce such orders as the court deems necessary or appropriate to punish the child, deter the child from the commission of further delinquent acts, assure that the safety of any other person will not be endangered and provide restitution to any victim. The Superior Court shall also have authority to grant and enforce temporary and permanent injunctive relief in all proceedings concerning juvenile matters.

(2) If any order for the payment of money is issued by the Superior

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Court, including any order assessing costs issued under section 46b-134 or 46b-136, the collection of such money shall be made by the court, except orders for support of children committed to any state agency or department, which orders shall be made payable to and collected by the Department of Administrative Services. If the Superior Court after due diligence is unable to collect such moneys within six months, the court shall refer such case to the Department of Administrative Services for collection as a delinquent account. In juvenile matters, the Superior Court shall have authority to make and enforce orders directed to persons liable hereunder on petition of the Department of Administrative Services made to the court in the same manner as is provided in section 17b-745, in accordance with the provisions of section 17b-81 or 17b-223, subsection (b) of section 17b-179 or section 17a-90, 46b-129 or 46b-130, and all of the provisions of section 17b-745 shall be applicable to such proceedings. Any judge hearing a juvenile matter may make any other order in connection therewith that a judge of the Superior Court is authorized to grant and such order shall have the same force and effect as any other order of the Superior Court. In the enforcement of the court's orders, in connection with any juvenile matter, the court may issue process for the arrest of any person, compel attendance of witnesses and punish for contempt by a fine not exceeding one hundred dollars or imprisonment not exceeding six months.

Sec. 71. Subsection (c) of section 46b-127 of the general statutes, as amended by section 75 of public act 07-4 of the June special session, is repealed and the following is substituted in lieu thereof (*Effective January 1, 2010*):

(c) Upon the effectuation of the transfer, such child shall stand trial and be sentenced, if convicted, as if such child were [eighteen] seventeen years of age. Such child shall receive credit against any sentence imposed for time served in a juvenile facility prior to the

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effectuation of the transfer. A child who has been transferred may enter a guilty plea to a lesser offense if the court finds that such plea is made knowingly and voluntarily. Any child transferred to the regular criminal docket who pleads guilty to a lesser offense shall not resume such child's status as a juvenile regarding such offense. If the action is dismissed or nolleed or if such child is found not guilty of the charge for which such child was transferred or of any lesser included offenses, the child shall resume such child's status as a juvenile until such child attains the age of [eighteen] seventeen years.

Sec. 72. Section 46b-133 of the general statutes, as amended by section 85 of public act 07-4 of the June special session, is repealed and the following is substituted in lieu thereof (*Effective January 1, 2010*):

(a) Nothing in this part shall be construed as preventing the arrest of a child, with or without a warrant, as may be provided by law, or as preventing the issuance of warrants by judges in the manner provided by section 54-2a, except that no child shall be taken into custody on such process except on apprehension in the act, or on speedy information, or in other cases when the use of such process appears imperative. Whenever a child is arrested and charged with a crime, such child may be required to submit to the taking of his photograph, physical description and fingerprints. Notwithstanding the provisions of section 46b-124, the name, photograph and custody status of any child arrested for the commission of a capital felony or class A felony may be disclosed to the public.

(b) Whenever a child is brought before a judge of the Superior Court, such judge shall immediately have the case proceeded upon as a juvenile matter. Such judge may admit the child to bail or release the child in the custody of the child's parent or parents, the child's guardian or some other suitable person to appear before the Superior Court when ordered. If detention becomes necessary, such detention shall be in the manner prescribed by this chapter, provided the child

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shall be placed in the least restrictive environment possible in a manner consistent with public safety.

(c) Upon the arrest of any child by an officer, such officer (1) may release [him] the child to the custody of [his] the child's parent or parents, guardian or some other suitable person or agency, (2) at the discretion of the officer, release the child to the child's own custody, or [may] (3) immediately turn [him] the child over to a juvenile detention center. When a child is arrested for the commission of a delinquent act and the child is not placed in detention or referred to a diversionary program, an officer shall serve a written complaint and summons on the child and [his] the child's parent, guardian or [other person having control of the child] some other suitable person or agency. If such child is released to the child's own custody, the officer shall make reasonable efforts to notify, and to provide a copy of a written complaint and summons to, the parent or guardian or some other suitable person or agency prior to the court date on the summons. [Such parent, guardian or other person shall execute a written promise to appear in court at the time and place specified in such summons.] If any person so summoned wilfully fails to appear in court at the time and place so specified, the court may issue a warrant for the child's arrest or a capias to assure the appearance in court of such parent, guardian or other person. If a child wilfully fails to appear in response to such a summons, the court may order such child taken into custody and such child may be charged with the delinquent act of wilful failure to appear under section 46b-120, as amended by this act. The court may punish for contempt, as provided in section 46b-121, as amended by this act, any parent, guardian or other person so summoned who wilfully fails to appear in court at the time and place so specified.

(d) The court or detention supervisor may turn such child over to a youth service program created for such purpose, if such course is practicable, or such child may be detained pending a hearing which

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shall be held on the business day next following [his] the child's arrest. No child shall be detained after such hearing or held in detention pursuant to a court order unless it appears from the available facts that there is probable cause to believe that the child has committed the acts alleged, there is no less restrictive alternative available and that there is (1) a strong probability that the child will run away prior to the court hearing or disposition, (2) a strong probability that the child will commit or attempt to commit other offenses injurious to [him] the child or to the community [before] prior to the court disposition, (3) probable cause to believe that the child's continued residence in [his] the child's home pending disposition [will not safeguard the best interests of the child or the community] poses a risk to the child or the community because of the serious and dangerous nature of the act or acts [he] the child is alleged to have committed, (4) a need to hold the child for another jurisdiction, [or] (5) a need to hold the child to assure [his] the child's appearance before the court, in view of [his] the child's previous failure to respond to the court process, or (6) the child has violated one or more of the conditions of a suspended detention order. Such probable cause may be shown by sworn affidavit in lieu of testimony. No child shall be released from detention who is alleged to have committed a serious juvenile offense except by order of a judge of the Superior Court. [In no case shall a child be] Any child confined in a community correctional center or lockup [, or in any place where adults are or may be confined] shall be held in an area separate and apart from any adult detainee, except in the case of a nursing infant, [; nor shall any child] and no child shall at any time be held in solitary confinement. When a female child is held in custody, she shall, as far as possible, be in the charge of a woman attendant.

(e) The police officer who brings a child into detention shall have first notified, or made a reasonable effort to notify, the parents or guardian of the child in question of the intended action and shall file at the detention center a signed statement setting forth the alleged

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delinquent conduct of the child. Unless the arrest was for a serious juvenile offense or unless an order not to release is noted on the take into custody order, arrest warrant or order to detain, the child may be released by a detention supervisor to the custody of [his] the child's parent or parents, guardian or some other suitable person or agency.

(f) In conjunction with any order of release from detention the court may, when it has reason to believe a child is alcohol-dependent or drug-dependent as defined in section 46b-120, as amended by this act, and where necessary, reasonable and appropriate, order the child to participate in a program of periodic alcohol or drug testing and treatment as a condition of such release. The results of any such alcohol or drug test shall be admissible only for the purposes of enforcing the conditions of release from detention.

(g) Whenever the population of a juvenile detention center equals or exceeds the maximum capacity for such center, as determined by the Judicial [Department] Branch, the detention supervisor in charge of intake shall [only] admit only a child who: (1) Is charged with the commission of a serious juvenile offense, (2) is the subject of an order to detain or an outstanding court order to take such child into custody, (3) is ordered by a court to be held in detention, or (4) is being transferred to such center to await a court appearance.

Sec. 73. Subsection (f) of section 46b-133c of the general statutes, as amended by section 76 of public act 07-4 of the June special session, is repealed and the following is substituted in lieu thereof (*Effective January 1, 2010*):

(f) Whenever a proceeding has been designated a serious juvenile repeat offender prosecution pursuant to subsection (b) of this section and the child does not waive such child's right to a trial by jury, the court shall transfer the case from the docket for juvenile matters to the regular criminal docket of the Superior Court. Upon transfer, such

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child shall stand trial and be sentenced, if convicted, as if such child were [eighteen] seventeen years of age, except that no such child shall be placed in a correctional facility but shall be maintained in a facility for children and youths until such child attains [eighteen] seventeen years of age or until such child is sentenced, whichever occurs first. Such child shall receive credit against any sentence imposed for time served in a juvenile facility prior to the effectuation of the transfer. A child who has been transferred may enter a guilty plea to a lesser offense if the court finds that such plea is made knowingly and voluntarily. Any child transferred to the regular criminal docket who pleads guilty to a lesser offense shall not resume such child's status as a juvenile regarding such offense. If the action is dismissed or nolle or if such child is found not guilty of the charge for which such child was transferred, the child shall resume such child's status as a juvenile until such child attains [eighteen] seventeen years of age.

Sec. 74. Subsection (f) of section 46b-133d of the general statutes, as amended by section 77 of public act 07-4 of the June special session, is repealed and the following is substituted in lieu thereof (*Effective January 1, 2010*):

(f) When a proceeding has been designated a serious sexual offender prosecution pursuant to subsection (c) of this section and the child does not waive the right to a trial by jury, the court shall transfer the case from the docket for juvenile matters to the regular criminal docket of the Superior Court. Upon transfer, such child shall stand trial and be sentenced, if convicted, as if such child were [eighteen] seventeen years of age, except that no such child shall be placed in a correctional facility but shall be maintained in a facility for children and youths until such child attains [eighteen] seventeen years of age or until such child is sentenced, whichever occurs first. Such child shall receive credit against any sentence imposed for time served in a juvenile facility prior to the effectuation of the transfer. A child who

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has been transferred may enter a guilty plea to a lesser offense if the court finds that such plea is made knowingly and voluntarily. Any child transferred to the regular criminal docket who pleads guilty to a lesser offense shall not resume such child's status as a juvenile regarding such offense. If the action is dismissed or nolle or if such child is found not guilty of the charge for which such child was transferred, the child shall resume such child's status as a juvenile until such child attains [eighteen] seventeen years of age.

Sec. 75. Section 46b-137 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2010*):

(a) Any admission, confession or statement, written or oral, made by a child under the age of sixteen to a police officer or Juvenile Court official shall be inadmissible in any proceeding concerning the alleged delinquency of the child making such admission, confession or statement unless made by such child in the presence of [his] the child's parent or parents or guardian and after the parent or parents or guardian and child have been advised (1) of the child's right to retain counsel, or if unable to afford counsel, to have counsel appointed on the child's behalf, (2) of the child's right to refuse to make any statements, and (3) that any statements [he] the child makes may be introduced into evidence against [him] the child.

(b) Any admission, confession or statement, written or oral, made by a child sixteen years of age to a police officer or Juvenile Court official shall be inadmissible in any proceeding concerning the alleged delinquency of the child making such admission, confession or statement, unless (1) the police or Juvenile Court official has made reasonable efforts to contact a parent or guardian of the child, and (2) such child has been advised that (A) the child has the right to contact a parent or guardian and to have a parent or guardian present during any interview, (B) the child has the right to retain counsel or, if unable to afford counsel, to have counsel appointed on behalf of the child, (C)

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the child has the right to refuse to make any statement, and (D) any statement the child makes may be introduced into evidence against the child.

(c) The admissibility of any admission, confession or statement, written or oral, made by a child sixteen years of age to a police officer or Juvenile Court official shall be determined by considering the totality of the circumstances at the time of the making of such admission, confession or statement. When determining the admissibility of such admission, confession or statement, the court shall consider (1) the age, experience, education, background and intelligence of the child, (2) the capacity of the child to understand the advice concerning rights and warnings required under subdivision (2) of subsection (b) of this section, the nature of the privilege against self-incrimination under the United States and Connecticut Constitutions, and the consequences of waiving such rights and privilege, (3) the opportunity the child had to speak with a parent, guardian or some other suitable individual prior to or while making such admission, confession or statement, and (4) the circumstances surrounding the making of the admission, confession or statement, including, but not limited to, (A) when and where the admission, confession or statement was made, (B) the reasonableness of proceeding, or the need to proceed, without a parent or guardian present, and (C) the reasonableness of efforts by the police or Juvenile Court official to attempt to contact a parent or guardian.

~~[(b)]~~ (d) Any confession, admission or statement, written or oral, made by the parent or parents or guardian of the child or youth after the filing of a petition alleging such child or youth to be neglected, uncared-for or dependent, shall be inadmissible in any proceeding held upon such petition against the person making such admission or statement unless such person shall have been advised of [his] the person's right to retain counsel, and that if [he] the person is unable to

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afford counsel, counsel will be appointed to represent [him] the person, that [he] the person has a right to refuse to make any statement and that any statements [he] the person makes may be introduced in evidence against [him] the person.

Sec. 76. Subsection (g) of section 46b-140 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2010*):

(g) Any child or youth coming within the jurisdiction of the court, who is found to be mentally ill, may be committed by said court to the Commissioner of Children and Families and, if the court convicts a child as delinquent and finds such child to be mentally deficient, [it] the court may commit such child to an institution for mentally deficient children or youth or delinquents. Whenever it is found that a child convicted [by the court] as delinquent or adjudged [by the court] to be a member of a family with service needs [who is fourteen years of age or older would not benefit from continued school attendance] would benefit from a work-study program or employment with or without continued school attendance, the court may, [order] as a condition of probation or supervision, authorize such child to be [placed on vocational probation if such court finds that such child may properly be] employed for part or full-time at some useful occupation [and that such employment] that would be favorable to such child's welfare, and the probation officer shall supervise such employment. For the purposes of this section, the limitations of subsection (a) of section 31-23 on the employment of minors under the age of sixteen years shall not apply for the duration of such [vocational] probation or supervision.

Sec. 77. Section 46b-146 of the general statutes, as amended by section 80 of public act 07-4 of the June special session, is repealed and the following is substituted in lieu thereof (*Effective January 1, 2010*):

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Whenever any child has been [found to be] convicted as delinquent, [or] has been adjudicated a member of a family with service needs [,] or has signed a statement of responsibility admitting to having committed a delinquent act, [or being a member of a family with service needs,] and has subsequently been discharged from the supervision of the Superior Court or from the custody of the Department of Children and Families or from the care of any other institution or agency to whom the child has been committed by the court, such child, or the child's parent or guardian, may file a petition with the Superior Court. [and, if] If such court finds (1) that at least two years or, in the case of a child convicted as delinquent for the commission of a serious juvenile offense, four years have elapsed from the date of such discharge, (2) that no subsequent juvenile proceeding [has been instituted] or adult criminal proceeding is pending against such child, (3) that such child has not been [found guilty of a crime] convicted of a delinquent act that would constitute a felony or misdemeanor if committed by an adult during such two-year or four-year period, (4) that such child has not been convicted as an adult of a felony or misdemeanor during such two-year or four-year period, and (5) that such child has reached [sixteen] seventeen years of age, [within such period, it] the court shall order all police and court records pertaining to such child to be erased. Upon the entry of such an erasure order, all references including arrest, complaint, referrals, petitions, reports and orders, shall be removed from all agency, official and institutional files, and a finding of delinquency or that the child was a member of a family with service needs shall be deemed never to have occurred. The persons in charge of such records shall not disclose to any person information pertaining to the record so erased, except that the fact of such erasure may be substantiated where, in the opinion of the court, it is in the best interests of such child to do so. No child who has been the subject of such an erasure order shall be deemed to have been arrested ab initio, within the meaning of the general statutes, with respect to proceedings so erased. Copies of the

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erasure order shall be sent to all persons, agencies, officials or institutions known to have information pertaining to the delinquency or family with service needs proceedings affecting such child. Whenever a child is dismissed as not delinquent or as not being a member of a family with service needs, all police and court records pertaining to such charge shall be ordered erased immediately, without the filing of a petition. Nothing in this section shall prohibit the court from granting a petition to erase a child's records on a showing of good cause, after a hearing, before the time when such records could be erased.

Sec. 78. Subsection (c) of section 10-19m of the general statutes, as amended by section 78 of public act 07-4 of the June special session, is repealed and the following is substituted in lieu thereof (*Effective January 1, 2010*):

(c) The Commissioner of Education shall adopt regulations, in accordance with the provisions of chapter 54, establishing minimum standards for such youth service bureaus and the criteria for qualifying for state cost-sharing grants, including, but not limited to, allowable sources of funds covering the local share of the costs of operating such bureaus, acceptable in-kind contributions and application procedures. Said commissioner shall, on December 1, 1979, and annually thereafter, report to the General Assembly on the referral or diversion of children under the age of [eighteen] seventeen years from the juvenile justice system and on the referral or diversion of children aged seventeen and eighteen years from the court system. Such report shall include, but not be limited to, the number of times any child is so diverted, the number of children diverted, the type of service provided to any such child, by whom such child was diverted, the ages of the children diverted and such other information and statistics as the General Assembly may request from time to time. Any such report shall contain no identifying information about any particular child.

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Sec. 79. Section 46b-150f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2010*):

(a) Any selectman, town manager, police officer or welfare department of any town, city or borough, any probation officer, any superintendent of schools, any child-caring institution or agency approved or licensed by the Commissioner of Children and Families, any youth service bureau, a parent, guardian, foster parent or other custodian of a youth seventeen years of age, or a representative of a youth seventeen years of age, who believes that the acts or omissions of [a] such youth are such that such youth is a youth in crisis may file a written complaint setting forth those facts with the Superior Court which has venue over the matter.

(b) A petition alleging that a youth is a youth in crisis shall be verified and filed with the Superior Court which has venue over the matter. The petition shall set forth plainly: (1) The facts which bring the youth within the jurisdiction of the court; (2) the name, date of birth, sex and residence of the youth; (3) the name and residence of the parent or parents, guardian, foster parent, other custodian or other person having control of the youth; and (4) a prayer for appropriate action by the court in conformity with the provisions of this section.

(c) Upon determination that a youth is a youth in crisis in accordance with policies established by the Chief Court Administrator, the court may make and enforce orders, including, but not limited to, orders: (1) Directing the Commissioner of Motor Vehicles to suspend the motor vehicle operator's license of the youth in crisis for a period of time, as directed by the court, but not to exceed one year; (2) requiring work or specified community service; (3) mandating that the youth in crisis attend an educational program in the local community approved by the court; (4) requiring mental health services; (5) referring the youth in crisis to a youth service bureau, provided one exists in the local community; and (6) reviewing the option of emancipation,

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pursuant to section 46b-150, of the youth in crisis or the parent, guardian, foster parent or other custodian of such youth in crisis. Upon determination that a youth is a youth in crisis because the youth has without just cause run away from the parental home or other properly authorized and lawful place of abode, the court may, prior to January 1, 2010, order the youth in crisis to be subject to the control of the youth's parent or parents, guardian, foster parent or other custodian, except as required under any other provision of law, for a period of time, as directed by the court, but not beyond the date the youth attains the age of eighteen. A youth in crisis found to be in violation of any order under this section shall not be considered to be delinquent and shall not be punished by the court by incarceration in any state-operated detention facility or correctional facility.

(d) The Judicial Department may use any funds appropriated for purposes of this chapter for costs incurred by the department or the court pursuant to this section.

Sec. 80. Section 46b-150g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective January 1, 2010*):

(a) Any police officer who receives a report from the parent or guardian of a youth in crisis, as defined in subparagraph [(A)] (B)(i) of subdivision [(3)] (2) of section 46b-120, as amended by this act, shall attempt to locate the youth in crisis. If the officer locates such youth in crisis, such officer shall report the location of the youth to the parent or guardian in accordance with the provisions of federal and state law after such officer determines that such report does not place the youth in any physical or emotional harm. In addition, the police officer shall respond in one of the following ways: (1) Transport the youth in crisis to the home of the child's parent or guardian or a suitable and worthy adult; (2) refer the youth in crisis to the probate court in the district where the youth in crisis is located, provided the probate judge for such probate court is willing to accept the referral; (3) hold the youth

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in crisis in protective custody for a maximum period of twelve hours until the officer can determine a more suitable disposition of the matter, provided (A) the youth in crisis is not held in any cell designed or used for adults, and (B) the officer may release the youth in crisis to the parent or guardian of the youth if the officer determines that returning the youth does not place the youth in any physical or emotional harm; (4) transport or refer a youth in crisis to any public or private agency serving children, with or without the agreement of the youth in crisis; (5) refer the youth in crisis to a youth service bureau, provided one exists in the local community; or (6) if the police officer is unable to transport, refer or hold the youth in crisis pursuant to subdivisions (1) to (5), inclusive, of this subsection, refer the youth in crisis to the superior court for juvenile matters in the district where the youth in crisis is located. If a youth in crisis is transported or referred to an agency pursuant to this section, such agency shall provide temporary services to the youth in crisis unless or until the parent or guardian of the youth in crisis at any time refuses to agree to those services.

(b) Any police officer acting in accordance with the provisions of this section shall be deemed to be acting in the course of the police officer's official duties.

Sec. 81. (*Effective from passage*) Section 123 of public act 07-4 of the June special session shall take effect July 1, 2012.

Sec. 82. Section 46b-120 of the general statutes, as amended by section 69 of this act, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2012*):

The terms used in this chapter shall, in its interpretation and in the interpretation of other statutes, be defined as follows:

(1) "Child" means any person under sixteen years of age, except that

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(A) for purposes of delinquency matters and proceedings, "child" means any person (i) under [seventeen] eighteen years of age who has not been legally emancipated, or [seventeen] (ii) eighteen years of age or older who, prior to attaining [seventeen] eighteen years of age, has committed a delinquent act and, subsequent to attaining [seventeen] eighteen years of age, (I) violates any order of the Superior Court or any condition of probation ordered by the Superior Court with respect to such delinquency proceeding, or (II) wilfully fails to appear in response to a summons under section 46b-133, as amended by this act, with respect to such delinquency proceeding, and (B) for purposes of family with service needs matters and proceedings, child means a person under [seventeen] eighteen years of age;

(2) [(A)] "Youth" means any person sixteen or seventeen years of age; [, and (B) "youth in crisis" means any person seventeen years of age who has not been legally emancipated and who, within the last two years, (i) has without just cause run away from the parental home or other properly authorized and lawful place of abode, (ii) is beyond the control of the youth's parents, guardian or other custodian, or (iii) has four unexcused absences from school in any one month or ten unexcused absences in any school year;]

(3) "Abused" means that a child or youth (A) has been inflicted with physical injury or injuries other than by accidental means, (B) has injuries that are at variance with the history given of them, or (C) is in a condition that is the result of maltreatment, including, but not limited to, malnutrition, sexual molestation or exploitation, deprivation of necessities, emotional maltreatment or cruel punishment;

(4) A child may be found "mentally deficient" who, by reason of a deficiency of intelligence that has existed from birth or from early age, requires, or will require, for such child's protection or for the protection of others, special care, supervision and control;

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(5) (A) A child may be convicted as "delinquent" who has (i) while under sixteen years of age, violated any federal or state law or municipal or local ordinance, except an ordinance regulating behavior of a child in a family with service needs, (ii) wilfully failed to appear in response to a summons under section 46b-133, as amended by this act, or at any other court hearing of which the child had notice, (iii) violated any order of the Superior Court, except as provided in section 46b-148, or (iv) violated conditions of probation as ordered by the court;

(B) A child may be convicted as "delinquent" who has (i) while sixteen or seventeen years of age, violated any federal or state law, other than (I) an infraction, (II) a violation, (III) a motor vehicle offense or violation as defined in chapter 248, or (IV) a violation of a municipal or local ordinance, (ii) wilfully failed to appear in response to a summons under section 46b-133, as amended by this act, or at any other court hearing of which the child had notice, (iii) violated any order of the Superior Court, except as provided in section 46b-148, or (iv) violated conditions of probation as ordered by the court;

(6) A child or youth may be found "dependent" whose home is a suitable one for the child or youth, except for the financial inability of the child's or youth's parents, parent or guardian, or other person maintaining such home, to provide the specialized care the condition of the child or youth requires;

(7) "Family with service needs" means a family that includes a child or a youth [sixteen years of age] who (A) has without just cause run away from the parental home or other properly authorized and lawful place of abode, (B) is beyond the control of the child's or youth's parent, parents, guardian or other custodian, (C) has engaged in indecent or immoral conduct, (D) is a truant or habitual truant or who, while in school, has been continuously and overtly defiant of school rules and regulations, or (E) is thirteen years of age or older and has

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engaged in sexual intercourse with another person and such other person is thirteen years of age or older and not more than two years older or younger than such child or youth;

(8) A child or youth may be found "neglected" who (A) has been abandoned, (B) is being denied proper care and attention, physically, educationally, emotionally or morally, (C) is being permitted to live under conditions, circumstances or associations injurious to the well-being of the child or youth, or (D) has been abused;

(9) A child or youth may be found "uncared for" who is homeless or whose home cannot provide the specialized care that the physical, emotional or mental condition of the child or youth requires. For the purposes of this section, the treatment of any child or youth by an accredited Christian Science practitioner, in lieu of treatment by a licensed practitioner of the healing arts, shall not of itself constitute neglect or maltreatment;

(10) "Delinquent act" means (A) the violation by a child under the age of sixteen of any federal or state law or municipal or local ordinance, except an ordinance regulating behavior of a child in a family with service needs, (B) the violation by a child sixteen or seventeen years of age of any federal or state law, other than (i) an infraction, (ii) a violation, (iii) a motor vehicle offense or violation under chapter 248, or (iv) a violation of a municipal or local ordinance, (C) wilful failure of a child to appear in response to a summons under section 46b-133, as amended by this act, or at any other court hearing of which the child has notice, (D) the violation of any order of the Superior Court by a child, except as provided in section 46b-148, or (E) the violation of conditions of probation by a child as ordered by the court;

(11) "Serious juvenile offense" means (A) the violation of, including attempt or conspiracy to violate, (i) section 21a-277, 21a-278, 29-33,

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29-34, 29-35, 53-21, 53-80a, 53-202b, 53-202c, 53-390 to 53-392, inclusive, 53a-54a to 53a-56a, inclusive, 53a-59 to 53a-60c, inclusive, 53a-70 to 53a-71, inclusive, 53a-72b, 53a-86, 53a-92 to 53a-94a, inclusive, 53a-95, 53a-101, 53a-102a, 53a-103a or 53a-111 to 53a-113, inclusive, subdivision (1) of subsection (a) of section 53a-122, subdivision (3) of subsection (a) of section 53a-123, section 53a-134, 53a-135, 53a-136a, 53a-166 or 53a-167c, subsection (a) of section 53a-174, or section 53a-196a, 53a-211, 53a-212, 53a-216 or 53a-217b, by a child, or (ii) section 53a-56b or 53a-57 by a child under sixteen years of age, or (B) running away, without just cause, from any secure placement other than home while referred as a delinquent child to the Court Support Services Division or committed as a delinquent child to the Commissioner of Children and Families for a serious juvenile offense;

(12) "Serious juvenile offender" means any child convicted as delinquent for the commission of a serious juvenile offense;

(13) "Serious juvenile repeat offender" means any child charged with the commission of any felony if such child has previously been convicted as delinquent or otherwise convicted at any age for two violations of any provision of title 21a, 29, 53 or 53a that is designated as a felony;

(14) "Alcohol-dependent" means a psychoactive substance dependence on alcohol as that condition is defined in the most recent edition of the American Psychiatric Association's "Diagnostic and Statistical Manual of Mental Disorders"; and

(15) "Drug-dependent" means a psychoactive substance dependence on drugs as that condition is defined in the most recent edition of the American Psychiatric Association's "Diagnostic and Statistical Manual of Mental Disorders". No child shall be classified as drug-dependent who is dependent (A) upon a morphine-type substance as an incident to current medical treatment of a demonstrable physical disorder other

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than drug dependence, or (B) upon amphetamine-type, ataractic, barbiturate-type, hallucinogenic or other stimulant and depressant substances as an incident to current medical treatment of a demonstrable physical or psychological disorder, or both, other than drug dependence.

Sec. 83. Subsection (a) of section 46b-121 of the general statutes, as amended by section 70 of this act, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2012*):

(a)(1) Juvenile matters in the civil session include all proceedings concerning uncared-for, neglected or dependent children and youths within this state, termination of parental rights of children committed to a state agency, matters concerning families with service needs, contested matters involving termination of parental rights or removal of guardian transferred from the Probate Court and the emancipation of minors, but does not include matters of guardianship and adoption or matters affecting property rights of any child or youth over which the Probate Court has jurisdiction, except that appeals from probate concerning adoption, termination of parental rights and removal of a parent as guardian shall be included.

(2) Juvenile matters in the criminal session include all proceedings concerning delinquent children within this state and persons [seventeen] eighteen years of age and older who are under the supervision of a juvenile probation officer while on probation or a suspended commitment to the Department of Children and Families, for purposes of enforcing any court orders entered as part of such probation or suspended commitment.

Sec. 84. Subsection (c) of section 46b-127 of the general statutes, as amended by section 71 of this act, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2012*):

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(c) Upon the effectuation of the transfer, such child shall stand trial and be sentenced, if convicted, as if such child were [seventeen] eighteen years of age. Such child shall receive credit against any sentence imposed for time served in a juvenile facility prior to the effectuation of the transfer. A child who has been transferred may enter a guilty plea to a lesser offense if the court finds that such plea is made knowingly and voluntarily. Any child transferred to the regular criminal docket who pleads guilty to a lesser offense shall not resume such child's status as a juvenile regarding such offense. If the action is dismissed or nolle or if such child is found not guilty of the charge for which such child was transferred or of any lesser included offenses, the child shall resume such child's status as a juvenile until such child attains the age of [seventeen] eighteen years.

Sec. 85. Subsection (f) of section 46b-133c of the general statutes, as amended by section 73 of this act, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2012*):

(f) Whenever a proceeding has been designated a serious juvenile repeat offender prosecution pursuant to subsection (b) of this section and the child does not waive such child's right to a trial by jury, the court shall transfer the case from the docket for juvenile matters to the regular criminal docket of the Superior Court. Upon transfer, such child shall stand trial and be sentenced, if convicted, as if such child were [seventeen] eighteen years of age, except that no such child shall be placed in a correctional facility but shall be maintained in a facility for children and youths until such child attains [seventeen] eighteen years of age or until such child is sentenced, whichever occurs first. Such child shall receive credit against any sentence imposed for time served in a juvenile facility prior to the effectuation of the transfer. A child who has been transferred may enter a guilty plea to a lesser offense if the court finds that such plea is made knowingly and voluntarily. Any child transferred to the regular criminal docket who

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pleads guilty to a lesser offense shall not resume such child's status as a juvenile regarding such offense. If the action is dismissed or nolleed or if such child is found not guilty of the charge for which such child was transferred, the child shall resume such child's status as a juvenile until such child attains [seventeen] eighteen years of age.

Sec. 86. Subsection (f) of section 46b-133d of the general statutes, as amended by section 74 of this act, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2012*):

(f) When a proceeding has been designated a serious sexual offender prosecution pursuant to subsection (c) of this section and the child does not waive the right to a trial by jury, the court shall transfer the case from the docket for juvenile matters to the regular criminal docket of the Superior Court. Upon transfer, such child shall stand trial and be sentenced, if convicted, as if such child were [seventeen] eighteen years of age, except that no such child shall be placed in a correctional facility but shall be maintained in a facility for children and youths until such child attains [seventeen] eighteen years of age or until such child is sentenced, whichever occurs first. Such child shall receive credit against any sentence imposed for time served in a juvenile facility prior to the effectuation of the transfer. A child who has been transferred may enter a guilty plea to a lesser offense if the court finds that such plea is made knowingly and voluntarily. Any child transferred to the regular criminal docket who pleads guilty to a lesser offense shall not resume such child's status as a juvenile regarding such offense. If the action is dismissed or nolleed or if such child is found not guilty of the charge for which such child was transferred, the child shall resume such child's status as a juvenile until such child attains [seventeen] eighteen years of age.

Sec. 87. Section 46b-137 of the general statutes, as amended by section 75 of this act, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2012*):

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(a) Any admission, confession or statement, written or oral, made by a child under the age of sixteen to a police officer or Juvenile Court official shall be inadmissible in any proceeding concerning the alleged delinquency of the child making such admission, confession or statement unless made by such child in the presence of the child's parent or parents or guardian and after the parent or parents or guardian and child have been advised (1) of the child's right to retain counsel, or if unable to afford counsel, to have counsel appointed on the child's behalf, (2) of the child's right to refuse to make any statements, and (3) that any statements the child makes may be introduced into evidence against the child.

(b) Any admission, confession or statement, written or oral, made by a child sixteen or seventeen years of age to a police officer or Juvenile Court official shall be inadmissible in any proceeding concerning the alleged delinquency of the child making such admission, confession or statement, unless (1) the police or Juvenile Court official has made reasonable efforts to contact a parent or guardian of the child, and (2) such child has been advised that (A) the child has the right to contact a parent or guardian and to have a parent or guardian present during any interview, (B) the child has the right to retain counsel or, if unable to afford counsel, to have counsel appointed on behalf of the child, (C) the child has the right to refuse to make any statement, and (D) any statement the child makes may be introduced into evidence against the child.

(c) The admissibility of any admission, confession or statement, written or oral, made by a child sixteen or seventeen years of age to a police officer or Juvenile Court official shall be determined by considering the totality of the circumstances at the time of the making of such admission, confession or statement. When determining the admissibility of such admission, confession or statement, the court shall consider (1) the age, experience, education, background and

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intelligence of the child, (2) the capacity of the child to understand the advice concerning rights and warnings required under subdivision (2) of subsection (b) of this section, the nature of the privilege against self-incrimination under the United States and Connecticut Constitutions, and the consequences of waiving such rights and privilege, (3) the opportunity the child had to speak with a parent, guardian or some other suitable individual prior to or while making such admission, confession or statement, and (4) the circumstances surrounding the making of the admission, confession or statement, including, but not limited to, (A) when and where the admission, confession or statement was made, (B) the reasonableness of proceeding, or the need to proceed, without a parent or guardian present, and (C) the reasonableness of efforts by the police or Juvenile Court official to attempt to contact a parent or guardian.

(d) Any confession, admission or statement, written or oral, made by the parent or parents or guardian of the child or youth after the filing of a petition alleging such child or youth to be neglected, uncared-for or dependent, shall be inadmissible in any proceeding held upon such petition against the person making such admission or statement unless such person shall have been advised of the person's right to retain counsel, and that if the person is unable to afford counsel, counsel will be appointed to represent the person, that the person has a right to refuse to make any statement and that any statements the person makes may be introduced in evidence against the person.

Sec. 88. Section 46b-146 of the general statutes, as amended by section 77 of this act, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2012*):

Whenever any child has been convicted as delinquent, has been adjudicated a member of a family with service needs or has signed a statement of responsibility admitting to having committed a

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delinquent act, and has subsequently been discharged from the supervision of the Superior Court or from the custody of the Department of Children and Families or from the care of any other institution or agency to whom the child has been committed by the court, such child, or the child's parent or guardian, may file a petition with the Superior Court. If such court finds (1) that at least two years or, in the case of a child convicted as delinquent for the commission of a serious juvenile offense, four years have elapsed from the date of such discharge, (2) that no subsequent juvenile proceeding or adult criminal proceeding is pending against such child, (3) that such child has not been convicted of a delinquent act that would constitute a felony or misdemeanor if committed by an adult during such two-year or four-year period, (4) that such child has not been convicted as an adult of a felony or misdemeanor during such two-year or four-year period, and (5) that such child has reached [seventeen] eighteen years of age, the court shall order all police and court records pertaining to such child to be erased. Upon the entry of such an erasure order, all references including arrest, complaint, referrals, petitions, reports and orders, shall be removed from all agency, official and institutional files, and a finding of delinquency or that the child was a member of a family with service needs shall be deemed never to have occurred. The persons in charge of such records shall not disclose to any person information pertaining to the record so erased, except that the fact of such erasure may be substantiated where, in the opinion of the court, it is in the best interests of such child to do so. No child who has been the subject of such an erasure order shall be deemed to have been arrested ab initio, within the meaning of the general statutes, with respect to proceedings so erased. Copies of the erasure order shall be sent to all persons, agencies, officials or institutions known to have information pertaining to the delinquency or family with service needs proceedings affecting such child. Whenever a child is dismissed as not delinquent or as not being a member of a family with service needs, all police and court records pertaining to such charge shall be ordered erased

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immediately, without the filing of a petition. Nothing in this section shall prohibit the court from granting a petition to erase a child's records on a showing of good cause, after a hearing, before the time when such records could be erased.

Sec. 89. Subsection (c) of section 10-19m of the general statutes, as amended by section 78 of this act, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2012*):

(c) The Commissioner of Education shall adopt regulations, in accordance with the provisions of chapter 54, establishing minimum standards for such youth service bureaus and the criteria for qualifying for state cost-sharing grants, including, but not limited to, allowable sources of funds covering the local share of the costs of operating such bureaus, acceptable in-kind contributions and application procedures. Said commissioner shall, on December 1, 1979, and annually thereafter, report to the General Assembly on the referral or diversion of children under the age of [seventeen] eighteen years from the juvenile justice system and [on the referral or diversion of children aged seventeen and eighteen years from] the court system. Such report shall include, but not be limited to, the number of times any child is so diverted, the number of children diverted, the type of service provided to any such child, by whom such child was diverted, the ages of the children diverted and such other information and statistics as the General Assembly may request from time to time. Any such report shall contain no identifying information about any particular child.

Sec. 90. Section 46b-150d of the general statutes, as amended by section 16 of public act 09-13, is repealed and the following is substituted in lieu thereof (*Effective January 1, 2010*):

An order that a minor is emancipated shall have the following effects: (1) The minor may consent to medical, dental or psychiatric care, without parental consent, knowledge or liability; (2) the minor

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may enter into a binding contract; (3) the minor may sue and be sued in such minor's own name; (4) the minor shall be entitled to such minor's own earnings and shall be free of control by such minor's parents or guardian; (5) the minor may establish such minor's own residence; (6) the minor may buy and sell real and personal property; (7) the minor may not thereafter be the subject of (A) a petition under section 46b-129 as an abused, dependent, neglected or uncared for child or youth, (B) a petition under section 46b-128, or 46b-133, as amended by this act, as a delinquent child for any act committed before the date of the order, (C) a petition under section 46b-149 alleging that the minor is a child from a family with service needs, or (D) a petition under section 46b-150f, as amended by this act, alleging that the minor is a youth in crisis; (8) the minor may enroll in any school or college, without parental consent; (9) the minor shall be deemed to be over eighteen years of age for purposes of securing an operator's license under section 14-36 and a marriage license under subsection (b) of section 46b-30; (10) the minor shall be deemed to be over eighteen years of age for purposes of registering a motor vehicle under section 14-12; (11) the parents of the minor shall no longer be the guardians of the minor under section 45a-606; (12) the parents of a minor shall be relieved of any obligations respecting such minor's school attendance under section 10-184; (13) the parents shall be relieved of all obligation to support the minor; (14) the minor shall be emancipated for the purposes of parental liability for such minor's acts under section 52-572; (15) the minor may execute releases in such minor's own name under section 14-118; and (16) the minor may enlist in the armed forces of the United States without parental consent.

Sec. 91. Section 46b-150d of the general statutes, as amended by section 90 of this act, is repealed and the following is substituted in lieu thereof (*Effective July 1, 2012*):

An order that a minor is emancipated shall have the following

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effects: (1) The minor may consent to medical, dental or psychiatric care, without parental consent, knowledge or liability; (2) the minor may enter into a binding contract; (3) the minor may sue and be sued in such minor's own name; (4) the minor shall be entitled to such minor's own earnings and shall be free of control by such minor's parents or guardian; (5) the minor may establish such minor's own residence; (6) the minor may buy and sell real and personal property; (7) the minor may not thereafter be the subject of (A) a petition under section 46b-129 as an abused, dependent, neglected or uncared for child or youth, (B) a petition under section 46b-128, as amended by this act, or 46b-133, as amended by this act, as a delinquent child for any act committed before the date of the order, or (C) a petition under section 46b-149 alleging that the minor is a child from a family with service needs; [or (D) a petition under section 46b-150f, as amended by this act, alleging that the minor is a youth in crisis;] (8) the minor may enroll in any school or college, without parental consent; (9) the minor shall be deemed to be over eighteen years of age for purposes of securing an operator's license under section 14-36 and a marriage license under subsection (b) of section 46b-30; (10) the minor shall be deemed to be over eighteen years of age for purposes of registering a motor vehicle under section 14-12; (11) the parents of the minor shall no longer be the guardians of the minor under section 45a-606; (12) the parents of a minor shall be relieved of any obligations respecting such minor's school attendance under section 10-184; (13) the parents shall be relieved of all obligation to support the minor; (14) the minor shall be emancipated for the purposes of parental liability for such minor's acts under section 52-572; (15) the minor may execute releases in such minor's own name under section 14-118; and (16) the minor may enlist in the armed forces of the United States without parental consent.

Sec. 92. Section 46b-121k of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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(a) (1) The [Court Support Services Division] Judicial Branch shall develop constructive programs for the prevention and reduction of delinquency and crime among juvenile offenders. To develop such programs, the executive director of the Court Support Services Division within the Judicial Branch shall cooperate with other agencies to encourage the establishment of new programs and to provide a continuum of services for juvenile offenders who do not require secure placement, including, but not limited to, juveniles classified pursuant to the risk assessment instrument described in section 46b-121i, as those who may be released with structured supervision and those who may be released without supervision. When appropriate, the [Court Support Services Division] Judicial Branch shall coordinate such programs with the Department of Children and Families and the Department of Mental Health and Addiction Services.

(2) The programs shall be tailored to the type of juvenile, including the juvenile's offense history, age, maturity and social development, gender, mental health, alcohol dependency or drug dependency, need for structured supervision and other characteristics, and shall be culturally appropriate, trauma-informed and provided in the least restrictive environment possible in a manner consistent with public safety. The [Court Support Services Division] Judicial Branch shall develop programs that provide: (A) Intensive general education, with an individualized remediation plan for each juvenile; (B) appropriate job training and employment opportunities; (C) counseling sessions in anger management and nonviolent conflict resolution; (D) treatment and prevention programs for alcohol dependency and drug dependency; (E) mental health screening, assessment and treatment; (F) sexual offender treatment; and (G) services for families of juveniles.

(b) The Judicial [Department] Branch may contract to establish regional secure residential facilities and regional highly supervised residential and nonresidential facilities for juveniles referred by the

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court. Such facilities shall operate within contracted-for capacity limits. Such facilities shall be exempt from the licensing requirements of section 17a-145.

(c) The [Court Support Services Division] Judicial Branch shall collaborate with private residential facilities providing residential programs and with community-based nonresidential postrelease programs.

(d) The Judicial Branch, as part of a publicly bid contract for an alternative incarceration program, may include a requirement that the contractor provide for space necessary for juvenile probation offices and other staff of the Court Support Services Division to perform their duties.

[(d)] (e) Any program developed by the [Court Support Services Division] Judicial Branch that is designed to prevent or reduce delinquency and crime among juvenile offenders shall be gender specific, as necessary, and shall comprehensively address the unique needs of a targeted gender group.

[(e)] (f) The [Court Support Services Division] Judicial Branch shall consult with the Commission on Racial and Ethnic Disparity in the Criminal Justice System established pursuant to section 51-10c to address the needs of minorities in the juvenile justice system.

Sec. 93. Subsection (d) of section 4b-3 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(d) Notwithstanding any other statute or special act to the contrary, the Commissioner of Public Works shall be the sole person authorized to represent the state in its dealings with third parties for the acquisition, construction, development or leasing of real estate for housing the offices or equipment of all agencies of the state or for the

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state-owned public buildings or realty hereinafter provided for in sections 2-90, 4b-1 to 4b-5, inclusive, 4b-21, 4b-23, as amended by this act, 4b-24, 4b-26, 4b-27, 4b-30 and 4b-32, subsection (c) of section 4b-66 and sections 4b-67 to 4b-69, inclusive, 4b-71, 4b-72, 10-95, 10a-72, 10a-89, 10a-90, 10a-114, 10a-130, 10a-144, 17b-655, 22-64, 22a-324, 26-3, 27-45, 32-1c, 32-39, 48-9, 51-27d and 51-27f, except that the Joint Committee on Legislative Management may represent the state in the planning and construction of the Legislative Office Building and related facilities, in Hartford; the Chief Court Administrator may represent the state in providing for space for the Court Support Services Division as part of a new or existing contract for an alternative incarceration program pursuant to section 54-103b or a program developed pursuant to section 46b-121i, 46b-121j, 46b-121k, as amended by this act, or 46b-121l; the board of trustees of a constituent unit of the state system of higher education may represent the state in the leasing of real estate for housing the offices or equipment of such constituent unit, provided no lease payments for such realty are made with funds generated from the general revenues of the state; the Labor Commissioner may represent the state in the leasing of premises required for employment security operations as provided in subsection (c) of section 31-250; the Commissioner of Developmental Services may represent the state in the leasing of residential property as part of the program developed pursuant to subsection (b) of section 17a-218, provided such residential property does not exceed two thousand five hundred square feet, for the community placement of persons eligible to receive residential services from the department; and the Connecticut Marketing Authority may represent the state in the leasing of land or markets under the control of the Connecticut Marketing Authority, and, except for the housing of offices or equipment in connection with the initial acquisition of an existing state mass transit system or the leasing of land by the Connecticut Marketing Authority for a term of one year or more in which cases the actions of the Department of Transportation and the Connecticut

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Marketing Authority shall be subject to the review and approval of the State Properties Review Board. The Commissioner of Public Works shall have the power to establish and implement any procedures necessary for the commissioner to assume the commissioner's responsibilities as said sole bargaining agent for state realty acquisitions and shall perform the duties necessary to carry out such procedures. The Commissioner of Public Works may appoint, within the commissioner's budget and subject to the provisions of chapter 67, such personnel deemed necessary by the commissioner to carry out the provisions hereof, including experts in real estate, construction operations, financing, banking, contracting, architecture and engineering. The Attorney General's office, at the request of the commissioner, shall assist the commissioner in contract negotiations regarding the purchase, lease or construction of real estate.

Sec. 94. (NEW) (*Effective from passage*) Notwithstanding any provision of the general statutes, any alien convicted of a crime who received a definite sentence of five years or less and has been confined under such sentence for not less than one-half of the sentence imposed may be released by the Commissioner of Correction pursuant to subsection (e) of section 18-100 of the general statutes to United States Immigration and Customs Enforcement.

Sec. 95. Section 49-31l of the general statutes, as amended by section 34 of public act 09-209, is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Prior to July 1, 2010: (1) Any action for the foreclosure of a mortgage on residential real property with a return date during the period from July 1, 2008, to June 30, 2009, inclusive, shall be subject to the provisions of subsection (b) of this section, and (2) any action for the foreclosure of a mortgage on residential real property with a return date during the period from July 1, 2009, to June 30, 2010, inclusive, shall be subject to the provisions of subsection (c) of this section.

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(b) (1) Prior to July 1, 2010, when a mortgagee commences an action for the foreclosure of a mortgage on residential real property with a return date during the period from July 1, 2008, to June 30, 2009, inclusive, the mortgagee shall give notice to the mortgagor of the foreclosure mediation program established in section 49-31m by attaching to the front of the foreclosure complaint that is served on the mortgagor: (A) A copy of the notice of the availability of foreclosure mediation, in such form as the Chief Court Administrator prescribes, and (B) a foreclosure mediation request form, in such form as the Chief Court Administrator prescribes.

(2) Except as provided in subdivision (3) of this subsection, a mortgagor may request foreclosure mediation by submitting the foreclosure mediation request form to the court and filing an appearance not more than fifteen days after the return day for the foreclosure action. Upon receipt of the foreclosure mediation request form, the court shall notify each appearing party that a foreclosure mediation request form has been submitted by the mortgagor.

(3) The court may grant a mortgagor permission to submit a foreclosure mediation request form and file an appearance after the fifteen-day period established in subdivision (2) of this subsection, for good cause shown, except that no foreclosure mediation request form may be submitted and no appearance may be filed more than twenty-five days after the return date.

(4) No foreclosure mediation request form may be submitted to the court on or after July 1, 2010.

(5) If at any time on or after July 1, 2008, but prior to July 1, 2010, the court determines that the notice requirement of subdivision (1) of this subsection has not been met, the court may, upon its own motion or upon the written motion of the mortgagor, issue an order that no judgment may enter for fifteen days during which period the

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mortgagor may submit a foreclosure mediation request form to the court.

(6) Notwithstanding any provision of the general statutes or any rule of law to the contrary, prior to July 1, 2010, no judgment of strict foreclosure nor any judgment ordering a foreclosure sale shall be entered in any action subject to the provisions of this subsection and instituted by the mortgagee to foreclose a mortgage on residential real property unless: (A) Notice to the mortgagor has been given by the mortgagee in accordance with subdivision (1) of this subsection and the time for submitting a foreclosure mediation request form has expired and no foreclosure mediation request form has been submitted, or if such notice has not been given, the time for submitting a foreclosure mediation request form pursuant to subdivision (2) or (3) of this subsection has expired and no foreclosure mediation request form has been submitted, or (B) the mediation period set forth in subdivision (b) of section 49-31n, as amended by [this act] public act 09-209, has expired or has otherwise terminated, whichever is earlier.

(7) None of the mortgagor's or mortgagee's rights in the foreclosure action shall be waived by the mortgagor's submission of a foreclosure mediation request form to the court.

(c) (1) Prior to July 1, 2010, when a mortgagee commences an action for the foreclosure of a mortgage on residential real property with a return date on or after July 1, 2009, the mortgagee shall give notice to the mortgagor of the foreclosure mediation program established in section 49-31m by attaching to the front of the writ, summons and complaint that is served on the mortgagor: (A) A copy of the notice of foreclosure mediation, in such form as the Chief Court Administrator prescribes, (B) a copy of the foreclosure mediation certificate form described in subdivision (3) of this subsection, in such form as the Chief Court Administrator prescribes, and (C) a blank appearance form, in such form as the Chief Court Administrator prescribes.

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(2) The court shall issue a notice of foreclosure mediation described in subdivision (3) of this subsection to the mortgagor not later than the date three business days after the date the mortgagee returns the writ to the court.

(3) The notice of foreclosure mediation shall instruct the mortgagor to file the appearance and foreclosure mediation certificate forms with the court no later than the date fifteen days from the return date for the foreclosure action. The foreclosure mediation certificate form shall require the mortgagor to provide sufficient information to permit the court to confirm that the defendant in the foreclosure action is a mortgagor, and to certify that said mortgagor has sent a copy of the mediation certificate form to the plaintiff in the action.

(4) Upon receipt of the mortgagor's appearance and foreclosure mediation certificate forms, and provided the court confirms the defendant in the foreclosure action is a mortgagor and that said mortgagor has sent a copy of the mediation certificate form to the plaintiff, the court shall schedule a date for foreclosure mediation in accordance with subsection (c) of section 49-31n, as amended by [this act] public act 09-209. The court shall issue notice of such mediation date to all appearing parties not earlier than the date five business days after the return date [. If] or by the date three business days after the date on which the court receives the mortgagor's appearance and foreclosure mediation certificate forms, whichever is later, except that if the court does not receive the appearance and foreclosure mediation certificate forms from the mortgagor by the date fifteen days after the return date for the foreclosure action, the court shall not schedule such mediation.

(5) Notwithstanding the provisions of this subsection, the court may refer a foreclosure action brought by a mortgagee to the foreclosure mediation program at any time, provided the mortgagor has filed an appearance in said action and further provided the court shall, not

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later than the date three business days after the date on which it makes such referral, send a notice to each appearing party scheduling the first foreclosure mediation session for a date not later than the date fifteen business days from the date of such referral.

(6) Notwithstanding any provision of the general statutes or any rule of law, prior to July 1, 2010, no judgment of strict foreclosure nor any judgment ordering a foreclosure sale shall be entered in any action subject to the provisions of this subsection and instituted by the mortgagee to foreclose a mortgage on residential real property unless: (A) The mediation period set forth in subdivision (c) of section 49-31n, as amended by [this act] public act 09-209, has expired or has otherwise terminated, whichever is earlier, or (B) the mediation program is not otherwise required or available.

(7) None of the mortgagor's or mortgagee's rights in the foreclosure action shall be waived by participation in the foreclosure mediation program.

Sec. 96. Section 20 of public act 09-209 is repealed and the following is substituted in lieu thereof (*Effective from passage*):

No person or individual who is required to be licensed and who is subject to sections 36a-485 to 36a-498c, inclusive, of the general statutes, as amended by [this act] public act 09-209, sections 36a-534a and 36a-534b of the general statutes, as amended by [this act] public act 09-209, and sections 9 and 19 to 21, inclusive, of [this act] public act 09-209, may:

- (1) Directly or indirectly employ any scheme, device or artifice to defraud or mislead borrowers or lenders or to defraud any person;
- (2) Engage in any unfair or deceptive practice toward any person;
- (3) Obtain property by fraud or misrepresentation;

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(4) Solicit or enter into a contract with a borrower that provides in substance that such person or individual may earn a fee or commission through "best efforts" to obtain a loan even though no loan is actually obtained for the borrower;

(5) Solicit, advertise or enter into a contract for specific interest rates, points or other financing terms unless the terms are actually available at the time of soliciting, advertising or contracting;

(6) Conduct any business as a mortgage lender, mortgage correspondent lender, mortgage broker or mortgage loan originator without holding a valid license as required under sections 36a-485 to 36a-498c, inclusive, of the general statutes, as amended by [this act] public act 09-209, sections 36a-534a and 36a-534b of the general statutes, as amended by [this act] public act 09-209, and sections 9 and 19 to 21, inclusive, of [this act] public act 09-209, or assist or aide and abet any person in the conduct of business as a mortgage lender, mortgage correspondent lender, mortgage broker or mortgage loan originator without a valid license as required under said sections;

(7) Fail to make disclosures as required by sections 36a-485 to 36a-498c, inclusive, of the general statutes, as amended by [this act] public act 09-209, sections 36a-534a and 36a-534b of the general statutes, as amended by [this act] public act 09-209, and sections 9 and 19 to 21, inclusive, of [this act] public act 09-209 and any other applicable state or federal law including regulations thereunder;

(8) Fail to comply with sections 36a-485 to 36a-498c, inclusive, of the general statutes, as amended by [this act] public act 09-209, sections 36a-534a and 36a-534b of the general statutes, as amended by [this act] public act 09-209, and sections 9 and 19 to 21, inclusive, of [this act] public act 09-209, or rules or regulations adopted under said sections or fail to comply with any other state or federal law, including the rules and regulations thereunder, applicable to any business

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authorized or conducted under said sections;

(9) Make, in any manner, any false or deceptive statement or representation including, with regard to the rates, points or other financing terms or conditions for a residential mortgage loan, or engage in bait and switch advertising;

(10) Negligently make any false statement or knowingly and wilfully make any omission of material fact in connection with any information or reports filed with a governmental agency or the system, as defined in section 36a-485 of the general statutes, as amended by [this act] public act 09-209, or in connection with any investigation conducted by the Banking Commissioner or another governmental agency;

(11) Make any payment, threat or promise, directly or indirectly, to any person for the purposes of influencing the independent judgment of the person in connection with a residential mortgage loan as defined in section 36a-485 of the general statutes, as amended by [this act] public act 09-209, or make any payment threat or promise, directly or indirectly, to any appraiser of a property, for the purposes of influencing the independent judgment of the appraiser with respect to the value of the property;

(12) Collect, charge, attempt to collect or charge or use or propose any agreement purporting to collect or charge any fee prohibited by sections 36a-485 to 36a-498c, inclusive, of the general statutes, as amended by [this act] public act 09-209, sections 36a-534a and 36a-534b of the general statutes, as amended by [this act] public act 09-209, and sections 9 and 19 to 21, inclusive, of [this act] public act 09-209;

(13) Cause or require a borrower to obtain property insurance coverage in an amount that exceeds the replacement cost of the improvements as established by the property insurer; or

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(14) Fail to truthfully account for moneys belonging to a party to a residential mortgage loan transaction.

Sec. 97. Section 36a-760e of the general statutes, as amended by section 4 of public act 09-207, is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) A lender shall not offer a nonprime home loan that contains:

(1) A prepayment penalty, except that this prohibition shall not apply to FHA loans;

(2) A provision requiring a borrower, whether acting individually or on behalf of others similarly situated, to assert any claim or defense in a nonjudicial forum that: (A) Utilizes principles which are inconsistent with the law as set forth in the general statutes or common law; (B) limits any claim or defense the borrower may have; or (C) is less convenient, more costly or more dilatory for the resolution of a dispute than a judicial forum established in this state where the borrower may otherwise properly bring a claim or defense;

(3) For a loan with a term of less than seven years, a payment schedule with regular periodic payments that when aggregated do not fully amortize the outstanding principal balance, except that this limitation does not apply to a loan with maturities of less than one year if the purpose of the loan is a bridge loan, as used in 12 CFR 226.32, as amended from time to time, connected with the acquisition or construction of a dwelling intended to become the borrower's principal dwelling;

(4) A payment schedule with regular periodic payments that cause the principal balance to increase;

(5) A payment schedule that consolidates more than two periodic payments and pays them in advance from the proceeds, unless such

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payments are required to be escrowed by a governmental agency;

(6) Default charges in excess of five per cent of the amount in default; or

(7) A call provision that permits the lender, in its sole discretion, to accelerate the indebtedness. This prohibition shall not apply when repayment of the loan is accelerated by bona fide default, pursuant to a due-on-sale clause provision or pursuant to another provision of the loan agreement unrelated to the payment schedule, including, but not limited to, bankruptcy or receivership.

(b) If a nonprime home loan contains a provision that violates subsection (a) of this section, that provision shall be void and unenforceable, provided the lender received the application for such nonprime home loan on or after October 1, 2009.

Sec. 98. Section 36a-760d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

A lender shall not make a nonprime home loan unless:

(1) With respect to nonprime home loans that are first mortgage loans [originated on or after January 1, 2010] for which the lender receives an application on or after April 1, 2010, the lender requires and collects a monthly escrow for the payment of real property taxes and homeowner's insurance. The provisions of this subdivision shall not apply to: (A) FHA loans; or (B) a nonprime home loan product which, in good faith, is generally designed and marketed to the public as a subordinate lien home equity loan product but is secured by a first mortgage loan;

(2) To the extent applicable, the lender obtains the written certification or statement under section 36a-760c; and

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(3) The lender mailed or delivered to applicants, no later than the date three business days after the date of receipt of a completed application for a nonprime home loan, a notice containing a toll-free number that can be used to obtain a list of nonprofit housing counselors approved by the United States Department of Housing and Urban Development. For purposes of this subdivision, a lender may use the toll-free number which satisfies the requirements of Section 106(c)(5) of the Housing and Urban Development Act of 1968 (12 USC 1701(x) Section (c)(5). No borrower shall have a private right of action for the lender's failure to deliver, on a timely basis, a notice required by this subdivision.

Sec. 99. (*Effective from passage*) (a) The provisions of subsection (a) of section 36a-760 of the general statutes, revision 1958, revised to January 1, 2009, shall apply to all mortgage loans for which a lender receives an application before October 1, 2009.

(b) The provisions of section 36a-760e of the general statutes, revision 1958, revised to January 1, 2009, shall apply to all nonprime home loans for which a lender receives an application before October 1, 2009.

Sec. 100. Subsection (h) of section 36a-498 of the general statutes, as amended by section 6 of public act 09-207, is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(h) No mortgage lender or mortgage correspondent lender shall include in a mortgage loan for which an application is received by such lender on or after October 1, 2009, a provision that increases the interest rate as a result of a default other than a failure to comply with a provision to maintain an automatic electronic payment feature where such maintenance provision has been provided in return for an interest rate reduction and the increase is no greater than such reduction.

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Sec. 101. Subsection (c) of section 36a-801 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(c) No person licensed to act within this state as a consumer collection agency shall do so under any other name or at any other place of business than that named in the license. Any change of location of a place of business of a licensee shall require prior written notice to the commissioner. Not more than one place of business shall be maintained under the same license but the commissioner may issue more than one license to the same licensee upon compliance with the provisions of sections 36a-800 to 36a-810, inclusive, as to each new licensee. A license shall not be transferable or assignable. Any licensee holding, applying for, or seeking renewal of more than one license may, at its option, file the bond required under section 36a-802 separately for each place of business licensed, or to be licensed, or a single bond, naming each place of business, in an amount equal to [five] twenty-five thousand dollars for each place of business.

Sec. 102. (*Effective from passage*) The Connecticut Commission on Culture and Tourism shall develop recommendations for the consolidation of the regional tourism districts from five to three. Such recommendations shall include, but not be limited to, the composition of the districts, the number of members that should serve on district boards of directors, the amount of grant money received that may be used by the districts for administrative costs, and the process for the creation and approval of budgets for the districts. The commission shall report its recommendations, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committees of the General Assembly having cognizance of matters relating to commerce and appropriations and the budgets of state agencies not later than December 1, 2009.

Sec. 103. Section 74 of public act 09-3 of the June special session is

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repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Notwithstanding the provisions of section 10a-256 of the general statutes, the sum of \$10,000,000 shall be transferred from The University of Connecticut Health Center Medical Malpractice Trust Fund and credited to the resources of the General Fund for each of the fiscal years ending June 30, 2010, and June 30, 2011.

(b) (1) Notwithstanding the provisions of section 9-701 of the general statutes, the sum of \$18,000,000 shall be transferred from the Citizens' Election Fund and credited to the resources of the General Fund for the fiscal year ending June 30, 2010.

(2) Notwithstanding the provisions of section 9-701 of the general statutes, the sum of \$7,000,000 shall be transferred from the Citizens' Election Fund and credited to the resources of the General Fund for the fiscal year ending June 30, 2011.

(c) (1) Notwithstanding the provisions of subparagraph (A) of subdivision (2) of subsection (c) of section 4-28e of the general statutes, on or after May 1, 2010, the sum of \$10,000,000 shall be transferred from the Tobacco and Health Trust Fund and credited to the resources of the General Fund for the fiscal year ending June 30, 2010.

(2) Notwithstanding the provisions of subparagraph (A) of subdivision (2) of subsection (c) of section 4-28e of the general statutes, on or after May 1, 2011, the sum of \$10,000,000 shall be transferred from the Tobacco and Health Trust Fund and credited to the resources of the General Fund for the fiscal year ending June 30, 2011.

(d) Notwithstanding the provisions of section 19a-32c of the general statutes, the sum of \$4,500,000 shall be transferred from the Biomedical Research Trust Fund and credited to the resources of the General Fund for each of the fiscal years ending June 30, 2010, and June 30, 2011.

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(e) Notwithstanding the provisions of section 16-331cc of the general statutes, the sum of \$2,000,000 shall be transferred from the public, educational and governmental programming and education technology investment account and credited to the resources of the General Fund for each of the fiscal years ending June 30, 2010, and June 30, 2011.

(f) (1) Notwithstanding the provisions of section 54-215 of the general statutes, the sum of \$2,275,000 shall be transferred from the Criminal Injuries Compensation Fund and credited to the resources of the General Fund for the fiscal year ending June 30, 2010.

(2) Notwithstanding the provisions of section 54-215 of the general statutes, the sum of \$1,275,000 shall be transferred from the Criminal Injuries Compensation Fund and credited to the resources of the General Fund for the fiscal year ending June 30, 2011.

(g) Notwithstanding the provisions of section 54-56k of the general statutes, the sum of \$500,000 shall be transferred from the pretrial account and credited to the resources of the General Fund for each of the fiscal years ending June 30, 2010, and June 30, 2011.

[(h) Notwithstanding the provisions of section 4-66aa of the general statutes, as amended by section 28 of public act 09-229, the sum of \$500,000 shall be transferred from the agricultural viability subaccount of the community investment account and credited to the resources of the General Fund for the fiscal year ending June 30, 2010.]

[(i)] (h) Notwithstanding the provisions of section 22-380g of the general statutes, the sum of \$500,000 shall be transferred from the Animal Population Control account and credited to the resources of the General Fund for the fiscal year ending June 30, 2010.

[(j)] (i) Notwithstanding the provisions of section 16-50v of the general statutes, the sum of \$500,000 shall be transferred from the

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Siting Council Fund and credited to the resources of the General Fund for the fiscal year ending June 30, 2011.

[(k)] (j) Notwithstanding the provisions of section 42-190 of the general statutes, the sum of \$500,000 shall be transferred from the new automobile warranties account and credited to the resources of the General Fund for the fiscal year ending June 30, 2011.

[(l)] (k) (1) The sum of \$3,000,000 shall be transferred from The University of Connecticut operating reserve account and credited to the resources of the General Fund for the fiscal year ending June 30, 2010.

(2) The sum of \$5,000,000 shall be transferred from The University of Connecticut operating reserve account and credited to the resources of the General Fund for the fiscal year ending June 30, 2011.

[(m)] (l) (1) The sum of \$1,000,000 shall be transferred from the Connecticut State University System operating reserve account and credited to the resources of the General Fund for the fiscal year ending June 30, 2010.

(2) The sum of \$3,000,000 shall be transferred from the Connecticut State University System operating reserve account and credited to the resources of the General Fund for the fiscal year ending June 30, 2011.

[(n)] (m) The sum of \$1,000,000 shall be transferred from the Regional Community-Technical Colleges operating reserve account and credited to the resources of the General Fund for each of the fiscal years ending June 30, 2010, and June 30, 2011.

[(o)] (n) Notwithstanding the provisions of section 4d-9 of the general statutes, for the fiscal year ending June 30, 2010, the following sums shall be transferred from the Technical Services Revolving Fund: (1) \$100,000 to the brain injury prevention and services account

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established under section 14-295b of the general statutes, and (2) on or after May 1, 2010, \$3,900,000 to be credited to the resources of the General Fund.

Sec. 104. (*Effective from passage*) (a) The sum of \$2,555,012 of the amount appropriated to the Judicial Department in section 1 of public act 09-3 of the June special session, for Youthful Offender Services, shall be transferred to the Department of Children and Families, to be available for the fiscal year ending June 30, 2010, for Board and Care for Children - Residential.

(b) The sum of \$5,229,000 of the amount appropriated to the Judicial Department in section 11 of public act 09-3 of the June special session, for Youthful Offender Services, shall be transferred to the Department of Children and Families, to be available for the fiscal year ending June 30, 2011, for Board and Care for Children - Residential.

Sec. 105. Subsection (b) of section 14-253a of the general statutes, as amended by section 37 of public act 09-187, is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) The Commissioner of Motor Vehicles shall accept applications and renewal applications for special license plates and removable windshield placards from (1) any person who is blind, as defined in section 1-1f; (2) any person with disabilities; (3) any parent or guardian of any person who is blind or any person with disabilities, if such person is under eighteen years of age at the time of application; (4) any parent or guardian of any person who is blind or any person with disabilities, if such person is unable to request or complete an application; and (5) any organization which meets criteria established by the commissioner and which certifies to the commissioner's satisfaction that the vehicle for which a plate or placard is requested is primarily used to transport persons who are blind or persons with disabilities. On and after January 1, 2010, no person shall be issued a

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placard in accordance with this section unless such person is the holder of a valid motor vehicle operator's license, or identification card issued in accordance with the provisions of section 1-1h. The commissioner is authorized to adopt regulations for the issuance of placards to persons who, by reason of hardship, do not hold or cannot obtain an operator's license or identification card. The commissioner shall maintain a record of each placard issued to any such person. Such applications and renewal applications shall be on a form prescribed by the commissioner and shall include certification of disability from a licensed physician, physician's assistant or advanced practice registered nurse, licensed in accordance with the provisions of chapter 378, or certification of legal blindness from the Board of Education and Services for the Blind, an ophthalmologist or an optometrist. In the case of persons with disabilities, the application shall also include certification from a licensed physician, an advanced practice registered nurse, licensed in accordance with the provisions of chapter 378, or a member of the handicapped driver training unit established pursuant to section 14-11b that the applicant meets the definition of persons with disabilities which limit or impair the ability to walk, as defined in 23 CFR Section 1235.2. The commissioner, in said commissioner's discretion, may accept the discharge papers of a disabled veteran, as defined in section 14-254, in lieu of such certification. The commissioner may require additional certification at the time of the original application or at any time thereafter. If a person who has been requested to submit additional certification fails to do so within thirty days of the request, or if such additional certification is deemed by the commissioner to be unfavorable to the applicant, the commissioner may refuse to issue or, if already issued, suspend or revoke such special license plate or placard. The commissioner shall not issue more than one placard per applicant. The fee for the issuance of a temporary removable windshield placard shall be five dollars. Any person whose application has been denied or whose special license plate or placard has been suspended or revoked shall be afforded an opportunity for a

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hearing in accordance with the provisions of chapter 54.

Sec. 106. (*Effective from passage*) The Judicial Department shall lapse \$316,207 in its Personal Services account for each of the fiscal years ending June 30, 2010, and June 30, 2011.

Sec. 107. (*Effective from passage*) (a)(1) Not later than July 1, 2010, the Department of Social Services shall amend by regulation the definition of "medically necessary" services utilized in the administration of Medicaid to reflect savings in the current biennial budget by reducing inefficiencies in the administration of the program while not reducing the quality of care provided to Medicaid beneficiaries.

(2) The Commissioner of Social Services shall implement policies and procedures utilizing said amended definition to achieve the purposes of subdivision (1) of this subsection while in the process of adopting the definition in regulation form, provided notice of intention to adopt the regulation is printed in the Connecticut Law Journal within forty-five days of implementation, and any such policies or procedures shall be valid until the time the final regulation is effective.

(b) There is established a Medical Inefficiency Committee to advise the Department of Social Services on the amended definition and the implementation of the amended definition required under subsection (a) of this section, and to provide feedback to the department and the General Assembly on the impact of the amended definition.

(c) The committee shall consist of the following members: Three appointed by the Governor, two appointed by the speaker of the House of Representatives, two appointed by the president pro tempore of the Senate and one each appointed by the majority leaders of the House of Representatives and the Senate and the minority leaders of the House of Representatives and the Senate.

(d) All appointments to the committee shall be made no later than

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thirty days after the effective date of this section. Any vacancy shall be filled by the appointing authority, except that vacancies left unfilled for more than sixty days may be filled by joint appointment of the speaker of the House of Representatives and the president pro tempore of the Senate.

(e) The speaker of the House of Representatives and the president pro tempore of the Senate shall select the chairpersons of the committee from among the members of the committee. Such chairpersons shall schedule the first meeting of the committee, which shall be held no later than sixty days after the effective date of this section.

(f) The administrative staff of the joint standing committee of the General Assembly having cognizance of matters relating to human services shall serve as administrative staff of the committee.

(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, whichever is later.

Sec. 108. Subsection (c) of section 31-22r of the general statutes, as amended by section 368 of public act 09-3 of the June special session, is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(c) [Any] Fifty per cent of any amount collected by the Labor Department pursuant to this section shall be deposited in the General Fund and fifty per cent of such amount shall be credited to a separate

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nonlapsing appropriation to the Labor Department, for the purpose of administering the department's apprentice training program and sections 31-22m to 31-22p, inclusive.

Sec. 109. Subsection (b) of section 4-124w of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) The office shall:

(1) Be the Governor's principal workforce development policy advisor;

(2) Be the liaison between the Governor and any local, state or federal organizations and entities with respect to workforce development matters, including implementation of the Workforce Investment Act of 1998, P.L. 105-220, as from time to time amended;

(3) Coordinate the workforce development activities of all state agencies;

(4) Coordinate the state's implementation of the federal Workforce Investment Act of 1998, P.L. 105-220, as from time to time amended, and advise and assist the Governor with matters related to said act;

[(5) Coordinate the development and implementation of strategies regarding technology-based talent and innovation among state and quasi-public agencies, including the creation of a centralized clearinghouse and technical assistance function at the state level to assist applicants in developing small business innovation research programs in conformity with the federal program established pursuant to the Small Business Research and Development Enhancement Act of 1992, P.L. 102-564, as amended, and other proposals;]

[(6)] (5) Establish methods and procedures to ensure the maximum

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involvement of members of the public, the legislature and local officials in workforce development matters, including implementation of the Workforce Investment Act of 1998, P.L. 105-220, as from time to time amended;

[(7)] (6) Subject to the provisions of chapter 67, appoint such officials and other employees as may be necessary for the discharge of the duties of the office;

[(8)] (7) Enter into such contractual agreements, in accordance with established procedures, as may be necessary to carry out the provisions of this section and section 20 of public act 00-192*;

[(9)] (8) Take any other action necessary to carry out the provisions of this section and section 20 of public act 00-192*;

[(10)] (9) Be the lead state agency for the development of employment and training strategies and initiatives required to support Connecticut's position in the knowledge economy; and

[(11)] (10) Not later than October 1, 2002, and annually thereafter, submit a report, with the assistance of the Labor Department, to the Governor and the joint standing committees of the General Assembly having cognizance of matters relating to education, economic development, labor and higher education and employment advancement specifying a forecasted assessment by the Labor Department of workforce shortages in occupations in this state for the succeeding two and five-year periods. The report shall also include recommendations concerning (A) methods to generate a sufficient number of workers to meet identified workforce needs, including, but not limited to, scholarship, school-to-career and internship programs, and (B) methods secondary and higher education and private industry can use to address identified workforce needs.

Sec. 110. Subsection (d) of section 4-124hh of the general statutes is

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repealed and the following is substituted in lieu thereof (*Effective from passage*):

(d) The Office of Workforce Competitiveness shall, within available appropriations, establish a grant program to provide funding for the promotion of commercialization of research done by institutions of higher education. Grants pursuant to this subsection shall be awarded to institutions of higher education and business entities and may be used:

(1) To provide funding to verify the technical and commercial feasibility of early stage discoveries by institutions of higher education that are disclosed or patented to accelerate and increase the likelihood that the technology will be successfully commercialized;

(2) To provide matching support for smaller institutions of higher education to allow for contracts with independent technology transfer organizations to provide specific service to support specific needs; and

(3) [Through the Connecticut Small Business Innovation Research Office, supported by the Office of Workforce Competitiveness, to] To provide specialized technical assistance to advance nanotechnology awards to Connecticut companies, [and the small business innovation research program,] including nanotechnology-related workshops and seminars, grant preparation assistance, marketing assistance, services related to matching grants and other technical assistance to assist companies with nanotechnology-related applications. [for the small business innovation research program.]

Sec. 111. Subsection (h) of section 32-35 of the general statutes, as amended by section 79 of public act 09-3 of the June special session, is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(h) The corporation shall provide funding for the operation of the

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Connecticut Small Business Innovation Research Office in accordance with subdivision (41) of section 32-39 of the general statutes, as amended by this act.

Sec. 112. Section 32-39 of the general statutes is amended by adding subdivision (41) as follows (*Effective from passage*):

(NEW) (41) To coordinate the development and implementation of strategies regarding technology-based talent and innovation among state and quasi-public agencies, including the creation and administration of the Connecticut Small Business Innovation Research Office to act as a centralized clearinghouse and provide technical assistance to applicants in developing small business innovation research programs in conformity with the federal program established pursuant to the Small Business Research and Development Enhancement Act of 1992, PL 102-564, as amended, and other proposals.

Sec. 113. Section 88 of public act 07-4 of the June special session is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) There is established a Juvenile Jurisdiction Policy and Operations Coordinating Council. The council shall monitor the implementation of [the central components of the implementation plan developed by the Juvenile Jurisdiction Planning and Implementation Committee, as set forth in subsection (f) of this section, and resolve issues identified by the committee, as set forth in subsection (g) of this section, concerning] changes required in the juvenile justice system to expand jurisdiction to include persons sixteen and seventeen years of age.

(b) The council shall consist of the following members:

(1) Two members of the General Assembly, one of whom shall be appointed by the speaker of the House of Representatives, and one of

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whom shall be appointed by the president pro tempore of the Senate;

(2) The chairpersons and ranking members of the joint standing committees of the General Assembly having cognizance of matters relating to the judiciary, human services and appropriations, or their designees;

(3) The Chief Court Administrator, or the Chief Court Administrator's designee;

(4) A judge of the superior court for juvenile matters, appointed by the Chief Justice;

(5) The executive director of the Court Support Services Division of the judicial branch, or the executive director's designee;

(6) The executive director of the Superior Court Operations Division, or the executive director's designee;

(7) The Chief Public Defender, or the Chief Public Defender's designee;

(8) The Chief State's Attorney, or the Chief State's Attorney's designee;

(9) The Commissioner of Children and Families, or the commissioner's designee;

(10) The Commissioner of Correction, or the commissioner's designee;

(11) The Commissioner of Education, or the commissioner's designee;

(12) The Commissioner of Mental Health and Addiction Services, or the commissioner's designee;

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(13) The president of the Connecticut Police Chiefs Association, or the president's designee;

(14) Two child or youth advocates, one of whom shall be appointed by one chairperson of the Juvenile Jurisdiction Planning and Implementation Committee, and one of whom shall be appointed by the other chairperson of the Juvenile Jurisdiction Planning and Implementation Committee;

(15) Two parents, each of whom is the parent of a child who has been involved with the juvenile justice system, one of whom shall be appointed by the minority leader of the House of Representatives, and one of whom shall be appointed by the minority leader of the Senate; and

(16) The Child Advocate, or the Child Advocate's designee.

(c) All appointments to the council shall be made not later than thirty days after the effective date of this section. Any vacancy shall be filled by the appointing authority.

(d) The Secretary of the Office of Policy and Management, or the secretary's designee and a member of the General Assembly selected jointly by the speaker of the House of Representatives and the president pro tempore of the Senate shall be cochairpersons of the council. Such cochairpersons shall schedule the first meeting of the council, which shall be held not later than sixty days after the effective date of this section.

(e) Members of the council shall serve without compensation, except for necessary expenses incurred in the performance of their duties.

[(f) Prior to January 1, 2009, the council shall monitor the implementation of the central components of the implementation plan contained in the final report of the Juvenile Jurisdiction Planning and

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Implementation Committee dated February 8, 2007, including, but not limited to, the development and implementation of a comprehensive system of community-based services and residential services for juveniles.

(g) Prior to January 1, 2009, the council shall study and develop recommendations regarding the issues identified in the final report of the Juvenile Jurisdiction Planning and Implementation Committee to prepare for the introduction of persons sixteen and seventeen years of age into the juvenile justice system and to improve the juvenile justice system. Such issues and study shall include, but need not be limited to, the following:

(1) The development of diversion programs and the most appropriate programs for such persons;

(2) The development of comprehensive projections to determine the short-term and long-term placement capacity required to accommodate an expanded juvenile population in the juvenile justice system, including an identification of available pretrial detention facilities, the need for additional pretrial detention facilities and feasible alternatives to detention;

(3) An analysis of the impact of the expansion of juvenile jurisdiction to persons sixteen and seventeen years of age on state agencies and a determination of which state agencies shall be responsible for providing relevant services to juveniles, including, but not limited to, mental health and substance abuse services, housing, education and employment;

(4) An examination of the emancipation of minors with respect to the juvenile justice system;

(5) An examination and modification of offenses categorized as serious juvenile offenses in subdivision (12) of section 46b-120 of the

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general statutes, as amended by this act;

(6) A comparison and analysis of procedures used in the juvenile justice system versus the criminal court system to determine the most suitable procedures for juveniles, including, but not limited to, the most suitable procedures for the lawful interrogation of juveniles;

(7) An examination of school-related issues related to delinquency, including intervention strategies to reduce the number of suspensions, expulsions, truancies and arrests of juveniles;

(8) An examination of practices and procedures that result in disproportionate minority contact with the juvenile justice system and strategies to reduce disproportionate minority contact with the juvenile justice system; and

(9) An examination of whether the inclusion of persons sixteen and seventeen years of age in the juvenile justice system requires a revision of provisions of the general statutes that establish a mandatory age for school attendance.

(h) Not later than January 1, 2008, and quarterly thereafter until January 1, 2009, the council shall submit a status report to the Governor and the joint standing committees of the General Assembly having cognizance of matters relating to the judiciary, human services and appropriations, and the select committee of the General Assembly having cognizance of matters relating to children, in accordance with section 11-4a of the general statutes, on implementation of the plan components set forth in subsection (f) of this section and resolution of the issues identified in subsection (g) of this section.

(i) Not later than January 1, 2009, the council shall submit a final report on the council's recommendations and such implementation and resolution of issues to the Governor and the joint standing committees of the General Assembly having cognizance of matters

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relating to the judiciary, human services and appropriations, and the select committee of the General Assembly having cognizance of matters relating to children, in accordance with section 11-4a of the general statutes.]

(f) Not later than January 1, 2011, the council shall submit a report on the council's recommendations concerning the implementation of changes required in the juvenile justice system to expand jurisdiction to include persons sixteen and seventeen years of age to the Governor and the joint standing committees of the General Assembly having cognizance of matters relating to the judiciary, human services and appropriations, and the select committee of the General Assembly having cognizance of matters relating to children, in accordance with section 11-4a of the general statutes.

Sec. 114. Section 9-169g of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The town clerk of any municipality (1) which is divided between two or more assembly districts, two or more senatorial districts or two or more congressional districts, or (2) which is not divided between any such districts but is divided into two or more voting districts for General Assembly or congressional elections, shall submit to the Secretary of the State a street map of the municipality which indicates the boundary lines of the voting districts established by the municipality in accordance with sections 9-169, 9-169a and 9-169d. The town clerk shall submit such map to the secretary [(A) not later than July 30, 1997, if any such division is in effect on July 1, 1997, or, if no such division is in effect on July 1, 1997,] in a printed or electronic format prescribed by the secretary (A) not later than thirty days after any such division first takes effect, and (B) not later than thirty days after any change in any such division takes effect.

(b) The Secretary of the State shall make such maps available to the

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General Assembly, for use by the General Assembly in carrying out its responsibilities under (1) Article XXVI of the Amendments to the Constitution of Connecticut, or any subsequent corresponding state constitutional provision, with regard to the redistricting of assembly, senatorial and congressional districts, and (2) Public Law 94-171, concerning the establishment of a plan identifying the geographic areas for which specific tabulations of population are desired in the decennial census of the United States.

Sec. 115. Section 9-322a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

[Within sixty] Not later than twenty-one days following each regular state election, the town clerk of each town divided into voting districts shall file with the Secretary of the State a consolidated listing, in tabular [or summary form] format, as prescribed by the Secretary of the State, of the official returns of each such voting district for all offices voted on at such election, including the total number of votes cast for each candidate, the total number of names on the registry list, and the total number of names checked as having voted, in each such district. The town clerk of such town shall certify that he or she has examined the lists transmitted under this section to determine whether there are any discrepancies between the total number of votes cast for a candidate at such election in such town, including for any recanvass conducted pursuant to section 9-311 or 9-311a, and the sum of the votes cast for the same candidate in all voting districts in such town. In the case of any such discrepancy, the town clerk shall notify the head moderator and certify that such discrepancy has been rectified. Each listing filed under this section shall be retained by the Secretary of the State not less than ten years after the date of the election for which it was filed.

Sec. 116. Section 9-375b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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Notwithstanding the provisions of sections 9-374 and 9-375, during the second calendar year following the year in which the decennial census of the United States is taken, (1) any amendments of the state rules of a particular party necessitated by redistricting may be made [in 1992] by a majority vote of the members of the state central committee of such party voting thereon at a meeting called for the purpose of considering such amendments, and (2) any amendments of the local rules of a particular party necessitated by redistricting may be made [in 1992] by a majority vote of the members of the town committee of such party voting thereon at a meeting called for the purpose of considering such amendments. [, and any] Any such [amendment] amendments shall be effective upon the filing of a copy thereof in the office of the Secretary of the State by the chairman or vice-chairman of such political party.

Sec. 117. (*Effective from passage*) (a) The sum of \$900,000 appropriated under section 1 of public act 09-3 of the June special session to the Commission on Culture and Tourism, for Tourism Districts, shall be distributed equally among the five regional tourism districts on or before December 31, 2009.

(b) The sum of \$900,000 appropriated under section 1 of public act 09-3 of the June special session to the Commission on Culture and Tourism, for Tourism Districts, shall be distributed equally among the three regional tourism districts, created pursuant to section 10-397 of the general statutes, as amended by this act, on or before June 30, 2010.

Sec. 118. Subsection (b) of section 17b-800 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) Each shelter receiving a grant pursuant to this section (1) shall provide decent, safe and sanitary shelter for residents of the shelter; (2) shall not suspend or expel a resident without good cause; (3) shall, in

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the case of a resident who is listed on the registry of sexual offenders maintained pursuant to chapter 969, provide verification of such person's residence at the shelter to a law enforcement officer upon the request of such officer; and [(3)] (4) shall provide a grievance procedure by which residents can obtain review of grievances, including grievances concerning suspension or expulsion from the shelter. No shelter serving homeless families may admit a person who is listed on the registry of sexual offenders maintained pursuant to chapter 969. The Commissioner of Social Services shall adopt regulations, in accordance with the provisions of chapter 54, establishing (A) minimum standards for shelter grievance procedures and rules concerning the suspension and expulsion of shelter residents and (B) standards for the review and approval of the operating policies of shelters receiving a grant under this section. Shelter operating policies shall establish a procedure for the release of information concerning a resident who is listed on the registry of sexual offenders maintained pursuant to chapter 969 to a law enforcement officer in accordance with this subsection.

Sec. 119. Section 15-120i of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) There is created a body politic and corporate to be known as the "Tweed-New Haven Airport Authority". Said authority shall be a public instrumentality and political subdivision of this state and the exercise by the authority of the powers conferred by sections 15-120g to 15-120o, inclusive, shall be deemed and held to be the performance of an essential public and governmental function. The Tweed-New Haven Airport Authority shall not be construed to be a department, institution or agency of the state.

(b) The authority shall be governed by a board of directors consisting of [fourteen] fifteen members, each member serving not more than two consecutive four-year terms. The [initial] terms of the

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members shall be staggered so that not more than four members' terms shall expire at the same time. [Nine] Eight members of the board shall be appointed by the mayor of New Haven and [two] five members shall be appointed by the mayor of East Haven, [. Not less than six members of the authority] at least six of whom shall be residents of New Haven [and] or East Haven. [Three] Two members of the [authority] board shall be appointed by the South Central Regional Council of Governments, [which appointees] each of whom shall be [residents] a resident of any of the following towns or cities: Bethany, Branford, Guilford, Hamden, Madison, Milford, North Branford, North Haven, Orange, Wallingford, West Haven or Woodbridge. The board of directors shall elect a chairperson from among its members and shall annually elect one of its members as vice-chairperson and shall elect other members as officers, and establish bylaws as necessary for the operation of the authority. Members of the board of directors shall receive no compensation for the performance of their duties. No member of the board shall have any financial interest in Tweed-New Haven Airport or any of its tenants or concessions.

(c) The thirteen members of the board of directors appointed by the mayors of New Haven and East Haven shall be Special Directors vested with additional powers set forth in the bylaws of the Tweed-New Haven Airport Authority.

[(c)] (d) The powers of the authority shall be vested in and exercised by the board. Eight members of the board shall constitute a quorum and the affirmative vote of a majority of the members present at a meeting of the board shall be sufficient for any action taken by the board. No vacancy in the membership of the board shall impair the right of a quorum to exercise all the rights and perform all the duties of the board. Any action taken by the board may be authorized by resolution at any regular or special meeting and shall take effect immediately unless otherwise provided in the resolution. Notice of

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any meeting, whether special or regular, shall be given orally, not less than forty-eight hours prior to the meeting. The board may delegate to three or more of its members, or its officers, agents and employees, such board powers and duties as it may deem proper.

[(d)] (e) The authority shall have perpetual succession and shall adopt procedures for the conduct of its affairs in accordance with section 15-120k. Such succession shall continue as long as the authority shall have obligations outstanding and until the existence of the authority is terminated by law at which time the rights and properties of the authority shall pass to and be vested in the city of New Haven.

Sec. 120. Section 15-120j of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The authority shall maintain and improve Tweed-New Haven Airport as an important economic development asset for the south central Connecticut region which is comprised of the towns and cities of Bethany, Branford, East Haven, Guilford, Hamden, Madison, Milford, New Haven, North Branford, North Haven, Orange, Wallingford, West Haven and Woodbridge. The authority shall have the following powers and duties and may exercise such powers in its own name: (1) To manage, maintain, supervise and operate Tweed-New Haven Airport; (2) do all things necessary to maintain working relationships with the state, municipalities and persons, and conduct the business of a regional airport, in accordance with applicable statutes and regulations; (3) to charge reasonable fees for the services it performs and modify, reduce or increase such fees, provided fees shall apply uniformly to all airport users; (4) to enter into contracts, leases and agreements for goods and equipment and for services with airlines, concessions, counsel, engineers, architects, private consultants and advisors; (5) to contract for the construction, reconstruction, enlargement or alteration of airport projects with private persons and firms in accordance with such terms and conditions as the authority

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shall determine; (6) to make plans and studies in conjunction with the Federal Aviation Administration or other state or federal agencies; (7) to apply for and receive grant funds for airport purposes; (8) to plan and enter into contracts with municipalities, the state, businesses and other entities to finance the operations and debt of the airport, including compensation to the host municipalities of New Haven and East Haven for the use of the land occupied by the airport; (9) to borrow funds for airport purposes for such consideration and upon such terms as the authority may determine to be reasonable; (10) to employ a staff necessary to carry out its functions and purposes and fix the duties, compensation and benefits of such staff; (11) to issue and sell bonds and to use the proceeds of such bonds for capital improvements to the airport; (12) to acquire property by purchase or lease for airport purposes, subject to applicable requirements of federal law and regulation; (13) to prepare and issue budgets, reports, procedures, audits and such other materials as may be necessary and desirable to its purposes; and (14) to exercise all other powers granted to such an authority by law.

(b) The authority shall have full control of the operation and management of the airport, including land, buildings and easements by means of a lease to the authority by the city of New Haven and the town of East Haven.

(c) Notwithstanding the provisions of subsections (a) and (b) of this section, Runway 2-20 of the airport shall not exceed the existing paved runway length of five thousand six hundred linear feet.

Sec. 121. (NEW) (*Effective from passage*) (a) Within available appropriations, juvenile prosecutors employed by the Division of Criminal Justice on the effective date of this section shall be deemed to have been appointed by the Criminal Justice Commission in accordance with section 51-278 of the general statutes and shall have and exercise all the powers and perform all the duties of an assistant

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state's attorney and have the same jurisdiction as an assistant state's attorney as provided in section 51-281 of the general statutes.

(b) Within available appropriations, on and after the effective date of this section, any prosecutorial official assigned to handle juvenile matters in the criminal session of the Superior Court shall have been appointed by the Criminal Justice Commission in accordance with section 51-278 of the general statutes.

Sec. 122. Subsection (b) of section 46b-127 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) Upon motion of a [juvenile prosecutor] prosecutorial official and order of the court, the case of any child charged with the commission of a class C or D felony or an unclassified felony shall be transferred from the docket for juvenile matters to the regular criminal docket of the Superior Court, provided such offense was committed after such child attained the age of fourteen years and the court finds ex parte that there is probable cause to believe the child has committed the act for which he is charged. The file of any case so transferred shall remain sealed until such time as the court sitting for the regular criminal docket accepts such transfer. The court sitting for the regular criminal docket may return any such case to the docket for juvenile matters not later than ten working days after the date of the transfer for proceedings in accordance with the provisions of this chapter. The child shall be arraigned in the regular criminal docket of the Superior Court by the next court date following such transfer, provided any proceedings held prior to the finalization of such transfer shall be private and shall be conducted in such parts of the courthouse or the building wherein court is located as shall be separate and apart from the other parts of the court which are then being held for proceedings pertaining to adults charged with crimes.

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Sec. 123. Section 46b-133a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) A nolle prosequi may not be entered as to any count of delinquency if the juvenile objects to the nolle prosequi and demands either a trial or dismissal, except with respect to prosecutions in which a nolle prosequi is entered upon a representation to the court by the [juvenile prosecutor] prosecutorial official that a material witness has died, disappeared or become disabled or that material evidence has disappeared or has been destroyed and that a further investigation is therefore necessary.

(b) Whenever a nolle prosequi has been entered as to any count of delinquency, or whenever any count of delinquency has been dismissed without prejudice, if at least thirteen months have elapsed since such nolle or dismissal without prejudice, all police and court records pertaining to such count shall be erased. Whenever any such count has been continued at the request of the [juvenile prosecutor] prosecutorial official and a period of thirteen months has elapsed since the granting of such continuance during which period there has been no prosecution or other disposition of the matter, the count shall be construed to have been nolle as of the date of termination of such thirteen-month period and such erasure may thereafter be effected as provided in this subsection for nolle cases.

Sec. 124. Section 46b-133b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The court, on motion of a child charged with a delinquency offense, but not yet convicted, may order that such child be examined to determine whether the child is alcohol-dependent or drug-dependent as defined in section 46b-120, as amended by this act. Such motion shall be filed with the court within ten days after a plea is entered, except if waived by the court or pursuant to an agreement by

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the parties. The results of any examination ordered pursuant to this subsection shall be utilized only for the purposes of determining whether the delinquency proceeding should be suspended under this section.

(b) The court, upon motion of the child charged with a delinquency offense but not yet convicted, may order the suspension of the delinquency proceedings for a period of up to one year, order periodic alcohol and drug testing of such child during the period of suspension and order treatment for alcohol or drug dependency if the court, after consideration of information before it concerning the alcohol or drug dependency of the child, finds that (1) the child is alcohol-dependent or drug-dependent as defined in section 46b-120, as amended by this act, (2) the child presently needs and is likely to benefit from treatment for the dependency and (3) the suspension of the delinquency proceedings will advance the interests of justice. During the period of suspension, a child shall be placed under the supervision of a juvenile probation officer for treatment for alcohol or drug dependency and such officer shall monitor the compliance of the child with the orders of the court.

(c) If the court denies the motion for suspension of the delinquency proceedings, the [juvenile prosecutor] prosecutorial official may proceed with the delinquency proceedings. Any order of the court granting or denying a motion for suspension of the delinquency proceedings shall not be deemed a final order for purposes of appeal.

(d) At any time before the end of the period of the suspension of the delinquency proceedings, but not later than one month before the end of the period of suspension, a juvenile probation officer shall notify the court of the impending conclusion of the suspension and submit a report on whether the child has completed the treatment program and has complied with all other conditions of the suspension order imposed by the court.

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(e) If the court, on motion of the child or on its own motion, finds that the child has completed the treatment program and has complied with all other conditions of suspension, it may dismiss the charge for which the delinquency proceedings had been suspended. If the court denies the motion and terminates the suspension of the delinquency proceedings, the [juvenile prosecutor] prosecutorial official may proceed with such proceedings.

(f) The provisions of this section shall not apply to any child charged with a serious juvenile offense as defined in section 46b-120, as amended by this act, or any child who was previously ordered treated under this section.

Sec. 125. Subsections (a) and (b) of section 46b-133c of the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Whenever a child is referred for the commission of a felony committed after such child attained the age of fourteen years and such child is a serious juvenile repeat offender, as defined in section 46b-120, as amended by this act, the [juvenile prosecutor] prosecutorial official may request the court to designate the proceeding as a serious juvenile repeat offender prosecution.

(b) If a [juvenile prosecutor] prosecutorial official requests that a proceeding be designated a serious juvenile repeat offender prosecution, the court shall hold a hearing not later than thirty days after the filing of such request unless good cause is shown by the [juvenile prosecutor] prosecutorial official or by the child as to why the hearing should not be held within such period. If good cause is shown, the hearing shall be held not later than ninety days after the filing of such request. The court shall decide whether to designate the proceeding as a serious juvenile repeat offender prosecution not later than thirty days after the completion of such hearing. The court shall

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grant the request to designate the proceeding as a serious juvenile repeat offender prosecution if the [juvenile prosecutor] prosecutorial official shows by clear and convincing evidence that such designation will serve the public safety. The decision to designate the proceeding as a serious juvenile repeat offender prosecution shall not be a final judgment for purposes of appeal.

Sec. 126. Subsections (b) and (c) of section 46b-133d of the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) Whenever a child is referred for the commission of any crime of a sexual nature, and such case is not transferred to the regular criminal docket pursuant to section 46b-127, as amended by this act, the [juvenile prosecutor] prosecutorial official may request the court to designate the proceeding as a serious sexual offender prosecution.

(c) If a [juvenile prosecutor] prosecutorial official requests that a proceeding be designated a serious sexual offender prosecution, the court shall hold a hearing not later than thirty days after the filing of such request unless good cause is shown by the [juvenile prosecutor] prosecutorial official or by the child as to why the hearing should not be held within such period. If good cause is shown, the hearing shall be held not later than ninety days after the filing of such request. The court shall decide whether to designate the proceeding as a serious sexual offender prosecution not later than thirty days after the completion of such hearing. The court shall grant the request to designate the proceeding as a serious sexual offender prosecution if the [juvenile prosecutor] prosecutorial official shows by a preponderance of the evidence that such designation will serve the public safety. The decision to designate the proceeding as a serious sexual offender prosecution shall not be a final judgment for purposes of appeal.

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Sec. 127. Subsection (e) of section 46b-133e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(e) If the court denies the motion for suspension of the delinquency proceedings, the [juvenile prosecutor] prosecutorial official may proceed with the delinquency proceedings. Any order of the court granting or denying a motion for suspension of the delinquency proceedings shall not be deemed a final order for purposes of appeal.

Sec. 128. Subsection (g) of section 46b-133e of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(g) If the court, on motion of the child or on its own motion, finds that the child has satisfactorily completed the school violence prevention program and has complied with all other conditions of suspension, and one year has elapsed since the child was placed in such program, it may dismiss the charge for which the delinquency proceedings had been suspended. If the court denies the motion and terminates the suspension of the delinquency proceedings, the [juvenile prosecutor] prosecutorial official may proceed with such proceedings.

Sec. 129. Subsection (a) of section 51-285 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The Chief State's Attorney may appoint special assistant state's attorneys, special deputy assistant state's attorneys [, special juvenile prosecutors] and special inspectors on a contractual basis for a temporary period of time.

Sec. 130. Subsection (f) of section 34 of public act 09-2 of the September special session is amended to read as follows (*Effective from*

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passage):

(f) For the Department of Transportation: Grants-in-aid to municipalities, [for use in the manner set forth in sections 13b-74 to 13b-77, inclusive, of the general statutes, and in accordance with the provisions of sections 13b-74b to 13b-77, inclusive, of the general statutes] distributed in accordance with the provisions of sections 13a-175a to 13a-175e, inclusive, 13a-175i and 13a-175j of the general statutes, and used for the purposes set forth in section 13a-175a, 13a-175d or 13a-175j of the general statutes, not exceeding \$8,000,000.

Sec. 131. Subsection (b) of section 49 of public act 09-2 of the September special session is amended to read as follows (*Effective from passage*):

(b) For the Department of Transportation: Grants-in-aid to municipalities, [for use in the manner set forth in sections 13b-74 to 13b-77, inclusive, of the general statutes, and in accordance with the provisions of sections 13b-74 to 13b-77, inclusive, of the general statutes] distributed in accordance with the provisions of sections 13a-175a to 13a-175e, inclusive, 13a-175i and 13a-175j of the general statutes, and used for the purposes set forth in section 13a-175a, 13a-175d or 13a-175j of the general statutes, not exceeding \$8,000,000.

Sec. 132. Section 51-9 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Under the supervision and direction of the Chief Court Administrator, the executive secretary and other members of the staff of the Office of Chief Court Administrator shall:

(1) Audit all bills to be paid from state appropriations, except bills of the Division of Criminal Justice, for the expenses of the Judicial Department and its constituent courts prior to taxation or final approval thereof by any judge;

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(2) Maintain adequate accounting and budgetary records for all appropriations by the state for the maintenance of the Judicial Department, except the Division of Criminal Justice, and all other appropriations assigned by the legislature or state budgetary control offices for administration by the Judicial Department, except the Division of Criminal Justice;

(3) Prepare and submit to the appropriate budget agency of the state government estimates of appropriations necessary for the maintenance and operation of the Judicial Department, including therein estimates submitted for the Division of Criminal Justice as provided in section 51-279, and make recommendations in respect to those appropriations;

(4) Act as secretary of any meetings, conferences or assemblies of judges, or committees thereof, of the Judicial Department and of its constituent courts;

(5) Supervise all purchases of commodities and services for the Judicial Department, except for the Division of Criminal Justice, to be charged to state appropriations, and issue all orders therefor for the department, excluding orders for the Division of Criminal Justice;

(6) Examine the administrative methods and systems employed in the Judicial Department and its constituent courts and agencies, except the Division of Criminal Justice, and develop and implement programs for the improvement thereof and for securing uniform administration and procedures;

(7) Examine the state of the dockets of the courts of the Judicial Department to ascertain the need for assistance by any court and to implement programs for the fair and prompt disposition of cases therein;

(8) Collect and compile statistical and other data concerning the business transacted by the Judicial Department and its constituent

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courts and the expenditure of public moneys for the maintenance and operation of the judicial system;

(9) Assist in the preparation of the assignments of the judges of the Superior Court and attend to the printing and distribution for the Superior Court of an annual directory containing relevant information pertaining to the operation of the court;

(10) Serve as payroll officer for the Judicial Department, excluding the Division of Criminal Justice, and for the Supreme Court, Appellate Court and Superior Court;

(11) Supervise the assignment of court reporters of the Superior Court;

(12) Conduct research and planning activities for the Judicial Department and its constituent courts and offices as deemed feasible by, or in the discretion of, the Chief Justice or the Chief Court Administrator;

(13) Develop education programs for the judges and other personnel of the Judicial Department;

(14) Develop personnel standards, policies and procedures, and make recommendations concerning all personnel matters, including requests for salary increases or for additional positions, for consideration by the Supreme Court or the appropriate appointing authorities;

(15) Report periodically to the Chief Court Administrator concerning all matters which have been entrusted to him;

(16) Attend to matters assigned to him by the Chief Justice, or the Chief Court Administrator or by statute;

(17) Design, implement and maintain, as deemed feasible by the

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Chief Court Administrator, computerized automatic data processing systems for use in the Supreme Court, Appellate Court and Superior Court or divisions of the Superior Court;

(18) Supervise administrative methods employed in clerks' offices and in the various offices of the Supreme Court, Appellate Court and Superior Court; and

(19) Supervise the care and control of all property where the Judicial Department is the primary occupant, which supervision shall include planning, execution of contracts, except for contracts for consultant services which shall be subject to section 4b-58, as amended by this act, oversight and supervision of work involving the construction, repair or alteration of a building or premises under the supervision of the Office of the Chief Court Administrator, when construction contracts do not exceed one million two hundred fifty thousand dollars. For the purposes of this [subsection, the term] subdivision, "Judicial Department" does not include the courts of probate, the Division of Criminal Justice and the Public Defender Services Commission, except where they share facilities in state-maintained courts.

Sec. 133. Section 4b-58 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a)(1) Except in the case of a project, a priority higher education facility project, a project, as defined in subdivision (16) of section 10a-109c, undertaken by The University of Connecticut, a community court project, a correctional facility project, a juvenile detention center project, and the downtown Hartford higher education center project, the commissioner shall negotiate a contract for consultant services with the firm most qualified, in the commissioner's judgment, at compensation which the commissioner determines is both fair and reasonable to the state. (2) In the case of a project, the commissioner shall negotiate a contract for such services with the most qualified firm

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from among the list of firms submitted by the panel at compensation which the commissioner determines in writing to be fair and reasonable to the state. If the commissioner is unable to conclude a contract with any of the firms recommended by the panel, the commissioner shall, after issuing written findings of fact documenting the reasons for such inability, negotiate with those firms which the commissioner determines to be most qualified, at fair and reasonable compensation, to render the particular consultant services under consideration. (3) Whenever consultant services are required for a priority higher education facility project, a project involving the construction, repair or alteration of a building or premises under the supervision of the Office of the Chief Court Administrator or property where the Judicial Department is the primary occupant, a community court project, a correctional facility project, a juvenile detention center project, or the downtown Hartford higher education center project, the commissioner shall select and interview at least three consultants or firms and shall negotiate a contract for consultant services with the firm most qualified, in the commissioner's judgment, at compensation which the commissioner determines is both fair and reasonable to the state, except that if, in the opinion of the commissioner, the Connecticut Juvenile Training School project needs to be expedited in order to meet the needs of the Department of Children and Families, the commissioner may waive such selection requirement. Except for the downtown Hartford higher education center project, the commissioner shall notify the State Properties Review Board of the commissioner's action not later than five business days after such action for its approval or disapproval in accordance with subsection (i) of section 4b-23, as amended by this act, except that if, not later than fifteen days after such notice, a decision has not been made, the board shall be deemed to have approved such contract.

(b) In determining fair and reasonable compensation to be paid in accordance with subsection (a) of this section, the commissioner shall

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consider, in the following order of importance, the professional competence of the consultant, the technical merits of the proposal, the ability of the firm to perform the required services within the time and budgetary limits of the contract and the price for which the services are to be rendered.

Sec. 134. Subsection (i) of section 4b-23 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(i) As used in this subsection, (1) "project" means any state program, except the downtown Hartford higher education center project, as defined in subsection (l) of section 4b-55, requiring consultant services if the cost of such services is estimated to exceed one hundred thousand dollars or, in the case of a constituent unit of the state system of higher education, the cost of such services is estimated to exceed three hundred thousand dollars, or in the case of a building or premises under the supervision of the Office of the Chief Court Administrator or property where the Judicial Department is the primary occupant, the cost of such services is estimated to exceed three hundred thousand dollars; (2) "consultant" means "consultant" as defined in section 4b-55; and (3) "consultant services" means "consultant services" as defined in section 4b-55. Any contracts entered into by the commissioner with any consultants for employment (A) for any project under the provisions of this section, (B) in connection with a list established under subsection (d) of section 4b-51, or (C) by task letter issued by the commissioner to any consultant on such list pursuant to which the consultant will provide services valued in excess of one hundred thousand dollars, shall be subject to the approval of the Properties Review Board prior to the employment of said consultant or consultants by the commissioner. The Properties Review Board shall, within thirty days, approve or disapprove the selection of or contract with any consultant made by the Commissioner

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of Public Works pursuant to sections 4b-1 and 4b-55 to 4b-59, inclusive. If upon the expiration of the thirty-day period a decision has not been made, the Properties Review Board shall be deemed to have approved such selection or contract.

Sec. 135. Section 51-286f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The prosecuting official in a criminal proceeding shall request on the record that a transcript be prepared of any sentencing hearing at which a defendant is sentenced to a definite, nonsuspended sentence of more than two years imprisonment. [and shall cause a copy of such transcript to be delivered] The Chief Court Administrator shall provide, in a format prescribed by the Chief Court Administrator, any such transcript to the Board of Pardons and Paroles.

Sec. 136. (*Effective from passage*) During each of the fiscal years ending June 30, 2010, and June 30, 2011, \$50,000 of the amounts appropriated to the Division of Criminal Justice in sections 1 and 11 of public act 09-3 of the June special session, for Other Expenses, shall be transferred to the Judicial Department, for Other Expenses, in order to carry out the provisions of section 135 of this act.

Sec. 137. Section 17a-219c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) There is established a Family Support Council to assist the Department of Developmental Services and other state agencies that administer or fund family support services to act in concert and, within available appropriations, to (1) establish a comprehensive, coordinated system of family support services, (2) use existing state and other resources efficiently and effectively as appropriate for such services, (3) identify and address services that are needed for families of children with disabilities, and (4) promote state-wide availability of

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such services. The council shall consist of twenty-seven voting members including the Commissioners of Public Health, Developmental Services, Children and Families, Education and Social Services, or their designees, the Child Advocate, the executive director of the Office of Protection and Advocacy for Persons with Disabilities, the chairperson of the State Interagency Birth-to-Three Coordinating Council, as established pursuant to section 17a-248b, the executive director of the Commission on Children, and family members of, or individuals who advocate for, children with disabilities. The family members or individuals who advocate for children with disabilities shall comprise two-thirds of the council and shall be appointed as follows: Six by the Governor, three by the president pro tempore of the Senate, two by the majority leader of the Senate, one by the minority leader of the Senate, three by the speaker of the House of Representatives, two by the majority leader of the House of Representatives and one by the minority leader of the House of Representatives. [Members shall be appointed for a term of four years. Members shall be limited to two consecutive terms.] All appointed members serving on or after the effective date of this section, including members appointed prior to the effective date of this section, shall serve in accordance with the provisions of section 4-1a. Members serving on or after the effective date of this section, including members appointed prior to the effective date of this section, shall serve no more than eight consecutive years on the council. The council shall meet at least quarterly and shall select its own chairperson. Council members shall serve without compensation but shall be reimbursed for necessary expenses incurred. The costs of administering the council shall be within available appropriations in accordance with this section and sections 17a-219a to [17a-219c] 17a-219b, inclusive.

(b) The council shall: (1) Gather input and develop a vision and guidelines for family support services in Connecticut; (2) review existing program policies, procedures and funding mechanisms for

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conformity to the guidelines and make appropriate recommendations; (3) monitor the implementation of the guidelines and recommendations; (4) report to the Governor and the General Assembly on an annual basis regarding the status of family support services, including the implementation of the guidelines and recommendations; (5) advocate for family support services in accordance with the guidelines; (6) compile and distribute information on family support services within public and private agencies; and (7) perform such other duties as are related to the advancement of family centered supports, policies and services.

Sec. 138. (*Effective from passage*) During each of the fiscal years ending June 30, 2010, and June 30, 2011, \$50,000 of the amounts appropriated to the Department of Administrative Services in sections 1 and 3 of this act, for Other Expenses, shall be allocated for state marshal functions.

Sec. 139. Section 4b-3 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) There is established a State Properties Review Board which shall consist of six members appointed as follows: The speaker of the House and president pro tempore of the Senate shall jointly appoint three members, one of whom shall be experienced in matters relating to architecture, one experienced in building construction matters and one in matters relating to engineering; and the minority leader of the House and the minority leader of the Senate shall jointly appoint three members, one of whom shall be experienced in matters relating to the purchase, sale and lease of real estate and buildings, one experienced in business matters generally and one experienced in the management and operation of state institutions. No more than three of said six members shall be of the same political party. One of the members first appointed by the speaker and the president pro tempore shall serve a two-year term, one shall serve a three-year term and one shall serve a

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four-year term. One of the members first appointed by the minority leaders of the House and Senate shall serve a two-year term, one shall serve a three-year term and one shall serve a four-year term. All appointments of members to replace those whose terms expire shall be for a term of four years and until their successors have been appointed and qualified. If any vacancy occurs on the board, the appointing authorities having the power to make the initial appointment under the provisions of this section shall appoint a person for the unexpired term in accordance with the provisions hereof.

(b) The chairman of the board shall be compensated two hundred dollars per diem up to a maximum of thirty thousand dollars annually. Other members of the board shall be compensated two hundred dollars per diem up to a maximum of twenty-five thousand dollars annually. The members of the board shall choose their own chairman. No person shall serve on this board who holds another state or municipal governmental position and no person on the board shall be directly involved in any enterprise which does business with the state or directly or indirectly involved in any enterprise concerned with real estate acquisition or development.

(c) The board may adopt such rules as it deems necessary for the conduct of its internal affairs, in accordance with section 4-167, [and may employ a secretary, a clerk, and within its budget, such employees as it shall deem necessary.]

(d) Notwithstanding any other statute or special act to the contrary, the Commissioner of Public Works shall be the sole person authorized to represent the state in its dealings with third parties for the acquisition, construction, development or leasing of real estate for housing the offices or equipment of all agencies of the state or for the state-owned public buildings or realty hereinafter provided for in sections 2-90, 4b-1 to 4b-5, inclusive, 4b-21, 4b-23, 4b-24, 4b-26, 4b-27, 4b-30 and 4b-32, subsection (c) of section 4b-66 and sections 4b-67 to

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4b-69, inclusive, 4b-71, 4b-72, 10-95, 10a-72, 10a-89, 10a-90, 10a-114, 10a-130, 10a-144, 17b-655, 22-64, 22a-324, 26-3, 27-45, 32-1c, 32-39, 48-9, 51-27d and 51-27f, except that the Joint Committee on Legislative Management may represent the state in the planning and construction of the Legislative Office Building and related facilities, in Hartford; the Chief Court Administrator may represent the state in providing for space for the Court Support Services Division as part of a contract for an alternative incarceration program pursuant to section 54-103b; the board of trustees of a constituent unit of the state system of higher education may represent the state in the leasing of real estate for housing the offices or equipment of such constituent unit, provided no lease payments for such realty are made with funds generated from the general revenues of the state; the Labor Commissioner may represent the state in the leasing of premises required for employment security operations as provided in subsection (c) of section 31-250; the Commissioner of Developmental Services may represent the state in the leasing of residential property as part of the program developed pursuant to subsection (b) of section 17a-218, provided such residential property does not exceed two thousand five hundred square feet, for the community placement of persons eligible to receive residential services from the department; and the Connecticut Marketing Authority may represent the state in the leasing of land or markets under the control of the Connecticut Marketing Authority, and, except for the housing of offices or equipment in connection with the initial acquisition of an existing state mass transit system or the leasing of land by the Connecticut Marketing Authority for a term of one year or more in which cases the actions of the Department of Transportation and the Connecticut Marketing Authority shall be subject to the review and approval of the State Properties Review Board. The Commissioner of Public Works shall have the power to establish and implement any procedures necessary for the commissioner to assume the commissioner's responsibilities as said sole bargaining agent for state realty acquisitions and shall perform the duties necessary to carry out

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such procedures. The Commissioner of Public Works may appoint, within the commissioner's budget and subject to the provisions of chapter 67, such personnel deemed necessary by the commissioner to carry out the provisions hereof, including experts in real estate, construction operations, financing, banking, contracting, architecture and engineering. The Attorney General's office, at the request of the commissioner, shall assist the commissioner in contract negotiations regarding the purchase, lease or construction of real estate.

(e) The State Properties Review Board shall be [an independent body within the Executive Department] within the Department of Administrative Services and shall have independent decision-making authority.

(f) The State Properties Review Board shall review real estate acquisitions, sales, leases and subleases proposed by the Commissioner of Public Works, the acquisition, other than by condemnation, or the sale or lease of any property by the Commissioner of Transportation under subdivision (12) of section 13b-4, subject to section 4b-23 and subsection (h) of section 13a-73 and review, for approval or disapproval, any contract for a project described in subsection (h) of section 4b-91, as amended by this act. Such review shall consider all aspects of the proposed actions, including feasibility and method of acquisition and the prudence of the business method proposed. The board shall also cooperate with and advise and assist the Commissioner of Public Works and the Commissioner of Transportation in carrying out their duties. The board shall have access to all information, files and records, including financial records, of the Commissioner of Public Works and the Commissioner of Transportation, and shall, when necessary, be entitled to the use of personnel employed by said commissioners. The board shall approve or disapprove any acquisition of development rights of agricultural land by the Commissioner of Agriculture under

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section 22-26cc. The board shall hear any appeal under section 8-273a and shall render a final decision on the appeal within thirty days thereafter. The written decision of the board shall be a final decision for the purposes of sections 4-180 and 4-183.

Sec. 140. Section 4b-4 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) No [employee of the Properties Review Board shall hold another state or municipal position, nor shall any such employee or any] nonclerical employee in the unit in the Department of Public Works [which] that is responsible for acquiring, leasing and selling real property on behalf of the state [.] shall be directly involved in any enterprise [which] that does business with the state or be directly or indirectly involved in any enterprise concerned with real estate acquisition or development. Each member [and employee] of the State Properties Review Board shall file, with the [board] State Properties Review Board and with the Office of State Ethics, and each such employee of the [department] Department of Public Works shall file, with the [department] Department of Public Works and with the Office of State Ethics, a [financial statement indicating all sources of business income of such person in excess of one thousand dollars, and the name of any business with which he is associated, which shall have the same meaning as defined in section 1-79. Such statement shall be a public record. Financial statements for the preceding calendar year shall be filed with the commission on or before April fifteenth of each year if the employee or member held such a position during the preceding calendar year] statement of financial interests pursuant to the provisions of section 1-83.

(b) The provisions of sections 1-82, 1-82a and 1-88 shall apply to any alleged violation of this section.

Sec. 141. Section 4b-5 of the general statutes is repealed and the

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following is substituted in lieu thereof (*Effective from passage*):

Reasonable expenses of the Properties Review Board [and its employees] shall be paid from the budget of the [board upon the approval of said board] Department of Administrative Services.

Sec. 142. Section 4-9a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The Governor shall appoint the chairperson and executive director, if any, of all boards and commissions within the Executive Department, except the Board of Governors of Higher Education, provided the Governor shall appoint the initial chairman of said board as provided in section 10a-2, the State Properties Review Board, the State Elections Enforcement Commission, the Commission on Human Rights and Opportunities, the Citizen's Ethics Advisory Board, [the Commission on Aging] and the Commission on Fire Prevention and Control.

(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

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

(c) Notwithstanding any provision of law to the contrary, the term of each member of each board and commission within the executive branch, except the State Board of Education, the Board of Governors of 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 Connecticut Commission on Culture and Tourism, [the Commission on Aging] 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.

(d) Each member of each board and commission within the executive branch shall serve at the pleasure of the appointing authority except where otherwise specifically provided by any provision of the general statutes.

Sec. 143. Section 2-120 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) There is established a Latino and Puerto Rican Affairs Commission. [The initial appointees shall include all members of the Governor's Council for Latino and Puerto Rican Affairs established by Executive Order No. Ten of Governor Lowell P. Weicker, Jr. The terms of such initial appointees shall expire on January 31, 1995.]

(b) On and after [February 1, 1995] the effective date of this section, the commission shall consist of [thirteen] twenty-one members. [,

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appointed as follows: (1) Three by the Governor, one of whom shall serve for a term of one year from said February first and have expertise in the field of education, one of whom shall serve for a term of two years from said February first and have expertise in the field of human services, and one of whom shall serve for a term of three years from said February first and have expertise in the fields of small business and economic development, and each of whom thereafter shall serve for terms of three years from February first in the year of their appointment and have expertise in the field of the member's predecessor; (2) two by the president pro tempore of the Senate, one of whom shall have expertise in the field of children and youth development and one of whom shall have expertise in the field of health; (3) one by the majority leader of the Senate, who shall be a member of the public; (4) two by the minority leader of the Senate, one of whom shall have expertise in the field of environment and one of whom shall have expertise in the field of arts and culture; (5) two by the speaker of the House of Representatives, one of whom shall have expertise in the field of housing and one of whom shall have expertise in the field of public safety; (6) one by the majority leader of the House of Representatives, who shall be a member of the public; and (7) two by the minority leader of the House of Representatives, one of whom shall have expertise in the field of transportation and one of whom shall be a member of the public. All members appointed under this subsection shall have experience in the field of Latino and Puerto Rican affairs. All members appointed under subdivision (2), (3), (4), (5), (6) or (7) of this subsection shall serve for terms of two years from February first in the year of their appointment. The commission shall elect a chairperson and a vice-chairperson from among its members. Any person absent from (A) three consecutive meetings of the commission, or (B) fifty per cent of such meetings during any calendar year shall be deemed to have resigned from the commission, effective immediately. Vacancies on the commission shall be filled by the appointing authority. Members of the commission shall serve without

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compensation but shall, within the limits of available funds, be reimbursed for expenses necessarily incurred in the performance of their duties. The commission shall meet as often as deemed necessary by the chairperson or a majority of the commission.]

(1) With respect to members appointed prior to the effective date of this section, upon the occurrence of a vacancy or the expiration of the term of a member, whichever occurs first, such vacancy shall be filled as follows: (A) If the Governor appointed the member, such vacancy shall be filled by a joint appointment of the president pro tempore of the Senate and the speaker of the House of Representatives; (B) if the president pro tempore of the Senate appointed the member, such vacancy shall be filled by an appointment of the president pro tempore of the Senate; (C) if the majority leader of the Senate appointed the member, such vacancy shall be filled by an appointment of the majority leader of the Senate; (D) if the minority leader of the Senate appointed the member, such vacancy shall be filled by an appointment of the minority leader of the Senate; (E) if the speaker of the House of Representatives appointed the member, such vacancy shall be filled by an appointment of the speaker of the House of Representatives; (F) if the majority leader of the House of Representatives appointed the member, such vacancy shall be filled by an appointment of the majority leader of the House of Representatives; and (G) if the minority leader of the House of Representatives appointed the member, such vacancy shall be filled by an appointment of the minority leader of the House of Representatives.

(2) On or after the effective date of this section, eight additional members shall be appointed as follows: (A) The president pro tempore of the Senate shall appoint one member from Windham County; (B) the majority leader of the Senate shall appoint two members, one from New Haven County and one from Litchfield County; (C) the minority leader of the Senate shall appoint one member from Fairfield County;

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(D) the speaker of the House of Representatives shall appoint one member from Middlesex County; (E) the majority leader of the House of Representatives shall appoint two members, one from Tolland County and one from Hartford County; and (F) the minority leader of the House of Representatives shall appoint one member from New London County. In the event of a vacancy for any member appointed pursuant to this subdivision, such vacancy shall be filled by the appointing authority and such appointment shall be from the respective county.

(3) Any member appointed on or after the effective date of this section shall have experience in the field of Latino and Puerto Rican affairs by virtue of such person's status as an advocate or an academic, civic or cultural leader.

(4) Any member appointed pursuant to this subsection shall serve for a term of two years from February first in the year of their appointment. The commission shall elect a chairperson and a vice-chairperson from among its members who shall each serve in such capacity for a period of two years. Any person absent from (A) three consecutive meetings of the commission, or (B) fifty per cent of such meetings during any calendar year shall be deemed to have resigned from the commission, effective immediately.

(5) Vacancies on the commission shall be filled by the appointing authority. Members of the commission shall serve without compensation but shall, within the limits of available funds, be reimbursed for expenses necessarily incurred in the performance of their duties. The commission shall meet as often as deemed necessary by the chairperson or a majority of the commission.

(c) The commission shall:

[(1) Review and comment on any proposed state legislation and

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regulations that would affect the Latino and Puerto Rican populations in the state and provide to the members of the General Assembly copies of any such comments;

(2) Advise and provide information to the Governor and the General Assembly on the state's policies concerning the Latino and Puerto Rican communities;

(3) Advise the Governor and the General Assembly concerning the coordination and administration of state programs serving the Latino and Puerto Rican populations;

(4) Maintain a liaison between the Latino and Puerto Rican communities and governmental entities, including, but not limited to, the General Assembly;

(5) Encourage Latino and Puerto Rican representation at all levels of state government, including state boards and commissions, and maintain an accessible list of prospective appointees who are members of the Latino or Puerto Rican community;

(6) Secure appropriate recognition of the accomplishments and contributions of Latino and Puerto Rican populations of the state;

(7) Work in consultation with the joint committee of the General Assembly having cognizance of matters relating to legislative management for the purpose of establishing a plan of short-term and long-term initiatives based on the needs of the Latino and Puerto Rican community; and

(8) Prepare and submit to the Governor an annual report concerning its activities with any appropriate recommendations concerning the Latino and Puerto Rican populations of the state and submit a copy of the report to the joint committee of the General Assembly having cognizance of matters relating to legislative management, which

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committee shall distribute a copy of the report to each member of the General Assembly.]

(1) Focus its efforts on the following quality of life desired results for the Latino and Puerto Rican population of the state: (A) That all members of the Latino and Puerto Rican population of the state are healthy; (B) that all members of the Latino and Puerto Rican population are safe; (C) that all members of the Latino and Puerto Rican population of the state achieve educational success; (D) that all members of the Latino and Puerto Rican population of the state are economically self-sufficient; and (E) that all members of the Latino and Puerto Rican population of the state are free from discrimination. The commission shall meet regularly to review matters pertaining to the achievement of the desired results described in subparagraphs (A) to (E), inclusive, of this subdivision and, not later than January first, annually, shall submit a status report concerning such desired results to the joint standing committee of the General Assembly having cognizance of appropriations. The commission shall develop (i) appropriate population-level indicators of the state's progress in achieving such desired results, and (ii) strategies that are intended to improve progress on such indicators through a process that is inclusive of all relevant partners, including, but not limited to, state and local government agencies, the faith community, the business sector, nonprofit organizations, advocacy groups and philanthropic organizations;

(2) Make recommendations to the General Assembly and the Governor for new or enhanced policies, programs and services that will foster progress in achieving the desired results described in subdivision (1) of this subsection;

(3) Review and comment on any proposed state legislation or recommendations that may affect the Latino and Puerto Rican population of the state and provide copies of any such comments to

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members of the General Assembly;

(4) Advise the General Assembly and Governor concerning the coordination and administration of state programs that affect the Latino and Puerto Rican population of the state;

(5) Gather and maintain current information regarding the Latino and Puerto Rican population of the state that can be used to better understand the status, condition and contributions of such Latino and Puerto Rican population. Such information shall be included in the annual report described in subsection (d) of this section and shall be made available to legislators and other interested parties upon request;

(6) Maintain a liaison between the Latino and Puerto Rican population of the state and government agencies, including the General Assembly; and

(7) Conduct educational and outreach activities intended to raise awareness of critical issues for the Latino and Puerto Rican population of the state.

(d) [Any report required to be submitted to the General Assembly under subsection (c) of this section shall be submitted not] Not later than January first, annually, in accordance with section 11-4a, the commission shall submit a report to the General Assembly that: (1) Identifies the quality of life desired results described in subdivision (1) of subsection (c) of this section, (2) displays current trend data for the indicators related to each such desired result area, (3) identifies barriers to progress on such indicators, (4) identifies strategies developed pursuant to subdivision (1) of subsection (c) of this section, and (5) describes performance measures for the commission, including measures of research, education and outreach, and partnership development.

(e) In carrying out its responsibility to make recommendations to

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the General Assembly and the Governor on the need for legislation, policies, programs or services to improve the quality of life for members of the Latino and Puerto Rican population of the state, the commission shall have the assistance of staff, as described in subsection (g) of this section. Any such recommendations shall be provided solely with the approval of a majority of the members of the commission. A majority of the members of the commission shall be required to approve any specific advocacy before the General Assembly or any state agency.

[(e)] (f) The commission may: (1) Request, and shall receive, from any state agency such information and assistance as the commission may require; (2) use such funds as may be available from federal, state or other sources and may enter into contracts to carry out the purposes of this section; (3) utilize voluntary and uncompensated services of individuals, state or federal agencies and organizations as may, from time to time, be offered and needed; (4) recommend policies to federal agencies and political subdivisions of the state relative to the Latino and Puerto Rican population of the state; (5) accept any gift, donation or bequest for the purpose of performing the duties described in subsection (c) of this section; (6) hold public hearings; (7) establish task forces, as necessary, to perform the duties described in subsection (c) of this section; (8) adopt regulations, in accordance with chapter 54, as it may deem necessary to carry out the duties described in subsection (c) of this section; and (9) inform leaders of business, education, state and local governments and the communications media of the nature and scope of the problems faced by the Latino and Puerto Rican population of the state, with a view to enlisting such persons' support in working toward solving such problems.

[(f) The commission may, subject to the provisions of chapter 67, employ any necessary staff within available appropriations.]

(g) There shall be an executive director of the Latino and Puerto

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Rican Affairs Commission. The executive director and any necessary staff shall be employed by the Joint Standing Committee on Legislative Management. The commission shall have no authority over staffing or personnel matters.

[(g) On and after February 1, 1995, the] (h) The commission shall be part of the Legislative Department.

(i) The commission may enter into any agreement with a state agency for the purpose of maximizing the receipt of federal funds by such state agency, provided such state agency shall utilize any federal funds received as a result of such agreement to perform those statutory duties of such agency that relate to such commission's duties. The commission may accept that portion of federal funds received by any such state agency as a result of any such agreement which federal law otherwise permits to be received by such commission.

Sec. 144. Section 2-121 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) There is established an African-American Affairs Commission. [The] On and after the effective date of this section, the commission shall consist of [thirteen] twenty-one members. [, appointed as follows: (1) Three by the Governor, one of whom shall serve for a term of one year from July 1, 1997, and have expertise in the field of education, one of whom shall serve for a term of two years from July 1, 1997, and have expertise in the field of human services, and one of whom shall serve for a term of three years from July 1, 1997, and have expertise in the fields of small business and economic development, and each of whom thereafter shall serve for terms of three years from October first in the year of their appointment and have expertise in the field of the member's predecessor; (2) two by the president pro tempore of the Senate, one of whom shall have expertise in the field of children and youth development and one of whom shall have expertise in the field

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of health; (3) one by the majority leader of the Senate, who shall be a member of the public; (4) two by the minority leader of the Senate, one of whom shall have expertise in the field of environment and one of whom shall have expertise in the field of arts and culture; (5) two by the speaker of the House of Representatives, one of whom shall have expertise in the field of housing and one of whom shall have expertise in the field of public safety; (6) one by the majority leader of the House of Representatives, who shall be a member of the public; and (7) two by the minority leader of the House of Representatives, one of whom shall have expertise in the field of transportation and one of whom shall be a member of the public. All members appointed under this subsection shall have experience in the field of African-American affairs. All members appointed under subdivision (2), (3), (4), (5), (6) or (7) of this subsection shall serve for terms of two years from October first in the year of their appointment. The commission shall elect a chairperson and a vice-chairperson from among its members. Any person absent from (A) three consecutive meetings of the commission or (B) fifty per cent of such meetings during any calendar year shall be deemed to have resigned from the commission, effective immediately. Vacancies on the commission shall be filled by the appointing authority. Members of the commission shall serve without compensation but shall, within the limits of available funds, be reimbursed for expenses necessarily incurred in the performance of their duties. The commission shall meet as often as deemed necessary by the chairperson or a majority of the commission.]

(1) With respect to members appointed prior to the effective date of this section, upon the occurrence of a vacancy or the expiration of the term of a member, whichever occurs first, such vacancy shall be filled as follows: (A) If the Governor appointed the member, such vacancy shall be filled by a joint appointment of the president pro tempore of the Senate and the speaker of the House of Representatives; (B) if the president pro tempore of the Senate appointed the member, such

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vacancy shall be filled by an appointment of the president pro tempore of the Senate; (C) if the majority leader of the Senate appointed the member, such vacancy shall be filled by an appointment of the majority leader of the Senate; (D) if the minority leader of the Senate appointed the member, such vacancy shall be filled by an appointment of the minority leader of the Senate; (E) if the speaker of the House of Representatives appointed the member, such vacancy shall be filled by an appointment of the speaker of the House of Representatives; (F) if the majority leader of the House of Representatives appointed the member, such vacancy shall be filled by an appointment of the majority leader of the House of Representatives; and (G) if the minority leader of the House of Representatives appointed the member, such vacancy shall be filled by an appointment of the minority leader of the House of Representatives.

(2) On or after the effective date of this section, eight additional members shall be appointed as follows: (A) The president pro tempore of the Senate shall appoint one member from Windham County; (B) the majority leader of the Senate shall appoint two members, one from New Haven County and one from Litchfield County; (C) the minority leader of the Senate shall appoint one member from Fairfield County; (D) the speaker of the House of Representatives shall appoint one member from Middlesex County; (E) the majority leader of the House of Representatives shall appoint two members, one from Tolland County and one from Hartford County; and (F) the minority leader of the House of Representatives shall appoint one member from New London County. In the event of a vacancy for any member appointed pursuant to this subdivision, such vacancy shall be filled by the appointing authority and such appointment shall be from the respective county.

(3) Any member appointed on or after the effective date of this section shall have experience in the field of African-American affairs

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by virtue of such person's status as an advocate or an academic, civic or cultural leader.

(4) Any member appointed pursuant to this subsection shall serve for a term of two years from July first in the year of his or her appointment. The commission shall elect a chairperson and a vice-chairperson from among its members who shall each serve in such capacity for a period of two years. Any person absent from (A) three consecutive meetings of the commission, or (B) fifty per cent of such meetings during any calendar year shall be deemed to have resigned from the commission, effective immediately.

(5) Vacancies on the commission shall be filled by the appointing authority. Members of the commission shall serve without compensation but shall, within the limits of available funds, be reimbursed for expenses necessarily incurred in the performance of their duties. The commission shall meet as often as deemed necessary by the chairperson or a majority of the commission.

(b) The commission shall:

[(1) Review and comment on any proposed state legislation and regulations that would affect the African-American population in the state;

(2) Advise and provide information to the Governor on the state's policies concerning the African-American communities;

(3) Advise the Governor concerning the coordination and administration of state programs serving the African-American population;

(4) Maintain a liaison between the African-American communities and governmental entities;

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(5) Encourage African-American representation at all levels of state government, including state boards and commissions;

(6) Secure appropriate recognition of the accomplishments and contributions of the African-American population of the state; and

(7) Prepare and submit to the Governor an annual report concerning its activities with any appropriate recommendations concerning the African-American population of the state.]

(1) Focus its efforts on the following quality of life desired results for the African-American population of the state: (A) That all members of the African-American population of the state are healthy; (B) that all members of the African-American population are safe; (C) that all members of the African-American population of the state achieve educational success; (D) that all members of the African-American population of the state are economically self-sufficient; and (E) that all members of the African-American population of the state are free from discrimination. The commission shall meet regularly to review matters pertaining to the achievement of the desired results described in subparagraphs (A) to (E), inclusive, of this subdivision and, not later than January first, annually, shall submit a status report concerning such desired results to the joint standing committee of the General Assembly having cognizance of appropriations. The commission shall develop (i) appropriate population-level indicators of the state's progress in achieving such desired results, and (ii) strategies that are intended to improve progress on such indicators through a process that is inclusive of all relevant partners, including, but not limited to, state and local government agencies, the faith community, the business sector, nonprofit organizations, advocacy groups and philanthropic organizations;

(2) Make recommendations to the General Assembly and the Governor for new or enhanced policies, programs and services that

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will foster progress in achieving the desired results described in subdivision (1) of this subsection;

(3) Review and comment on any proposed state legislation or recommendations that may affect the African-American population of the state and provide copies of any such comments to members of the General Assembly;

(4) Advise the General Assembly and Governor concerning the coordination and administration of state programs that affect the African-American population of the state;

(5) Gather and maintain current information regarding the African-American population of the state that can be used to better understand the status, condition and contributions of such African-American population. Such information shall be included in the annual report described in subsection (c) of this section and shall be made available to legislators and other interested parties upon request;

(6) Maintain a liaison between the African-American population of the state and government agencies, including the General Assembly; and

(7) Conduct educational and outreach activities intended to raise awareness of critical issues for the African-American population of the state.

(c) Not later than January first, annually, in accordance with section 11-4a, the commission shall submit a report to the General Assembly that: (1) Identifies the quality of life desired results described in subdivision (1) of subsection (b) of this section, (2) displays current trend data for the indicators related to each such desired result area, (3) identifies barriers to progress on such indicators, (4) identifies strategies developed pursuant to subdivision (1) of subsection (b) of this section, and (5) describes performance measures for the

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commission, including measures of research, education and outreach, and partnership development.

(d) In carrying out its responsibility to make recommendations to the General Assembly and the Governor on the need for legislation, policies, programs or services to improve the quality of life for members of the African-American population of the state, the commission shall have the assistance of staff, as described in subsection (f) of this section. Any such recommendations shall be provided solely with the approval of a majority of the members of the commission. A majority of the members of the commission shall be required to approve any specific advocacy before the General Assembly or any state agency.

[(c)] (e) The commission may: (1) Request, and shall receive, from any state agency such information and assistance as the commission may require; (2) use such funds as may be available from federal, state or other sources and may enter into contracts to carry out the purposes of this section; (3) utilize voluntary and uncompensated services of private individuals, state or federal agencies and organizations as may, from time to time, be offered and needed; (4) recommend policies to federal agencies and political subdivisions of the state relative to the African-American population of the state; (5) accept any gift, donation or bequest for the purpose of performing the duties described in subsection (b) of this section; (6) hold public hearings; (7) establish task forces, as necessary, to perform the duties described in subsection (b) of this section; (8) adopt regulations, in accordance with chapter 54, as it may deem necessary to carry out the duties described in subsection (b) of this section; and (9) inform leaders of business, education, state and local governments and the communications media of the nature and scope of the problems faced by the African-American population of the state, with a view to enlisting such persons' support in working toward solving such problems.

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[(d) The commission may, subject to the provisions of chapter 67, employ any necessary staff within available appropriations.]

(f) There shall be an executive director of the African-American Affairs Commission. The executive director and any necessary staff shall be employed by the Joint Standing Committee on Legislative Management. The commission shall have no authority over staffing or personnel matters.

[(e)] (g) The commission shall be part of the Legislative Department.

(h) The commission may enter into any agreement with a state agency for the purpose of maximizing the receipt of federal funds by such state agency, provided such state agency shall utilize any federal funds received as a result of such agreement to perform those statutory duties of such agency that relate to such commission's duties. The commission may accept that portion of federal funds received by any such state agency as a result of any such agreement which federal law otherwise permits to be received by such commission.

Sec. 145. Section 2-122 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) There is established an Asian Pacific American Affairs Commission. The commission shall consist of [thirteen] twenty-one members, [, appointed as follows: (1) Three by the Governor, one of whom shall serve for a term of one year from July 1, 2009, and have expertise in the field of education, one of whom shall serve for a term of two years from July 1, 2009, and have expertise in the field of human services, and one of whom shall serve for a term of three years from July 1, 2009, and have expertise in the fields of small business and economic development, and each of whom thereafter shall serve for terms of three years from July first in the year of their appointment and have expertise in the field of the member's predecessor; (2) two by

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the president pro tempore of the Senate, one of whom shall have expertise in the field of children and youth development and one of whom shall have expertise in the field of health; (3) one by the majority leader of the Senate, who shall be a member of the public; (4) two by the minority leader of the Senate, one of whom shall have expertise in the field of environment and one of whom shall have expertise in the field of arts and culture; (5) two by the speaker of the House of Representatives, one of whom shall have expertise in the field of housing and one of whom shall have expertise in the field of public safety; (6) one by the majority leader of the House of Representatives, who shall be a member of the public; and (7) two by the minority leader of the House of Representatives, one of whom shall have expertise in the field of transportation and one of whom shall be a member of the public. All members appointed under this subsection shall have experience in the field of Asian Pacific American affairs. All members appointed under subdivision (2), (3), (4), (5), (6) or (7) of this subsection shall serve for terms of two years from July first in the year of their appointment. The commission shall elect a chairperson and a vice-chairperson from among its members. Any person absent from (A) three consecutive meetings of the commission, or (B) fifty per cent of such meetings during any calendar year shall be deemed to have resigned from the commission, effective immediately. Vacancies on the commission shall be filled by the appointing authority. Members of the commission shall serve without compensation but shall, within the limits of available funds, be reimbursed for expenses necessarily incurred in the performance of their duties. The commission shall meet as often as deemed necessary by the chairperson or a majority of the commission.]

(1) With respect to members appointed prior to the effective date of this section, upon the occurrence of a vacancy or the expiration of the term of a member, whichever occurs first, such vacancy shall be filled as follows: (A) If the Governor appointed the member, such vacancy

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shall be filled by a joint appointment of the president pro tempore of the Senate and the speaker of the House of Representatives; (B) if the president pro tempore of the Senate appointed the member, such vacancy shall be filled by an appointment of the president pro tempore of the Senate; (C) if the majority leader of the Senate appointed the member, such vacancy shall be filled by an appointment of the majority leader of the Senate; (D) if the minority leader of the Senate appointed the member, such vacancy shall be filled by an appointment of the minority leader of the Senate; (E) if the speaker of the House of Representatives appointed the member, such vacancy shall be filled by an appointment of the speaker of the House of Representatives; (F) if the majority leader of the House of Representatives appointed the member, such vacancy shall be filled by an appointment of the majority leader of the House of Representatives; and (G) if the minority leader of the House of Representatives appointed the member, such vacancy shall be filled by an appointment of the minority leader of the House of Representatives.

(2) On or after the effective date of this section, eight additional members shall be appointed as follows: (A) The president pro tempore of the Senate shall appoint one member from Windham County; (B) the majority leader of the Senate shall appoint two members, one from New Haven County and one from Litchfield County; (C) the minority leader of the Senate shall appoint one member from Fairfield County; (D) the speaker of the House of Representatives shall appoint one member from Middlesex County; (E) the majority leader of the House of Representatives shall appoint two members, one from Tolland County and one from Hartford County; and (F) the minority leader of the House of Representatives shall appoint one member from New London County. In the event of a vacancy for any member appointed pursuant to this subdivision, such vacancy shall be filled by the appointing authority and such appointment shall be from the respective county.

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(3) Any member appointed on or after the effective date of this section shall have experience in the field of Asian Pacific American affairs by virtue of such person's status as an advocate or an academic, civic or cultural leader.

(4) Any member appointed pursuant to this subsection shall serve for a term of two years from July first in the year of his or her appointment. The commission shall elect a chairperson and a vice-chairperson from among its members who shall each serve in such capacity for a period of two years. Any person absent from (A) three consecutive meetings of the commission, or (B) fifty per cent of such meetings during any calendar year shall be deemed to have resigned from the commission, effective immediately.

(5) Vacancies on the commission shall be filled by the appointing authority. Members of the commission shall serve without compensation but shall, within the limits of available funds, be reimbursed for expenses necessarily incurred in the performance of their duties. The commission shall meet as often as deemed necessary by the chairperson or a majority of the commission.

(b) The commission [, within available appropriations,] shall:

[(1) Develop a plan prior to the beginning of each legislative session that outlines the commission's priorities for the session and strategies to accomplish each priority;

(2) Work in consultation with the respective state agency to develop plans and programs that address each of the following areas as they affect the Asian Pacific American community including, but not limited to: (A) Access to health care, (B) housing, (C) job training, (D) access to the legal system, (E) mental health and addiction services, (F) economic development, (G) workplace justice and equality, (H) immigration, (I) education, (J) English language instruction, (K)

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international trade, and (L) economic cooperation with Asian countries;

(3) In consultation with the joint committee of the General Assembly having cognizance of matters relating to legislative management, establish a plan of short-term and long-term initiatives based on the needs of the community of Asian Pacific descent;

(4) Review, comment and testify on any proposed state legislation and regulations that would affect the Asian Pacific American population in the state;

(5) Advise and provide information to the Governor and the General Assembly on the state's policies concerning the Asian Pacific American communities;

(6) Advise the Governor and the General Assembly concerning the coordination and administration of state programs serving the Asian Pacific American population;

(7) Maintain a liaison between the Asian Pacific American communities and governmental entities, including, but not limited to, the General Assembly;

(8) Promote the political empowerment of the Asian Pacific American community through voter registration, voting rights and citizenship training;

(9) Support the state's efforts to develop international trade and cross-border economic cooperation with the countries of Asia and the Pacific Rim;

(10) Support state efforts to develop effective foreign language and cultural programs for educational and economic development purposes;

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(11) Encourage Asian Pacific American representation at all levels of state government, including state boards and commissions, and support the development of such representatives in addition to maintaining an accessible list of prospective appointees who are members of the Asian Pacific American community;

(12) Secure appropriate recognition of the accomplishments and contributions of the Asian Pacific American population of the state; and

(13) Prepare and submit to the Governor and General Assembly an annual report concerning its activities with any appropriate recommendations concerning the Asian Pacific American population of the state.]

(1) Focus its efforts on the following quality of life desired results for the Asian Pacific American population of the state: (A) That all members of the Asian Pacific American population of the state are healthy; (B) that all members of the Asian Pacific American population are safe; (C) that all members of the Asian Pacific American population of the state achieve educational success; (D) that all members of the Asian Pacific American population of the state are economically self-sufficient; and (E) that all members of the Asian Pacific American population of the state are free from discrimination. The commission shall meet regularly to review matters pertaining to the achievement of the desired results described in subparagraphs (A) to (E), inclusive, of this subdivision and, not later than January first, annually, shall submit a status report concerning such desired results to the joint standing committee of the General Assembly having cognizance of appropriations. The commission shall develop (i) appropriate population-level indicators of the state's progress in achieving such desired results, and (ii) strategies that are intended to improve progress on such indicators through a process that is inclusive of all relevant partners, including, but not limited to, state and local

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government agencies, the faith community, the business sector, nonprofit organizations, advocacy groups and philanthropic organizations;

(2) Make recommendations to the General Assembly and the Governor for new or enhanced policies, programs and services that will foster progress in achieving the desired results described in subdivision (1) of this subsection;

(3) Review and comment on any proposed state legislation or recommendations that may affect the Asian Pacific American population of the state and provide copies of any such comments to members of the General Assembly;

(4) Advise the General Assembly and Governor concerning the coordination and administration of state programs that affect the Asian Pacific American population of the state;

(5) Gather and maintain current information regarding the Asian Pacific American population of the state that can be used to better understand the status, condition and contributions of such Asian Pacific American population. Such information shall be included in the annual report described in subsection (c) of this section and shall be made available to legislators and other interested parties upon request;

(6) Maintain a liaison between the Asian Pacific American population of the state and government agencies, including the General Assembly; and

(7) Conduct educational and outreach activities intended to raise awareness of critical issues for the Asian Pacific American population of the state.

(c) Not later than January first, annually, in accordance with section 11-4a, the commission shall submit a report to the General Assembly

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that: (1) Identifies the quality of life desired results described in subdivision (1) of subsection (b) of this section, (2) displays current trend data for the indicators related to each such desired result area, (3) identifies barriers to progress on such indicators, (4) identifies strategies developed pursuant to subdivision (1) of subsection (b) of this section, and (5) describes performance measures for the commission, including measures of research, education and outreach, and partnership development.

(d) In carrying out its responsibility to make recommendations to the General Assembly and the Governor on the need for legislation, policies, programs or services to improve the quality of life for members of the Asian Pacific American population of the state, the commission shall have the assistance of staff, as described in subsection (f) of this section. Any such recommendations shall be provided solely with the approval of a majority of the members of the commission. A majority of the members of the commission shall be required to approve any specific advocacy before the General Assembly or any state agency.

[(c)] (e) The commission may: (1) Request, and shall receive, from any state agency such information and assistance as the commission may require; (2) use such funds as may be available from federal, state or other sources and may enter into contracts to carry out the purposes of this section; (3) utilize voluntary and uncompensated services of private individuals, state or federal agencies and organizations as may, from time to time, be offered and needed; (4) recommend policies to federal agencies and political subdivisions of the state relative to the Asian Pacific American population of the state; (5) accept any gift, donation or bequest for the purpose of performing the duties described in subsection (b) of this section; (6) hold public hearings; (7) establish task forces, as necessary, to perform the duties described in subsection (b) of this section; (8) adopt regulations, in accordance with

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chapter 54, as it may deem necessary to carry out the duties described in subsection (b) of this section; and (9) inform leaders of business, education, state and local governments and the communications media of the nature and scope of the problems faced by the Asian Pacific American population of the state, with a view to enlisting such persons' support in working toward solving such problems.

[(d) The commission may, subject to the provisions of chapter 67, employ any necessary staff within available appropriations.]

(f) There shall be an executive director of the Asian Pacific American Affairs Commission. The executive director and any necessary staff shall be employed by the Joint Standing Committee on Legislative Management. The commission shall have no authority over staffing or personnel matters.

[(e)] (g) The commission shall be part of the Legislative Department.

(h) The commission may enter into any agreement with a state agency for the purpose of maximizing the receipt of federal funds by such state agency, provided such state agency shall utilize any federal funds received as a result of such agreement to perform those statutory duties of such agency that relate to such commission's duties. The commission may accept that portion of federal funds received by any such state agency as a result of any such agreement which federal law otherwise permits to be received by such commission.

Sec. 146. Section 17b-420 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) There is established a Commission on Aging [to advocate on behalf of elderly persons on issues and programs of concern to the elderly including, but not limited to, health care, nutrition, housing, employment, transportation, legal assistance and economic security. The commission shall be] composed of [seventeen] twenty-one voting

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members. [who are knowledgeable about areas of interest to the elderly to be appointed as follows: Five by the Governor, two by the president pro tempore of the Senate, two by the speaker of the House of Representatives, two by the majority leader of the Senate, two by the majority leader of the House of Representatives, two by the minority leader of the Senate and two by the minority leader of the House of Representatives. The initial appointments to the commission shall be made by August 15, 1993. The initial term for three of the members appointed by the Governor and the members appointed by the president pro tempore of the Senate, majority leader of the House of Representatives and minority leader of the Senate shall expire August 15, 1997, and the initial term for two of the members appointed by the Governor and the members appointed by the speaker of the House of Representatives, majority leader of the Senate and minority leader of the House of Representatives shall expire August 15, 1995. Thereafter, all members shall be appointed for a term of four years from August fifteenth in the year of their appointment. Members shall be limited to two consecutive terms. The commission shall include the following ex-officio nonvoting members: The chairpersons and ranking members of the joint standing committee of the General Assembly having cognizance of matters relating to human services, the chairpersons and ranking members of the select committee of the General Assembly having cognizance of matters relating to aging, the Commissioners of Social Services, Public Health, Mental Health and Addiction Services, Developmental Services, Economic and Community Development and Transportation, the Insurance Commissioner and the Labor Commissioner. The chairperson of the commission shall be elected from among its members. Members of the commission shall receive no compensation for their services, but shall be reimbursed for any necessary expenses incurred in the performance of their duties.]

(1) With respect to members appointed prior to the effective date of this section, upon the occurrence of a vacancy or the expiration of the

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term of a member, whichever occurs first, such vacancy shall be filled as follows: (A) If the Governor appointed the member, such vacancy shall be filled by a joint appointment of the president pro tempore of the Senate and the speaker of the House of Representatives; (B) if the president pro tempore of the Senate appointed the member, such vacancy shall be filled by an appointment of the president pro tempore of the Senate; (C) if the majority leader of the Senate appointed the member, such vacancy shall be filled by an appointment of the majority leader of the Senate; (D) if the minority leader of the Senate appointed the member, such vacancy shall be filled by an appointment of the minority leader of the Senate; (E) if the speaker of the House of Representatives appointed the member, such vacancy shall be filled by an appointment of the speaker of the House of Representatives; (F) if the majority leader of the House of Representatives appointed the member, such vacancy shall be filled by an appointment of the majority leader of the House of Representatives; and (G) if the minority leader of the House of Representatives appointed the member, such vacancy shall be filled by an appointment of the minority leader of the House of Representatives.

(2) On or after the effective date of this section, four additional members shall be appointed as follows: (A) The president pro tempore of the Senate shall appoint one member from the southeastern region of the state; (B) the minority leader of the Senate shall appoint one member from the southwestern region of the state; (C) the speaker of the House of Representatives shall appoint one member from the northeastern region of the state; and (D) the minority leader of the House of Representatives shall appoint one member from the northwestern region of the state. In the event of a vacancy for any member appointed pursuant to this subdivision, such vacancy shall be filled by the appointing authority and such appointment shall be from the respective region of the state.

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(3) Any member appointed on or after the effective date of this section shall have experience in the field of issues affecting elderly persons by virtue of such person's status as an advocate or an academic, civic or cultural leader.

(4) Any member appointed pursuant to this subsection shall serve for a term of two years from August fifteenth in the year of his or her appointment. The commission shall elect a chairperson and a vice-chairperson from among its members who shall each serve in such capacity for a period of two years. Any person absent from (A) three consecutive meetings of the commission, or (B) fifty per cent of such meetings during any calendar year shall be deemed to have resigned from the commission, effective immediately.

(5) Vacancies on the commission shall be filled by the appointing authority. Members of the commission shall serve without compensation but shall, within the limits of available funds, be reimbursed for expenses necessarily incurred in the performance of their duties. The commission shall meet as often as deemed necessary by the chairperson or a majority of the commission.

(b) The Commission on Aging shall: [(1) Prepare and issue an annual report to the Governor, General Assembly and the legislative body of each municipality in the state on its findings and recommendations concerning services for the elderly in the state; (2) conduct annual public hearings on issues affecting the well-being of the elderly in the state; (3) meet regularly with representatives of state agencies to review and comment on the policies and procedures of the department concerning the elderly; (4) review and comment on the budget of the State Unit on Aging within the Department of Social Services; (5) meet as needed with state officials to discuss issues affecting the elderly; (6) conduct studies and report on issues affecting the elderly; and (7) disseminate information to the business community, education community, state and local governments and

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the media on the nature and scope of the problems faced by the elderly. The commission may accept any gifts, donations or bequests and may enter into contracts for any of the purposes of this section.]

(1) Focus its efforts on the following quality of life desired results for the elderly population of the state: (A) That all members of the elderly population of the state are healthy; (B) that all members of the elderly population are safe; (C) that all members of the elderly population of the state achieve educational fulfillment; (D) that all members of the elderly population of the state are economically self-sufficient; and (E) that all members of the elderly population of the state are free from discrimination. The commission shall meet regularly to review matters pertaining to the achievement of the desired results described in subparagraphs (A) to (E), inclusive, of this subdivision and, not later than January first, annually, shall submit a status report concerning such desired results to the joint standing committee of the General Assembly having cognizance of appropriations. The commission shall develop (i) appropriate population-level indicators of the state's progress in achieving such desired results and (ii) strategies that are intended to improve progress on such indicators through a process that is inclusive of all relevant partners, including, but not limited to, state and local government agencies, the faith community, the business sector, nonprofit organizations, advocacy groups and philanthropic organizations;

(2) Make recommendations to the General Assembly and the Governor for new or enhanced policies, programs and services that will foster progress in achieving the desired results described in subdivision (1) of this subsection;

(3) Review and comment on any proposed state legislation or recommendations that may affect the elderly population of the state and provide copies of any such comments to members of the General Assembly;

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(4) Advise the General Assembly and Governor concerning the coordination and administration of state programs that affect the elderly population of the state;

(5) Gather and maintain current information regarding the elderly population of the state that can be used to better understand the status, condition and contributions of such elderly population. Such information shall be included in the annual report described in subsection (c) of this section and shall be made available to legislators and other interested parties upon request;

(6) Maintain a liaison between the elderly population of the state and government agencies, including the General Assembly; and

(7) Conduct educational and outreach activities intended to raise awareness of critical issues for the elderly population of the state.

(c) Not later than January first, annually, in accordance with section 11-4a, the commission shall submit a report to the General Assembly that: (1) Identifies the quality of life desired results described in subdivision (1) of subsection (b) of this section, (2) displays current trend data for the indicators related to each such desired result area, (3) identifies barriers to progress on such indicators, (4) identifies strategies developed pursuant to subdivision (1) of subsection (b) of this section, and (5) describes performance measures for the commission, including measures of research, education and outreach, and partnership development.

(d) In carrying out its responsibility to make recommendations to the General Assembly and the Governor on the need for legislation, policies, programs or services to improve the quality of life for members of the elderly population of the state, the commission shall have the assistance of staff, as described in subsection (f) of this section. Any such recommendations shall be provided solely with the

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approval of a majority of the members of the commission. A majority of the members of the commission shall be required to approve any specific advocacy before the General Assembly or any state agency.

(e) The commission may: (1) Request, and shall receive, from any state agency such information and assistance as the commission may require; (2) use such funds as may be available from federal, state or other sources and may enter into contracts to carry out the purposes of this section; (3) utilize voluntary and uncompensated services of individuals, state or federal agencies and organizations as may, from time to time, be offered and needed; (4) recommend policies to federal agencies and political subdivisions of the state relative to the elderly population of the state; (5) accept any gift, donation or bequest for the purpose of performing the duties described in subsection (b) of this section; (6) hold public hearings; (7) establish task forces, as necessary, to perform the duties described in subsection (b) of this section; (8) adopt regulations, in accordance with chapter 54, as it may deem necessary to carry out the duties described in subsection (b) of this section; and (9) inform leaders of business, education, state and local governments and the communications media of the nature and scope of the problems faced by the elderly population of the state, with a view to enlisting such persons' support in working toward solving such problems.

[(c)] (f) There shall be an executive director of the Commission on Aging. [who shall be appointed by the commission.] There may be additional staff within available appropriations. The commission shall be within the Legislative Department. [for administrative purposes only] The executive director and any necessary staff shall be employed by the Joint Standing Committee on Legislative Management. The commission shall have no authority over staffing or personnel matters.

(g) The commission shall be part of the Legislative Department.

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(h) The commission may enter into any agreement with a state agency for the purpose of maximizing the receipt of federal funds by such state agency, provided such state agency shall utilize any federal funds received as a result of such agreement to perform those statutory duties of such agency that relate to such commission's duties. The commission may accept that portion of federal funds received by any such state agency as a result of any such agreement which federal law otherwise permits to be received by such commission.

Sec. 147. Section 46a-1 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) There is established a Permanent Commission on the Status of Women consisting of [seventeen persons as follows: The cochairpersons of the joint standing committee of the General Assembly having cognizance of matters relating to civil and human rights and the ranking minority representative and senator on said committee; five persons appointed by the Governor, including a professor of law from each of two law schools in the state and three women, who have demonstrated a competency in women's issues; four members appointed by the speaker of the House of Representatives and four members appointed by the president pro tempore of the Senate] twenty-one members.

(1) With respect to members appointed prior to the effective date of this section, upon the occurrence of a vacancy or the expiration of the term of a member, whichever occurs first, such vacancy shall be filled as follows: (A) If the Governor appointed the member, such vacancy shall be filled by a joint appointment of the president pro tempore of the Senate and the speaker of the House of Representatives; (B) if the president pro tempore of the Senate appointed the member, such vacancy shall be filled by an appointment of the president pro tempore of the Senate; (C) if the speaker of the House of Representatives appointed the member, such vacancy shall be filled by an appointment

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of the speaker of the House of Representatives; (D) if the member served by virtue of such member's status as a member of the General Assembly, such vacancy shall be filled as follows: (i) The majority leader of the Senate shall appoint one member from the southeastern region of the state; (ii) the minority leader of the Senate shall appoint one member from the southwestern region of the state; (iii) the majority leader of the House of Representatives shall appoint one member from the northeastern region of the state; (iv) the minority leader of the House of Representatives shall appoint one member from the northwestern region of the state. In the event of a vacancy for any member appointed pursuant to subparagraph (D) of this subdivision, such vacancy shall be filled by the appointing authority and such appointment shall be from the respective region of the state.

(2) On or after the effective date of this section, the majority leader of the Senate, the minority leader of the Senate, the majority leader of the House of Representatives and the minority leader of the House of Representatives shall each appoint one additional member to the commission.

(3) Any member appointed on or after the effective date of this section shall have experience in the field of issues affecting women by virtue of such person's status as an advocate or an academic, civic or cultural leader.

(4) Any member appointed pursuant to this subsection shall serve for a term of two years from July first in the year of his or her appointment. The commission shall elect a chairperson and a vice-chairperson from among its members who shall each serve in such capacity for a period of two years. Any person absent from (A) three consecutive meetings of the commission, or (B) fifty per cent of such meetings during any calendar year shall be deemed to have resigned from the commission, effective immediately.

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(5) Vacancies on the commission shall be filled by the appointing authority. Members of the commission shall serve without compensation but shall, within the limits of available funds, be reimbursed for expenses necessarily incurred in the performance of their duties. The commission shall meet as often as deemed necessary by the chairperson or a majority of the commission.

(b) There shall be an executive director of the Permanent Commission on the Status of Women. The executive director and any necessary staff shall be employed by the Joint Standing Committee on Legislative Management. The commission shall have no authority over staffing or personnel matters.

(c) The commission shall be part of the Legislative Department.

Sec. 148. Section 46a-4 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The commission shall: [conduct an ongoing study of all matters concerning women and in furtherance of that responsibility shall: (a) Inform leaders of business, education, state and local governments and the communications media of the nature and scope of the problem of sex discrimination, with a view to enlisting their support in working toward improvement; (b) serve as a liaison between government and private interest groups concerned with services for women; (c) promote consideration of qualified women for all levels of government positions; (d) oversee coordination and assess programs and practices in all state agencies as they affect women. The commission shall annually by February fifteenth, report to the Governor and the General Assembly the results of its findings of the preceding year with its recommendations for the removal of such injustices as it may find to exist.]

(1) Focus its efforts on the following quality of life desired results

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for women of the state: (A) That all women of the state are healthy; (B) that all women of the state are safe; (C) that all women of the state achieve educational success; (D) that all women of the state are economically self-sufficient; and (E) that all women of the state are free from discrimination. The commission shall meet regularly to review matters pertaining to the achievement of the desired results described in subparagraphs (A) to (E), inclusive, of this subdivision and, not later than January first, annually, shall submit a status report concerning such desired results to the joint standing committee of the General Assembly having cognizance of appropriations. The commission shall develop (i) appropriate population-level indicators of the state's progress in achieving such desired results and (ii) strategies that are intended to improve progress on such indicators through a process that is inclusive of all relevant partners, including, but not limited to, state and local government agencies, the faith community, the business sector, nonprofit organizations, advocacy groups and philanthropic organizations;

(2) Make recommendations to the General Assembly and the Governor for new or enhanced policies, programs and services that will foster progress in achieving the desired results described in subdivision (1) of this subsection;

(3) Review and comment on any proposed state legislation or recommendations that may affect women of the state and provide copies of any such comments to members of the General Assembly;

(4) Advise the General Assembly and Governor concerning the coordination and administration of state programs that affect women of the state;

(5) Gather and maintain current information regarding women of the state that can be used to better understand the status, condition and contributions of such women. Such information shall be included

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in the annual report described in subsection (b) of this section and shall be made available to legislators and other interested parties upon request;

(6) Maintain a liaison between the women of the state and government agencies, including the General Assembly; and

(7) Conduct educational and outreach activities intended to raise awareness of critical issues for women of the state;

(8) Promote consideration of qualified women for all levels of leadership positions.

(b) Not later than January first, annually, in accordance with section 11-4a, the commission shall submit a report to the General Assembly that: (1) Identifies the quality of life desired results described in subdivision (1) of subsection (a) of this section, (2) displays current trend data for the indicators related to each such desired result area, (3) identifies barriers to progress on such indicators, (4) identifies strategies developed pursuant to subdivision (1) of subsection (a) of this section, and (5) describes performance measures for the commission, including measures of research, education and outreach, and partnership development.

(c) In carrying out its responsibility to make recommendations to the General Assembly and the Governor on the need for legislation, policies, programs or services to improve the quality of life for the women of the state, the commission shall have the assistance of staff, as described in subsection (b) of section 46a-1, as amended by this act. Any such recommendations shall be provided solely with the approval of a majority of the members of the commission. A majority of the members of the commission shall be required to approve any specific advocacy before the General Assembly or any state agency.

Sec. 149. Section 46a-5 of the general statutes is repealed and the

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following is substituted in lieu thereof (*Effective from passage*):

(a) The [powers of the] commission [shall include but not be limited to the following] may: [(a) To utilize such voluntary and uncompensated services of private individuals, agencies and organizations as may from time to time be offered and needed; (b) to recommend policies and make recommendations to agencies and officers of the state and local subdivisions of government to effectuate the policies of sections 46a-1 to 46a-6, inclusive; (c) to acquire on a contractual or other basis such necessary, legal, technical, secretarial and administrative services as it may require for the discharge of its duties; (d) to establish and maintain such offices as it may deem necessary; (e) to hold fact finding hearings, and pursuant to that subpoena witnesses and records, administer oaths and take the testimony of any persons under oath and require the production for examination of any books and papers relating to any matter under investigation or in question. The commission may, by regulation, establish a procedure for the issuance of subpoenas by individual commissioners. Refusal to obey a subpoena issued pursuant to this section shall constitute contempt punishable, upon the application of the authority issuing such subpoena, by the superior court for the judicial district of Hartford; (f) to receive and refer immediately to the State Commission on Human Rights and Opportunities, complaints of sex discrimination; and (g) to promulgate such regulations as it may deem necessary to carry out the purposes of sections 46a-1 to 46a-6, inclusive.] (1) Request, and shall receive, from any state agency such information and assistance as the commission may require; (2) use such funds as may be available from federal, state or other sources and may enter into contracts to carry out the purposes of section 46a-4, as amended by this act; (3) utilize voluntary and uncompensated services of private individuals, state or federal agencies and organizations as may, from time to time, be offered and needed; (4) recommend policies to federal agencies and political subdivisions of the state relative to the

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women of the state; (5) accept any gift, donation or bequest for the purpose of performing the duties described in section 46a-4, as amended by this act; (6) hold public hearings; (7) establish task forces, as necessary, to perform the duties described in section 46a-4, as amended by this act; (8) adopt regulations, in accordance with chapter 54, as it may deem necessary to carry out the duties described in section 46a-4, as amended by this act; (9) inform leaders of business, education, state and local governments and the communications media of the nature and scope of the problems faced by women of the state, with a view to enlisting such persons' support in working toward solving such problems; (10) receive and refer to the Commission on Human Rights and Opportunities complaints of sex discrimination; and (11) hold fact finding hearings, and pursuant to that, subpoena witnesses and records, administer oaths and take the testimony of any persons under oath and require the production for examination of any books and papers relating to any matter under investigation or in question. The commission may, by regulation, establish a procedure for the issuance of subpoenas by individual commissioners. Refusal to obey a subpoena issued pursuant to this section shall constitute contempt punishable, upon the application of the authority issuing such subpoena, by the superior court for the judicial district of Hartford.

(b) The commission may enter into any agreement with a state agency for the purpose of maximizing the receipt of federal funds by such state agency, provided such state agency shall utilize any federal funds received as a result of such agreement to perform those statutory duties of such agency that relate to such commission's duties. The commission may accept that portion of federal funds received by any such state agency as a result of any such agreement which federal law otherwise permits to be received by such commission.

Sec. 150. Section 46a-126 of the general statutes is repealed and the

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following is substituted in lieu thereof (*Effective from passage*):

(a) There is established a Commission on Children consisting of [sixteen] twenty-one voting members. [as follows: One cochairperson of each of the joint standing committees of the General Assembly having cognizance of matters relating to human services, public health, education and judiciary appointed jointly by the majority leaders of the House of Representatives and the Senate; four members appointed by the Governor, including a lawyer and a pediatrician who are knowledgeable in issues concerning children, one person representing organized labor and one person representing all state agencies providing services to children; two members appointed by the president pro tempore of the Senate, including one person representing the interests of the municipalities and small towns and one person representing the business and corporate community; two members appointed by the speaker of the House of Representatives, including a person representing the education community and a mental health professional who is either a child psychologist, child psychiatrist or a social worker; two members appointed by the minority leader of the Senate, including a person representing a state-wide advocacy agency for children and a private citizen who has demonstrated an interest in children's issues; two members appointed by the minority leader of the House of Representatives, including a person representing a state-wide advocacy agency for children and a private citizen who has demonstrated an interest in children's issues; and] There shall be nine nonvoting ex-officio members of the commission as follows: The Commissioners of Children and Families, Developmental Services, Public Health, Education, Social Services and [Corrections] Correction, the Secretary of the Office of Policy and Management, the Attorney General and the Chief Court Administrator. [The commission shall be a legislative agency for administrative purposes only.]

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(1) With respect to members appointed prior to the effective date of this section, upon the occurrence of a vacancy or the expiration of the term of a member, whichever occurs first, such vacancy shall be filled as follows: (A) For any member appointed jointly by the majority leaders of the House of Representatives and the Senate, such vacancy shall be filled by a joint appointment of the majority leaders of the House of Representatives and the Senate; (B) for any member appointed by the Governor, such vacancy shall be filled by a joint appointment of the president pro tempore of the Senate and the speaker of the House of Representatives; (C) for any member appointed by the president pro tempore of the Senate, such vacancy shall be filled by an appointment of the president pro tempore of the Senate; (D) for any member appointed by the speaker of the House of Representatives, such vacancy shall be filled by an appointment of the speaker of the House of Representatives; (E) for any member appointed by the minority leader of the Senate, such vacancy shall be filled by an appointment of the minority leader of the Senate; and (G) for any member appointed by the minority leader of the House of Representatives, such vacancy shall be filled by the minority leader of the House of Representatives.

(2) On or after the effective date of this section, (A) The majority leaders of the House of Representatives and the Senate shall jointly appoint one additional member to the commission who shall be from the central region of the state; (B) the president pro tempore of the Senate shall appoint one additional member to the commission from the northeastern region of the state; (C) the speaker of the House of Representatives shall appoint one additional member to the commission from the southeastern region of the state; (D) the minority leader of the Senate shall appoint one additional member to the commission from the northwestern region of the state; and (E) the minority leader of the House of Representatives shall appoint one additional member to the commission from the southwestern region of

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the state. In the event of a vacancy for any member appointed pursuant to this subdivision, such vacancy shall be filled by the appointing authority and such appointment shall be from the respective region of the state.

(3) Any member appointed on or after the effective date of this section shall have experience in the field of issues affecting children by virtue of such person's status as an advocate or an academic, civic or cultural leader.

(4) Any member appointed pursuant to this subsection shall serve for a term of two years from July first in the year of his or her appointment. The commission shall elect a chairperson and a vice-chairperson from among its members who shall each serve in such capacity for a period of two years. Any person absent from (A) three consecutive meetings of the commission, or (B) fifty per cent of such meetings during any calendar year shall be deemed to have resigned from the commission, effective immediately.

(5) Vacancies on the commission shall be filled by the appointing authority. Members of the commission shall serve without compensation but shall, within the limits of available funds, be reimbursed for expenses necessarily incurred in the performance of their duties. The commission shall meet as often as deemed necessary by the chairperson or a majority of the commission.

(b) There shall be an executive director of the Commission on Children. The executive director and any necessary staff shall be employed by the Joint Standing Committee on Legislative Management. The commission shall have no authority over staffing or personnel matters.

(c) The commission shall be part of the Legislative Department.

Sec. 151. Section 46a-129 of the general statutes is repealed and the

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following is substituted in lieu thereof (*Effective from passage*):

(a) The commission shall: [meet regularly to review all matters concerning children and in furtherance of that responsibility shall: (a) Meet at least twice a year with the commissioners, state agency executive directors, any other state officials and members of advisory committees to state agencies who have oversight of the expenditure of state or federal funds on behalf of children; (b) receive from the executive branch and its advisory committees requests for review and recommendation by the commission on any matter related to children; (c) meet at least twice a year with representatives of the Judicial Branch including judges, public defenders, probation officers, and representatives of the Probate Court concerning judicial branch involvement with children; (d) receive from the Judicial Branch requests for review and recommendation by the commission on any matter related to children; (e) meet with and be available to representatives of private providers of services to children, foster parents, and support groups to children, for the purpose of understanding their concerns with regard to the provision of services to children; (f) receive from individuals and agencies identified in subsection (e) of this section requests for review and recommendation by the commission on any matter related to children and the delivery of services to children; (g) receive from the legislative branch any requests for review and recommendation on any matter related to children; (h) inform leaders of the business community, education community, state and local governments and the communications media of the nature and scope of problems faced by children, in order to enlist their support in improving the mandated service delivery system, state budgeting processes, and state policies concerning children; (i) serve as a liaison between government and private groups concerned with children; (j) coordinate its activities with the Permanent Commission on the Status of Women in areas of mutual concern; and (k) review coordination and assess programs and

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practices in all state agencies as they affect children.]

(1) Focus its efforts on the following quality of life desired results for children of the state: (A) That all children of the state are healthy; (B) that all children of the state are safe; (C) that all children of the state achieve educational success; (D) that all children of the state are free from poverty; and (E) that all children of the state are free from discrimination. The commission shall meet regularly to review matters pertaining to the achievement of the desired results described in subparagraphs (A) to (E), inclusive, of this subdivision and, not later than January first, annually, shall submit a status report concerning such desired results to the joint standing committee of the General Assembly having cognizance of appropriations. The commission shall develop (i) appropriate population-level indicators of the state's progress in achieving such desired results, and (ii) strategies that are intended to improve progress on such indicators through a process that is inclusive of all relevant partners, including, but not limited to, state and local government agencies, the faith community, the business sector, nonprofit organizations, advocacy groups and philanthropic organizations;

(2) Make recommendations to the General Assembly and the Governor for new or enhanced policies, programs and services that will foster progress in achieving the desired results described in subdivision (1) of this subsection;

(3) Review and comment on any proposed state legislation or recommendations that may affect the children of the state and provide copies of any such comments to members of the General Assembly;

(4) Advise the General Assembly and Governor concerning the coordination and administration of state programs that affect the children of the state;

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(5) Gather and maintain current information regarding the children of the state that can be used to better understand the status, condition, and contributions of such children. Such information shall be included in the annual report described in subsection (b) of this section and shall be made available to legislators and other interested parties upon request;

(6) Maintain a liaison between the children of the state and government agencies, including the General Assembly; and

(7) Conduct educational and outreach activities intended to raise awareness of critical issues for the children of the state.

(b) Not later than January first, annually, in accordance with section 11-4a, the commission shall submit a report to the General Assembly that: (1) Identifies the quality of life desired results described in subdivision (1) of subsection (a) of this section, (2) displays current trend data for the indicators related to each such desired result area, (3) identifies barriers to progress on such indicators, (4) identifies strategies developed pursuant to subdivision (1) of subsection (a) of this section, and (5) describes performance measures for the commission, including measures of research, education and outreach, and partnership development.

(c) In carrying out its responsibility to make recommendations to the General Assembly and the Governor on the need for legislation, policies, programs or services to improve the quality of life for the children of the state, the commission shall have the assistance of staff, as described in subsection (b) of section 46a-126, as amended by this act. Any such recommendations shall be provided solely with the approval of a majority of the members of the commission. A majority of the members of the commission shall be required to approve any specific advocacy before the General Assembly or any state agency.

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Sec. 152. Section 46a-130 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The [powers of the] commission may: [shall include, but not be limited to, the following: (a) To utilize such voluntary and uncompensated services of private individuals, agencies and organizations as may from time to time be offered and needed; (b) to recommend policies and make recommendations to agencies and officers of the state and local subdivisions of government relative to children; (c) to acquire on a contractual or other basis such necessary legal, technical, secretarial and administrative services as it may require for the discharge of its duties; (d) to establish and maintain such offices as it may deem necessary; (e) to hold public hearings; (f) to establish task forces as necessary to accomplish the purposes of sections 46a-126 to 46a-131, inclusive; and (g) to adopt such regulations as it may deem necessary to carry out the purposes of sections 46a-126 to 46a-131, inclusive] (1) Request, and shall receive, from any state agency such information and assistance as the commission may require; (2) use such funds as may be available from federal, state or other sources and may enter into contracts to carry out the purposes of section 46a-129, as amended by this act; (3) utilize voluntary and uncompensated services of private individuals, state or federal agencies and organizations as may, from time to time, be offered and needed; (4) recommend policies to federal agencies and political subdivisions of the state relative to the children of the state; (5) accept any gift, donation or bequest for the purpose of performing the duties described in section 46a-129, as amended by this act; (6) hold public hearings; (7) establish task forces, as necessary, to perform the duties described in section 46a-129, as amended by this act; (8) adopt regulations, in accordance with chapter 54, as it may deem necessary to carry out the duties described in section 46a-129, as amended by this act; and (9) inform leaders of business, education, state and local governments and the communications media of the nature and scope

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of the problems faced by children of the state, with a view to enlisting such persons' support in working toward solving such problems.

(b) The commission may enter into any agreement with a state agency for the purpose of maximizing the receipt of federal funds by such state agency, provided such state agency shall utilize any federal funds received as a result of such agreement to perform those statutory duties of such agency that relate to such commission's duties. The commission may accept that portion of federal funds received by any such state agency as a result of any such agreement which federal law otherwise permits to be received by such commission.

Sec. 153. Section 46a-52 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The commission shall consist of nine persons. On and after October 1, 2000, such persons shall be appointed with the advice and consent of both houses of the General Assembly. (1) On or before July 15, 1990, the Governor shall appoint five members of the commission, three of whom shall serve for terms of five years and two of whom shall serve for terms of three years. Upon the expiration of such terms, and thereafter, the Governor shall appoint either two or three members, as appropriate, to serve for terms of five years. On or before July 14, 1990, the president pro tempore of the Senate, the minority leader of the Senate, the speaker of the House of Representatives and the minority leader of the House of Representatives shall each appoint one member to serve for a term of three years. Upon the expiration of such terms, and thereafter, members so appointed shall serve for terms of three years. (2) If any vacancy occurs, the appointing authority making the initial appointment shall appoint a person to serve for the remainder of the unexpired term. The Governor shall select one of the members of the commission to serve as chairperson for a term of one year. The commission shall meet at least once during each two-month period and at such other times as the chairperson deems necessary.

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Special meetings shall be held on the request of a majority of the members of the commission after notice in accordance with the provisions of section 1-225.

(b) Except as provided in section 46a-57, the members of the commission shall serve without pay, but their reasonable expenses, including educational training expenses and expenses for necessary stenographic and clerical help, shall be paid by the state upon approval of the Commissioner of Administrative Services. Not later than two months after appointment to the commission, each member of the commission shall receive a minimum of ten hours of introductory training prior to voting on any commission matter. Each year following such introductory training, each member shall receive five hours of follow-up training. Such introductory and follow-up training shall consist of instruction on the laws governing discrimination in employment, housing, public accommodation and credit, affirmative action and the procedures of the commission. Such training shall be organized by the managing director of the legal division of the commission. Any member who fails to complete such training shall not vote on any commission matter. Any member who fails to comply with such introductory training requirement within six months of appointment shall be deemed to have resigned from office. 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.

(c) On or before July 15, 1989, the commission shall appoint an executive director who shall be the chief executive officer of the Commission on Human Rights and Opportunities to serve for a term expiring on July 14, 1990. Upon the expiration of such term and thereafter, the executive director shall be appointed for a term of four years. The executive director shall be supervised and annually evaluated by the commission. The executive director shall serve at the

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pleasure of the commission but no longer than four years from July fifteenth in the year of his or her appointment unless reappointed pursuant to the provisions of this subsection. The executive director shall receive an annual salary within the salary range of a salary group established by the Commissioner of Administrative Services for the position. The executive director (1) shall conduct comprehensive planning with respect to the functions of the commission; (2) shall coordinate the activities of the commission; and (3) shall cause the administrative organization of the commission to be examined with a view to promoting economy and efficiency. In accordance with established procedures, the executive director may enter into such contractual agreements as may be necessary for the discharge of the director's duties.

(d) The executive director may appoint no more than two deputy directors with the approval of a majority of the members of the commission. The deputy directors shall be supervised by the executive director and shall assist the executive director in the administration of the commission, the effectuation of its statutory responsibilities and such other duties as may be assigned by the executive director. Deputy directors shall serve at the pleasure of the executive director and without tenure. The executive director may remove a deputy director with the approval of a majority of the members of the commission.

[(e) The executive director may appoint no more than two hearing adjudicators. Such hearing adjudicators shall have the same powers as presiding officers to conduct hearing conferences, decide preliminary matters and supervise settlement negotiations, but shall not have the authority to conduct full hearings.]

[(f)] (e) The commission shall be within the Department of Administrative Services for administrative purposes only.

Sec. 154. Subsection (a) of section 46a-57 of the general statutes is

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repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a)(1) The Governor shall appoint three human rights referees for terms commencing October 1, 1998, and four human rights referees for terms commencing January 1, 1999. The human rights referees so appointed shall serve for a term of one year.

(2) (A) On and after October 1, 1999, the Governor shall appoint seven human rights referees with the advice and consent of both houses of the General Assembly. The Governor shall appoint three human rights referees to serve for a term of two years commencing October 1, 1999. The Governor shall appoint four human rights referees to serve for a term of three years commencing January 1, 2000. Thereafter, human rights referees shall serve for a term of three years.

(B) On and after July 1, 2001, there shall be five human rights referees. Each of the human rights referees serving on July 1, 2001, shall complete the term to which such referee was appointed. Thereafter, human rights referees shall be appointed by the Governor, with the advice and consent of both houses of the General Assembly, to serve for a term of three years.

(C) On and after July 1, 2004, there shall be seven human rights referees. Each of the human rights referees serving on July 1, 2004, shall complete the term to which such referee was appointed and shall serve until his successor is appointed and qualified. Thereafter, human rights referees shall be appointed by the Governor, with the advice and consent of both houses of the General Assembly, to serve for a term of three years.

(D) On and after the effective date of this section and until July 1, 2011, there shall be five human rights referees. Each of the human rights referees serving on the effective date of this section shall serve

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until the term to which such referee was appointed is completed, or until July 1, 2011, whichever is earlier, and shall serve until a successor is appointed and qualified. In the case of a vacancy, a successor shall be appointed by the Governor, with the advice and consent of both houses of the General Assembly, to serve until July 1, 2011.

(E) On and after July 1, 2011, there shall be three human rights referees who shall (i) be appointed by the Governor with the advice and consent of both houses of the General Assembly, and (ii) serve for a term of three years.

(3) When the General Assembly is not in session, any vacancy shall be filled pursuant to the provisions of section 4-19. The Governor may remove any human rights referee for cause.

Sec. 155. (*Effective from passage*) There is established a task force to develop recommendations for the establishment of a Division of Administrative Hearings within the Commission on Human Rights and Opportunities to conduct impartial hearings of contested cases brought by or before the Departments of Children and Families, Transportation and Motor Vehicles, the Commission on Human Rights and Opportunities and the Board of Firearms Permit Examiners. Such task force shall consist of the chairpersons and ranking members, or their designees, of the joint standing committees of the General Assembly having cognizance of matters relating to government administration, judiciary, transportation and human services, the Commissioners of the Departments of Motor Vehicles, Transportation, and Children and Families, or their designees, the executive director of the Commission on Human Rights and Opportunities, or the executive director's designee, a member of the Board of Firearms Permit Examiners, a member of the Connecticut Bar Association, designated by the president of the Connecticut Bar Association, one member appointed by the speaker of the House of Representatives who shall be a member of the General Assembly and a recognized leader on issues

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of particular concern to racial minorities in the state, or such member's designee, and a member appointed by the president pro tempore of the Senate who shall be from the Permanent Commission on the Status of Women. The speaker of the House of Representatives and the president pro tempore of the Senate shall jointly select two members of the task force who shall serve as cochairpersons of the task force. Additionally, the Secretary of the Office of Policy and Management, or the secretary's designee, shall serve as a cochairperson of the task force. The task force's recommendations shall include, but not be limited to, the following relevant topics for the establishment of such division: (1) The viability of placing such division within the Commission on Human Rights and Opportunities, (2) the scope of matters to be heard by the division, (3) any considerations or restrictions established by federal law, including federal funding, for the hearing of matters by the division from the Departments of Motor Vehicles, Transportation and Children and Families, (4) the need to train administrative law adjudicators in all matters and areas of the law to be heard by the division, (5) the requisite number of administrative law adjudicators to hear matters assigned to the division and the concomitant level of support staff, (6) procedures for the appointment of the Chief Administrative Law Adjudicator, (7) the transfer of state agency affirmative action plan responsibilities from the Commission on Human Rights and Opportunities to the Department of Administrative Services, and (8) the transfer of contractor affirmative action plan compliance responsibilities from the Commission on Human Rights and Opportunities to the Office of the Attorney General. The task force shall report its recommendations to the General Assembly, in accordance with section 11-4a of the general statutes, not later than February 1, 2010.

Sec. 156. Section 4-5 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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As used in sections 4-6, 4-7 and 4-8, the term "department head" means Secretary of the Office of Policy and Management, Commissioner of Administrative Services, Commissioner of Revenue Services, Banking Commissioner, Commissioner of Children and Families, Commissioner of Consumer Protection, Commissioner of Correction, Commissioner of Economic and Community Development, State Board of Education, Commissioner of Emergency Management and Homeland Security, Commissioner of Environmental Protection, Commissioner of Agriculture, Commissioner of Public Health, Insurance Commissioner, Labor Commissioner, Liquor Control Commission, Commissioner of Mental Health and Addiction Services, Commissioner of Public Safety, Commissioner of Social Services, Commissioner of Developmental Services, Commissioner of Motor Vehicles, Commissioner of Transportation, Commissioner of Public Works, Commissioner of Veterans' Affairs, Commissioner of Health Care Access, Chief Information Officer, the chairperson of the Public Utilities Control Authority, the executive director of the Board of Education and Services for the Blind, the executive director of the Connecticut Commission on Culture and Tourism, [the Ombudsman for Property Rights] and the executive director of the Office of Military Affairs. As used in sections 4-6 and 4-7, "department head" also means the Commissioner of Education.

Sec. 157. Section 4a-16 of the general statutes, as amended by section 15 of public act 09-232, is repealed and the following is substituted in lieu thereof (*Effective from passage*):

When any person supported or cared for by the state under a program of public assistance or in an institution maintained by the Department of Developmental Services or Department of Mental Health and Addiction Services, or when an inmate of the Department of Correction, or when any child committed to the Commissioner of Social Services or Commissioner of Children and Families dies leaving

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only personal estate, including personal assets owing and due the estate after death, not exceeding [twenty thousand dollars in value] the aggregate value, as described in section 45a-273, the Commissioner of Administrative Services or the commissioner's authorized representative shall, upon filing with the probate court having jurisdiction of such estate a certificate that the total estate is under [twenty thousand dollars] the aggregate value, as described in section 45a-273, and the claim of the state, together with the expense of last illness not exceeding three hundred seventy-five dollars and funeral and burial expenses in accordance with section 17b-84, equals or exceeds the amount of such estate, be issued a certificate by said court that the commissioner is the legal representative of such estate only for the following purpose. The commissioner shall have authority to claim such estate, the commissioner's receipt for the same to be a valid discharge of the liability of any person turning over the same, and to settle the same by payment of the expense of last illness not exceeding three hundred seventy-five dollars, expense of funeral and burial in accordance with section 17b-84 and the remainder as partial or full reimbursement of the claim of the state for care or assistance rendered to the decedent. The commissioner shall file with said probate court a statement of the settlement of such estate as herein provided.

Sec. 158. Subsection (a) of section 4a-57 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) All purchases of, and contracts for, supplies, materials, equipment and contractual services, except purchases and contracts made pursuant to the provisions of subsection (b) of this section and public utility services as provided in subsection (e) of this section shall be based, when possible, on competitive bids or competitive negotiation. The commissioner shall solicit competitive bids or proposals by providing notice of the planned purchase in a form and

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manner that the commissioner determines will maximize public participation in the competitive bidding or competitive negotiation process, including participation by small contractors, as defined in section 4a-60g, and promote competition. In the case of an expenditure [which] that is estimated to exceed fifty thousand dollars, such notice shall be [inserted, at least] posted, not less than five calendar days before the final date of submitting bids or proposals, [in two or more publications, at least one of which shall be a major daily newspaper published in the state and shall be posted on the Internet] on the State Contracting Portal. Each notice of a planned purchase under this subsection shall indicate the type of goods and services to be purchased and the estimated value of the contract award. The notice shall also contain a notice of state contract requirements concerning nondiscrimination and affirmative action pursuant to section 4a-60 and, when applicable, requirements concerning the awarding of contracts to small contractors, minority business enterprises, individuals with a disability and nonprofit corporations pursuant to section 4a-60g. Each bid and proposal shall be kept sealed or secured until opened publicly at the time stated in the notice soliciting such bid or proposal.

Sec. 159. Subsections (j) to (o), inclusive, of section 4a-100 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective from passage*):

(j) The commissioner may revoke a contractor's or substantial subcontractor's prequalification or reduce the contractor's or substantial subcontractor's prequalification classification or aggregate work capacity ratings, after an opportunity for a hearing, if the commissioner receives additional information that supports such revocation or reduction. During the course of such hearing process, the commissioner may suspend a contractor's or substantial subcontractor's prequalification certificate if the commissioner

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determines that there is probable cause to believe that such contractor or substantial subcontractor engaged in conduct that significantly undermines the skill, ability or integrity of such contractor or substantial subcontractor. Any such suspension shall not exceed a period of three months and shall be accompanied by a written decision of the commissioner that sets forth the reasons for and duration of such suspension. The commissioner shall send notification of any such suspension to such contractor or substantial subcontractor by certified mail, return receipt requested. Such contractor or substantial subcontractor may file a response, in writing, not later than thirty days after receipt of such notice. The commissioner shall review any such response submitted by a contractor or substantial subcontractor within such thirty-day period.

(k) (1) Any substantial evidence of fraud in obtaining or maintaining prequalification or any materially false statement in the application, update statement or update bid statement may, in the discretion of the awarding authority, result in termination of any contract awarded the [applicant] contractor by the awarding authority. The awarding authority shall provide written notice to the commissioner of such false statement not later than thirty days after discovering such false statement. The commissioner shall provide written notice of such false statement to the Commissioner of Public Works, the Commissioner of Consumer Protection and the President of The University of Connecticut not later than thirty days after discovering such false statement or receiving such notice.

(2) The commissioner shall deny or revoke the prequalification of any [person] contractor or substantial subcontractor if the commissioner finds that the [person] contractor or substantial subcontractor, or a principal or key personnel of such contractor or substantial contractor, within the past five years (A) has included any materially false statement in [such] a prequalification application,

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update statement or update bid statement, (B) has been convicted of, entered a plea of guilty or nolo contendere for, or admitted to, a crime related to the procurement or performance of any public or private construction contract, or [within the past five years,] (C) has otherwise engaged in fraud in obtaining or maintaining prequalification. Any revocation made pursuant to this subsection shall be made only after an opportunity for a hearing. Any [person] contractor or substantial subcontractor whose prequalification has been revoked pursuant to this subsection shall be disqualified for a period of two years after which the [person] contractor or substantial subcontractor may reapply for prequalification, except that a [person] contractor or substantial subcontractor whose prequalification has been revoked on the basis of conviction of a crime or engaging in fraud shall be disqualified for a period of five years after which the [person] contractor or substantial subcontractor may reapply for prequalification. The commissioner shall not prequalify a [person] contractor or substantial subcontractor whose prequalification has been revoked pursuant to this subdivision until the expiration of said two-year, five-year, or other applicable disqualification period and the commissioner is satisfied that the matters that gave rise to the revocation have been eliminated or remedied.

(l) The commissioner shall provide written notice of any revocation, disqualification, reduction in classification or capacity rating or reinstated prequalification to the Commissioner of Public Works, the Commissioner of Consumer Protection and the President of The University of Connecticut not later than thirty days after any final determination.

(m) The provisions of this section and section 4a-101, as amended by this act, shall not apply to subcontractors who are not substantial subcontractors.

(n) The commissioner shall establish an update statement for use by

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[bidders] contractors and substantial subcontractors for purposes of renewing or upgrading a prequalification certificate and an update bid statement for purposes of submitting a bid pursuant to section 4b-91, as amended by this act.

(o) Any [applicant] contractor or substantial subcontractor aggrieved by the commissioner's final determination concerning a preliminary determination, a denial of certification, a reduction in prequalification classification or aggregate work capacity rating or a revocation or nonrenewal of certification may appeal to the Superior Court in accordance with section 4-183.

Sec. 160. Subsection (g) of section 4a-101 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(g) Notwithstanding the provisions of [subsection (a) of] this section, any [political subdivision] public agency of the state, when evaluating the performance of a contractor's subcontractors or substantial subcontractors, to the extent known, may rely on an evaluation of such subcontractors or substantial subcontractors that is conducted by the contractor. No contractor shall be held liable to any subcontractor or substantial subcontractor for any loss or injury sustained by such subcontractor or substantial subcontractor as the result of such evaluation provided to a public agency, unless such contractor is found by a court of competent jurisdiction to have acted in a wilful, wanton or reckless manner.

Sec. 161. Section 4b-91 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Every contract for the construction, reconstruction, alteration, remodeling, repair or demolition of any public building or any other public work by the state except a public highway or bridge project or

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any other construction project administered by the Department of Transportation, which is estimated to cost more than five hundred thousand dollars, except a contract awarded by the Commissioner of Public Works for (1) a community court project, as defined in subsection (j) of section 4b-55, (2) the downtown Hartford higher education center project, as defined in subsection (l) of section 4b-55, (3) a correctional facility project, as defined in subsection (m) of section 4b-55, (4) a juvenile detention center project, as defined in subsection (n) of section 4b-55, or (5) a student residential facility for the Connecticut State University System that is a priority higher education facility project, as defined in subsection (f) of section 4b-55, shall be awarded to the lowest responsible and qualified general bidder who is prequalified pursuant to section 4a-100, as amended by this act, on the basis of competitive bids in accordance with the procedures set forth in this chapter, after the Commissioner of Public Works or, in the case of a contract for the construction of or work on a building or other public work under the supervision and control of the Joint Committee on Legislative Management of the General Assembly, the joint committee or, in the case of a contract for the construction of or work on a building or other public work under the supervision and control of one of the constituent units of the state system of higher education, the constituent unit, has invited such bids by [advertisements inserted at least once in one or more newspapers having a circulation in each county in the state] notice posted on the State Contracting Portal. Every contract for the construction, reconstruction, alteration, remodeling, repair or demolition of any public building or any other public work by a public agency that is paid for, in whole or in part, with state funds and that is estimated to cost more than five hundred thousand dollars, except a public highway or bridge project or any other construction project administered by the Department of Transportation, shall be awarded to a bidder that is prequalified pursuant to section 4a-100, as amended by this act, after the public agency has invited such bids by notice posted on the State Contracting

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Portal. The Commissioner of Public Works, the joint committee, [or] the constituent unit or the public agency, as the case may be, shall indicate the prequalification classification required for the contract in such [advertisement] notice. As used in this section, "prequalification classification" means the prequalification classifications established by the Commissioner of Administrative Services pursuant to section 4a-100, as amended by this act. As used in this section, "public agency" means public agency, as defined in section 1-200.

(b) The Commissioner of Public Works, the joint committee or the constituent unit, as the case may be, shall determine the manner of submission and the conditions and requirements of such bids, and the time within which the bids shall be submitted, consistent with the provisions of sections 4b-91 to 4b-96, inclusive, as amended by this act. Such award shall be made not later than ninety days after the opening of such bids. If the general bidder selected as the general contractor fails to perform the general contractor's agreement to execute a contract in accordance with the terms of the general contractor's general bid and furnish a performance bond and also a labor and materials or payment bond to the amount specified in the general bid form, an award shall be made to the next lowest responsible and qualified general bidder. No employee of the Department of Public Works, the joint committee or a constituent unit with decision-making authority concerning the award of a contract and no public official, as defined in section 1-79, may communicate with any bidder prior to the award of the contract if the communication results in the bidder receiving information about the contract that is not available to other bidders, except that if the lowest responsible and qualified bidder's price submitted is in excess of funds available to make an award, the Commissioner of Public Works, the Joint Committee on Legislative Management or the constituent unit, as the case may be, may negotiate with such bidder and award the contract on the basis of the funds available, without change in the contract specifications, plans and

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other requirements. If the award of a contract on said basis is refused by such bidder, the Commissioner of Public Works, the Joint Committee on Legislative Management or the constituent unit, as the case may be, may negotiate with other contractors who submitted bids in ascending order of bid prices without change in the contract, specifications, plans and other requirements. In the event of negotiation with general bidders as provided in this section, the general bidder involved may negotiate with subcontractors on the same basis, provided such general bidder shall negotiate only with subcontractors named on such general bidder's general bid form.

(c) No person may bid on a contract or perform work pursuant to a contract [for the construction, reconstruction, alteration, remodeling, repair or demolition of any public building for work by the state or a municipality, which is estimated to cost more than five hundred thousand dollars and is paid for, in whole or in part, with state funds,] that is subject to the provisions of subsection (a) of this section unless the person is prequalified in accordance with section 4a-100, as amended by this act.

(d) Each bid submitted for a contract described in subsection (c) of this section shall include [a copy of a prequalification certificate issued by the Commissioner of Administrative Services. The bid shall also be accompanied by] an update bid statement in such form as the Commissioner of Administrative Services prescribes and, if required by the public agency soliciting such bid, a copy of the prequalification certificate issued by the Commissioner of Administrative Services. The form for such update bid statement shall provide space for information regarding all projects completed by the bidder since the date the bidder's prequalification certificate was issued or renewed, all projects the bidder currently has under contract, including the percentage of work on such projects not completed, the names and qualifications of the personnel who will have supervisory responsibility for the

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performance of the contract, any significant changes in the bidder's financial position or corporate structure since the date the certificate was issued or renewed, any change in the contractor's qualification status as determined by the provisions of subdivision (6) of subsection (c) of section 4a-100, as amended by this act, and such other relevant information as the Commissioner of Administrative Services prescribes. Any bid submitted without a copy of the prequalification certificate, if required by the public agency soliciting such bid, and an update bid statement shall be deemed invalid. Any public agency that accepts a bid submitted without a copy of such prequalification certificate, if required by such public agency soliciting such bid, and an update bid statement [, as required by this section,] may become ineligible for the receipt of funds related to such bid.

(e) Any person who bids on a contract described in subsection (c) of this section shall certify under penalty of false statement at the conclusion of the bidding process that the information in the bid is true, that there has been no substantial change in the bidder's financial position or corporate structure since the bidder's most recent prequalification certificate was issued or renewed, other than those changes noted in the update bid statement, and that the bid was made without fraud or collusion with any person.

(f) Any person who receives information from a state employee or public official that is not available to the general public concerning any construction, reconstruction, alteration, remodeling, repair or demolition project on a public building or any other public work prior to the date that [an advertisement] a notice for bids on the project is [published] posted shall be disqualified from bidding on the project.

(g) Notwithstanding the provisions of this chapter regarding competitive bidding procedures, the commissioner may select and interview at least three responsible and qualified general contractors who are prequalified pursuant to section 4a-100, as amended by this

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act, and submit the three selected contractors to the construction services award panels process described in section 4b-100a and any regulation adopted by the commissioner. The commissioner may negotiate with the successful bidder a contract which is both fair and reasonable to the state for a community court project, as defined in subsection (j) of section 4b-55, the downtown Hartford higher education center project, as defined in subsection (l) of section 4b-55, a correctional facility project, as defined in subsection (m) of section 4b-55, a juvenile detention center project, as defined in subsection (n) of section 4b-55, or a student residential facility for the Connecticut State University System that is a priority higher education facility project, as defined in subsection (f) of section 4b-55. The Commissioner of Public Works, prior to entering any such contract or performing any work on such project, shall submit such contract to the State Properties Review Board for review and approval or disapproval by the board, pursuant to subsection (i) of this section. Any general contractor awarded a contract pursuant to this subsection shall be subject to the same requirements concerning the furnishing of bonds as a contractor awarded a contract pursuant to subsection (b) of this section.

(h) Any agency that seeks to have a project awarded without being subject to competitive bidding procedures shall certify to the joint committee of the General Assembly having cognizance of matters relating to government administration and elections that the project is of such an emergency nature that an exception to the competitive bidding procedures of this section is required. Such certification shall include input from all affected agencies, detail the need for the exception and include any relevant documentation.

(i) In the event that the General Assembly approves legislation authorizing an exception to the competitive bidding process for a project, the State Properties Review Board shall complete a review of the contract for such project and approve or disapprove such contract

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no later than thirty days after the Commissioner of Public Works submits such contract to the board. Such review shall be conducted in accordance with the provisions of section 4b-3. In the event that such review does not occur within the thirty-day period prescribed by this subsection, such contract shall be deemed to be approved.

(j) On and after [October 1, 2007] the effective date of this section, no person whose subcontract exceeds five hundred thousand dollars in value may perform work as a subcontractor on a project for the construction, reconstruction, alteration, remodeling, repair or demolition of any public building [for work] or any other public work by the state or a municipality, except a public highway or bridge project or any other construction project administered by the Department of Transportation, which project is estimated to cost more than five hundred thousand dollars and is paid for, in whole or in part, with state funds, unless the person is prequalified in accordance with section 4a-100, as amended by this act. The provisions of this subsection shall not apply to a project described in subdivision (2) of subsection (a) of this section.

Sec. 162. Section 5-218 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The Commissioner of Administrative Services shall prepare lists of preliminary requirements and subjects of examination for positions in the classified service and publicize each such examination in such manner as the nature of the examination requires, including posting examination notices in state agencies in locations accessible to state employees at least two weeks prior to the application closing date. All competitive examinations shall be held at such times and places as in the judgment of the Commissioner of Administrative Services most nearly meet the convenience of applicants and needs of the service.

(b) The Commissioner of Administrative Services shall give public

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notice of such examinations for positions in the classified service at least two weeks in advance by posting, or causing to be posted, an appropriate notice on the bulletin board maintained in or near the quarters of the Department of Administrative Services [, by advertising such examination once in at least one newspaper published in each congressional district in the state] and on the Internet web site of the department and by submitting the notice to the director of the state employment service. Such notice shall set forth the time, place and general scope of the examination and shall contain appropriate information concerning the duties, work location, conditions, salary and requirements of the positions, and the examination procedures, including one arrangement of the weights to be given for the weighted parts of the examination if applicable, provided once such notice has been given, the weights established in the notice for the weighted parts of the examination shall not be altered in any manner.

Sec. 163. Section 8-132 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Any person claiming to be aggrieved by the statement of compensation filed by the redevelopment agency may, at any time within six months after the statement of compensation has been filed, apply to the superior court for the judicial district in which such property is situated for a review of such statement of compensation so far as it affects such applicant. The court, after causing notice of the pendency of such application to be given to the redevelopment agency, may, with the consent of the parties or their attorneys, appoint a judge trial referee to make a review of the statement of compensation, except that the court shall, upon the motion of either party or their attorneys, refer the application to a judge appointed by the Chief Court Administrator to hear tax appeals pursuant to section 12-39l, who shall consider such application in the manner set forth in subsection (c) of this section. For the purposes of such application, review and appeal

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therefrom, and for the purposes of sections 52-192a to 52-195, inclusive, such applicant shall be deemed a counterclaim plaintiff. [Notwithstanding the provisions of this subsection, upon motion of both parties or their attorneys, the court shall refer the application to the Ombudsman for Property Rights for a hearing pursuant to subdivision (2) of subsection (b) of this section.]

(b) [(1)] If the court appoints a judge trial referee, the judge trial referee, after giving at least ten days' notice to the parties interested of the time and place of hearing, shall hear the applicant and the redevelopment agency, shall view the property and take such testimony as the judge trial referee deems material and shall thereupon revise such statement of compensation in such manner as the judge trial referee deems proper and promptly report to the court. Such report shall contain a detailed statement of findings by the judge trial referee sufficient to enable the court to determine the considerations upon which the judge trial referee's conclusions are based. The report of the judge trial referee shall take into account any evidence relevant to the fair market value of the property, including evidence of environmental condition and required environmental remediation. The judge trial referee shall make a separate finding for remediation costs and the property owner shall be entitled to a set-off of such costs in any pending or subsequent action to recover remediation costs for the property. The court shall review the report, and may reject the report for any irregular or improper conduct in the performance of the duties of the judge trial referee. If the court rejects the report, the court may appoint another judge trial referee to make such review and report. [or may refer the application to the Ombudsman for Property Rights upon motion as provided in subsection (a) of this section.] If the court accepts the report, the statement of compensation in the report shall be conclusive upon such owner and the redevelopment agency.

[(2)] If the court refers the application to the Ombudsman for

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Property Rights pursuant to subsection (a) of this section, the ombudsman, after giving at least ten days' notice to the parties interested of the time and place of hearing, shall hear the applicant and the redevelopment agency, shall view the property and take such testimony as the ombudsman deems material and shall thereupon revise such statement of compensation in such manner as the ombudsman deems proper and promptly report to the court. Such report shall contain a detailed statement of findings by the ombudsman sufficient to enable the court to determine the considerations upon which the ombudsman's conclusions are based. The report of the ombudsman shall take into account any evidence relevant to the fair market value of the property, including evidence of environmental condition and required environmental remediation. The ombudsman shall make a separate finding for remediation costs and the property owner shall be entitled to a set-off of such costs in any pending or subsequent action to recover remediation costs for the property. The report submitted by the ombudsman shall constitute a part of the proceeding, and the statement of compensation in the report shall be conclusive upon such owner and the redevelopment agency.]

(c) If the court does not appoint a judge trial referee, [or refer the application to the Ombudsman for Property Rights,] the court, after giving at least ten days' notice to the parties interested of the time and place of hearing, shall hear the applicant and the redevelopment agency and take such testimony as the court deems material, may view the subject property, and shall make a finding regarding the statement of compensation. The findings of the court shall take into account any evidence relevant to the fair market value of the property, including evidence of environmental condition and required environmental remediation. The court shall make a separate finding for remediation costs and the property owner shall be entitled to a set-off of such costs in any pending or subsequent action to recover remediation costs for

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the property. The findings of the court shall be conclusive upon such owner and the redevelopment agency.

(d) If no appeal to the Appellate Court is filed within the time allowed by law, or if an appeal is filed and the proceedings have terminated in a final judgment finding the amount due the property owner, the clerk shall send a certified copy of the statement of compensation and of the judgment to the redevelopment agency, which shall, upon receipt thereof, pay such property owner the amount due as compensation. The pendency of any such application for review shall not prevent or delay any action that is proposed with regard to such property by the project area redevelopment plan.

Sec. 164. Section 12-557d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) There shall be a Gaming Policy Board within the [Department of Revenue Services for administrative purposes only] Division of Special Revenue. Said board shall consist of five members appointed by the Governor with the advice and consent of both houses of the General Assembly. Not more than three members of said board in office at any one time shall be members of the same political party. On or before July 1, 1979, the Governor shall nominate three members who shall serve until July 1, 1981, and two members who shall serve until July 1, 1983. The General Assembly shall confirm or reject such nominations in the manner prescribed by section 4-7 before adjournment sine die of the 1979 regular session, except that if the nominations cannot be acted on by both houses of the General Assembly during said regular session, the General Assembly shall confirm or reject the nominations at a special session which shall be called, notwithstanding sections 2-6 and 2-7, immediately following adjournment sine die of the 1979 session reconvened in accordance with article third of the amendments to the Constitution of Connecticut, except that if no session is held pursuant to said article, the General Assembly shall meet in special

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session, notwithstanding sections 2-6 and 2-7, not later than August 1, 1979, to confirm or reject such nominations. Any special session called pursuant to this section shall be held for the sole purpose of confirming or rejecting the initial nominations made by the Governor to the board. Thereafter members shall serve for a term of four years and the procedure prescribed by section 4-7 shall apply to such appointments, except that the Governor shall submit such nominations on or before May first, and both houses shall confirm or reject the nominations before adjournment sine die. Members shall receive fifty dollars per day for each day they are engaged in the business of the board and shall be reimbursed for necessary expenses incurred in the performance of their duties. The executive director shall serve on the board ex-officio without voting rights.

(b) To insure the highest standard of legalized gambling regulation at least four of the board members shall have training or experience in at least one of the following fields: Corporate finance, economics, law, accounting, law enforcement, computer science or the pari-mutuel industry. At least two of these fields shall be represented on the board at any one time.

(c) No board member shall accept any form of employment by a business organization regulated under this chapter for a period of two years following the termination of his service as a board member.

(d) No board member shall engage in any oral ex parte communications with any representative, agent, officer or employee of any business organization regulated under this chapter concerning any matter pending or impending before the board.

(e) The members of the board shall not participate actively in political management and campaigns. Such activity includes holding office in a political party, political organization or political club, campaigning for a candidate in a partisan election by making speeches,

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writing on behalf of a candidate, soliciting votes in support of or in opposition to a candidate and making contributions of time and money to political parties.

(f) The Division of Special Revenue shall provide staff support for the board.

Sec. 165. Subsection (c) of section 32-601 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2010*):

(c) (1) The board of directors shall annually elect one of its members as vice-chairperson and shall elect other of its members as officers, adopt a budget and bylaws, designate an executive committee, report semiannually to the appointing authorities with respect to operations, finances and achievement of its economic development objectives, be accountable to and cooperate with the state whenever, pursuant to the provisions of sections 32-600 to 32-611, inclusive, the state may audit the authority or any project of the authority, as defined in section 32-600, or at any other time as the state may inquire as to either, including allowing the state reasonable access to any such project and to the records of the authority and exercise the powers set forth in section 32-602.

(2) [The board of directors shall appoint an executive director, who shall not be a member of the board and who shall be exempt from classified service] The authority shall have an executive director, who shall be a member of the staff of the Office of Policy and Management and shall act as project comptroller pursuant to subparagraph (A) of subdivision (1) of section 32-655a. The executive director shall be the chief administrative officer of the authority. The executive director shall not be a member of the board of directors.

(3) Members of the board of directors shall receive no compensation

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for the performance of their duties hereunder but shall be reimbursed for all expenses reasonably incurred in the performance thereof.

Sec. 166. Section 32-602 of the general statutes is amended by adding subsection (e) as follows (*Effective July 1, 2010*):

(NEW) (e) The authority and the Secretary of the Office of Policy and Management may enter into a memorandum of understanding pursuant to which: (1) All administrative support and services, including all staff support, necessary for the operations of the authority are provided by the Office of Policy and Management on and after July 1, 2010, and provision is made for continuity of credited service in the state employee retirement system for any employees of the authority hired by the Office of Policy and Management, (2) the Office of Policy and Management is authorized to administer contracts and accounts of the authority, and (3) provision is made for the coordination of management and operational activities at the convention center facilities and the stadium facility, that may include: (A) Provision for joint procurement and contracting, (B) the sharing of services and resources, (C) the coordination of promotional and booking activities, and (D) other arrangements designed to enhance facility utilization and revenues, reduce operating costs or achieve operating efficiencies. The terms and conditions of such memorandum of understanding, including provisions with respect to the reimbursement by the authority to the Office of Policy and Management of the costs of such administrative support and services, shall be as the authority and the Secretary of the Office of Policy and Management determine to be appropriate.

Sec. 167. Section 32-666 of the general statutes is amended by adding subsection (c) as follows (*Effective July 1, 2010*):

(NEW) (c) For purposes of state insurance or self-insurance, the convention center facilities shall be deemed to be state-owned property

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and the state insurance and risk management board shall be authorized to determine, purchase or otherwise arrange for such insurance or self-insurance with respect to the convention center facilities, as otherwise provided in section 4a-20 with respect to other state-owned property.

Sec. 168. Section 51-275a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) There is established a Criminal Justice Commission which shall be composed of the Chief State's Attorney and six members nominated by the Governor and appointed by the General Assembly in accordance with section 4-2, two of whom shall be judges of the Superior Court.

(b) The chairman shall be appointed by the Governor.

(c) Members shall serve without compensation but shall be reimbursed for actual expenses incurred while engaged in the duties of the commission.

(d) The commission may adopt such rules as it deems necessary for the conduct of its internal affairs.

(e) The commission may adopt regulations in accordance with chapter 54 to carry out its responsibilities under this chapter.

(f) The commission shall be [an autonomous body within the executive department for fiscal and budgetary purposes only] within the Division of Criminal Justice. Said division shall provide staff support for the commission.

Sec. 169. Subsection (d) of section 1-84 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

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(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, the Insurance Department, the office within the Department of Consumer Protection that carries out the duties and responsibilities of sections 30-2 to 30-68m, inclusive, the Department of Motor Vehicles, the State Insurance and Risk Management Board, the Department of Environmental Protection, the Department of Public Utility Control, the Connecticut Siting Council, the Division of Special Revenue within the Department of Revenue Services, the Gaming Policy Board within the [Department of Revenue Services] Division of Special Revenue 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 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

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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.

Sec. 170. (*Effective from passage*) Notwithstanding the provisions of section 22a-60 of the general statutes, the permit issued by the Department of Environmental Protection to Whitewater Mountain Resorts of Connecticut, Inc. (DIV-200102314, Revised) on September 23, 2004 authorizing the diversion of water from Lake Beseck to the ski area known as Powder Ridge in Middlefield, Connecticut is hereby transferred to the town of Middlefield, and said town shall be the licensee of record and be authorized to maintain the diversion in accordance with the terms of said permit and be responsible for compliance with all terms and conditions of said permit.

Sec. 171. Section 38a-469 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

As used in this title, unless the context otherwise requires or a

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different meaning is specifically prescribed, "health insurance" policy means insurance providing benefits due to illness or injury, resulting in loss of life, loss of earnings, or expenses incurred, and includes the following types of coverage: (1) Basic hospital expense coverage; (2) basic medical-surgical expense coverage; (3) hospital confinement indemnity coverage; (4) major medical expense coverage; (5) disability income protection coverage; (6) accident only coverage; (7) long term care coverage; (8) specified accident coverage; (9) Medicare supplement coverage; (10) limited benefit health coverage; (11) hospital or medical service plan contract; (12) hospital and medical coverage provided to subscribers of a health care center; (13) specified disease coverage; (14) TriCare supplement coverage; (15) travel health coverage; and (16) single service ancillary health coverage, including, but not limited to, dental, vision or prescription drug coverage.

Sec. 172. (*Effective from passage*) The Commissioner of Environmental Protection shall execute an agreement, jointly or individually, with the towns of Canton, Avon and Burlington, under terms and conditions acceptable to the commissioner, that allows said towns to: (1) Enter upon and conduct physical examinations and studies of the upper and lower Collinsville dams and associated structures, including, but not limited to, power houses or gate houses on the Farmington River for the purpose of determining the feasibility of using such dams and associated structures for hydroelectric generations, and (2) install, operate and maintain hydroelectric generating facilities and associated appurtenances, including fish ladders at such dams, without adjusting river flows.

Sec. 173. Section 4-156 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Upon the discovery of new evidence, any claimant aggrieved by an order of the Claims Commissioner rejecting or recommending the rejection of his claim, in whole or in part, may apply for rehearing. The

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claimant shall file with the Claims Commissioner an application for such rehearing in duplicate, stating concisely [therein] in the application the matters which he desires to submit to the Claims Commissioner. The [clerk of the] Office of the Claims Commissioner shall promptly deliver a copy of [such] the application to the Attorney General. The Attorney General shall review the application in the manner specified in subsection (a) of section 4-149, as amended by this act. If such review discloses to the satisfaction of the Attorney General that protection of the state's interest does not reasonably require representation before the Claims Commissioner by the Attorney General, the Attorney General shall refer [such] the application to the state agency or department involved in the claim for representation of the state before the Claims Commissioner within ninety days of receipt of the application by the Attorney General. Each such rehearing shall be subject to the provisions of this chapter and the rules made thereunder respecting the hearing and disposition of claims and reports to the General Assembly.

Sec. 174. Subsection (d) of section 4-158 of the general statutes, as amended by section 1 of public act 09-44, is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(d) If the Claims Commissioner orders immediate payment of a just claim in an amount not exceeding seven thousand five hundred dollars pursuant to subdivision (2) of subsection (a) of this section and a request for review is not timely filed pursuant to subsection (b) of this section, the [clerk of the] Office of the Claims Commissioner shall deliver to the Comptroller a certified copy of the Claims Commissioner's order and the Comptroller shall make payment from such appropriation as the General Assembly may have made for the payment of claims or, in the case of contractual claims for goods or services furnished or for property leased, from the appropriation of the agency which received such goods or services or occupied such

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property.

Sec. 175. Subsection (d) of section 4-159 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(d) If the General Assembly orders the payment of a claim, the [clerk of the] Office of the Claims Commissioner shall deliver to the Comptroller a notice of the order and the Comptroller shall make payment in the manner prescribed for payment of an order of the Claims Commissioner pursuant to section 4-158, as amended by this act.

Sec. 176. Section 61 of public act 09-3 of the September special session is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Sections 19a-256, 19a-610, 19a-612a, 19a-612b, [19a-617c,] 19a-695 and 19a-696 of the general statutes are repealed.

Sec. 177. Subdivision (4) of subsection (a) of section 19a-36 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(4) The provisions of such regulations (A) with respect to the requirement of employing a qualified food operator and any reporting requirements relative to such operator, shall not apply to an owner or operator of a soup kitchen who relies exclusively on services provided by volunteers, and (B) shall not prohibit the sale or distribution of food at a noncommercial function such as an educational, religious, political or charitable organization's bake sale or potluck supper provided the seller or person distributing such food maintains such food under the temperature, pH level and water activity level conditions that will inhibit the rapid and progressive growth of infectious or toxigenic microorganisms. For the purposes of this section, a "noncommercial

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function" means a function where food is sold or distributed by a person not regularly engaged in the for profit business of selling such food.

Sec. 178. (*Effective from passage*) The funds appropriated to the Judicial Department in sections 1 and 3 of this act, for Forensic Sex Evidence Exams, shall be administered by the Office of Victim Services for the fiscal years ending June 30, 2010, and June 30, 2011.

Sec. 179. Section 88 of public act 09-3 of the June special session is repealed and the following is substituted in lieu thereof (*Effective from passage*):

The State Treasurer and the Secretary of the Office of Policy and Management shall jointly develop a financing plan that will result in net proceeds of up to one billion [three hundred million] two hundred ninety million seven hundred thousand dollars to be used as general revenues for the state during the fiscal year commencing July 1, 2010. Such plan may include, but need not be limited to, consideration of securitization of proceeds from the sale of lottery tickets, as provided in chapter 229a of the general statutes, the issuance of notes, bonds or other instruments of debt in the public markets, through private placement of such debt instruments, or the purchase of such notes, bonds or other instruments of debt by the Connecticut Retirement Plans and Trust Funds. Such plan shall be completed on or before February 3, 2010, and provided to the chairpersons of the joint standing committees of the General Assembly having cognizance of matters relating to appropriations and finance, revenue and bonding.

Sec. 180. (*Effective from passage*) The Commissioner of Children and Families and the Commissioner of Correction shall enter into a memorandum of understanding for the purpose of developing a program to reunify incarcerated women with their children in the community where appropriate. On or before January 1, 2010, said

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commissioners shall submit, in accordance with section 11-4a of the general statutes, to the joint standing committees of the General Assembly having cognizance of matters relating to human services and appropriations and the budgets of state agencies a report that describes the program developed in accordance with the memorandum of understanding and estimates the number of individuals eligible for and the savings to be achieved by the program. Funds may be transferred between the Department of Children and Families and the Department of Correction without the consent of the Finance Advisory Committee to achieve savings related to the program.

Sec. 181. Section 2 of public act 09-5 of the September special session is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) No person shall:

(1) Knowingly present, or cause to be presented, to an officer or employee of the state a false or fraudulent claim for payment or approval under a medical assistance [programs] program administered by the Department of Social Services;

(2) Knowingly make, use or cause to be made or used, a false record or statement to secure the payment or approval by the state of a false or fraudulent claim under a medical assistance [programs] program administered by the Department of Social Services;

(3) Conspire to defraud the state by securing the allowance or payment of a false or fraudulent claim under a medical assistance [programs] program administered by the Department of Social Services;

(4) Having possession, custody or control of property or money used, or to be used, by the state relative to a medical assistance [programs] program administered by the Department of Social

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Services, and intending to defraud the state or wilfully to conceal the property, deliver or cause to be delivered less property than the amount for which the person receives a certificate or receipt;

(5) Being authorized to make or deliver a document certifying receipt of property used, or to be used, by the state relative to [state] a medical assistance [programs] program administered by the Department of Social Services and intending to defraud the state, make or deliver such document without completely knowing that the information on the document is true;

(6) Knowingly buy, or receive as a pledge of an obligation or debt, public property from an officer or employee of the state relative to a medical assistance [programs] program administered by the Department of Social Services, who lawfully may not sell or pledge the property; or

(7) Knowingly make, use or cause to be made or used, a false record or statement to conceal, avoid or decrease an obligation to pay or transmit money or property to the state under [administered by the Department of Social Services] a medical assistance [programs] program administered by the Department of Social Services.

(b) Any person who violates the provisions of subsection (a) of this section shall be liable to the state for: (1) A civil penalty of not less than five thousand dollars or more than ten thousand dollars, (2) three times the amount of damages that the state sustains because of the act of that person, and (3) the costs of investigation and prosecution of such violation. Liability under this section shall be joint and several for any violation of this section committed by two or more persons.

(c) Notwithstanding the provisions of subsection (b) of this section concerning treble damages, if the court finds that: (1) A person committing a violation of subsection (a) of this section furnished

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officials of the state responsible for investigating false claims violations with all information known to such person about the violation not later than thirty days after the date on which the person first obtained the information; (2) such person fully cooperated with an investigation by the state of such violation; and (3) at the time such person furnished the state with the information about the violation, no criminal prosecution, civil action or administrative action had commenced under sections 3 to 7, inclusive, of [this act] public act 09-5 of the September special session, with respect to such violation, and such person did not have actual knowledge of the existence of an investigation into such violation, the court may assess not less than two times the amount of damages which the state sustains because of the act of such person. Any information furnished pursuant to this subsection shall be exempt from disclosure under section 1-210 of the general statutes, as amended by [this act] public act 09-5 of the September special session.

Sec. 182. Section 70 of public act 09-5 of the September special session is repealed and the following is substituted in lieu thereof (*Effective from passage*):

Beginning [with the fiscal year ending] October 1, 2009, and [for each fiscal year] annually thereafter, the Commissioner of Social Services shall increase income disregards used to determine eligibility by the Department of Social Services for the federal Specified Low-Income Medicare Beneficiary, the Qualified Medicare Beneficiary and the Qualifying Individual Programs, administered in accordance with the provisions of 42 USC 1396d(p), by an amount that equalizes the income levels used to determine eligibility for said programs with income levels used to determine eligibility for the ConnPACE program under subsection (a) of section 17b-492 of the general statutes, as amended by [this act] public act 09-5 of the September special session. The commissioner shall not apply an asset test for eligibility under the

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Medicare Savings Program. The Commissioner of Social Services, pursuant to section 17b-10 of the general statutes, may implement policies and procedures to administer the provisions of this section while in the process of adopting such policies and procedures in regulation form, provided the commissioner prints notice of the intent to adopt the regulations in the Connecticut Law Journal not later than twenty days after the date of implementation. Such policies and procedures shall be valid until the time final regulations are adopted.

Sec. 183. Section 16-331cc of the general statutes is amended by adding subsection (g) as follows (*Effective from passage*):

(NEW) (g) When the balance of said account reaches more than one hundred fifty thousand dollars, the department shall make a one-time transfer of one hundred fifty thousand dollars to the Office of Legislative Management for expenses related to the allowance of interconnection of the Connecticut Television Network with a certified competitive video service provider, as defined in section 16-1, for the purpose of making the Connecticut Television Network available to such provider's customers.

Sec. 184. Section 16-331h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) Not later than one hundred twenty days after the certified competitive video service provider begins offering service in a designated area pursuant to its certificate of video franchise authority, such provider shall provide capacity over its video service to allow community access programming, in its basic service package, in accordance with the following: (1) The certified competitive video service provider shall provide capacity equal to the number of community access channels currently offered by the incumbent community antenna television company in the given area; (2) the certified competitive video service provider shall provide funds for

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community access operations, as provided in subsection (k) of section 16-331a; (3) the certified competitive video service provider shall provide the transmission of community access programming with connectivity up to the first two hundred feet from the competitive video service provider's activated wireline video programming distribution facility located in the provider's designated service area and shall not provide additional requirements for the creation of any content; and (4) the community access programming shall be submitted to the certified competitive video service provider in a manner or form that is compatible with the technology or protocol utilized by said competitive video service provider to deliver video services over its particular network, and is capable of being accepted and transmitted by the provider, without requirement for additional alteration or change in the content by the provider.

(b) A certified competitive video service provider and a community antenna television company or nonprofit organization providing community access operations shall engage in good faith negotiation regarding interconnection of community access operations where such interconnection is technically feasible or necessary. Interconnection may be accomplished by direct cable, microwave link, satellite or other reasonable method of connection. At the request of a competitive video service provider, community antenna television company or provider of community access operations, the Department of Public Utility Control may facilitate the negotiation for such interconnection.

[(c) Not later than one hundred twenty days after the certified competitive video service provider begins offering service in a designated area pursuant to its certificate of video franchise authority, such provider shall provide transmission of the Connecticut Television Network to all its subscribers, including real-time transmission as technically feasible, under the same conditions as set forth in subdivisions (3) and (4) of subsection (a) of this section.]

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Sec. 185. Section 16-331s of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

[(a)] A company issued a certificate of cable franchise authority shall be subject to the community access programming and operations provisions set forth in subsections (b) to (i), inclusive, and subsections (k), (l) and (n) of section 16-331a and any regulations pursuant thereto, and subsection (c) of section 16-333 and any regulations pursuant thereto.

[(b) A company issued a cable franchise authority certificate shall provide transmission of the Connecticut Television Network to all its subscribers, including real-time transmission as technically feasible.]

Sec. 186. Subsection (a) of section 16-1 of the general statutes is amended by adding subdivision (51) as follows (*Effective from passage*):

(NEW) (51) "The Connecticut Television Network" means the General Assembly's state-wide twenty-four-hour state public affairs programming service, separate and distinct from community access channels.

Sec. 187. Subsection (b) of section 14-21e of the general statutes, as amended by section 392 of public act 09-3 of the June special session, is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(b) The Commissioner of Motor Vehicles shall establish, by regulations adopted in accordance with chapter 54, a fee to be charged for Long Island Sound commemorative number plates in addition to the regular fee or fees prescribed for the registration of a motor vehicle. The fee shall be for such number plates with letters and numbers selected by the Commissioner of Motor Vehicles. The Commissioner of Motor Vehicles may establish a higher fee for: (1) Such number plates which contain letters in place of numbers as authorized by section 14-

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49, in addition to the fee or fees prescribed for plates issued under said section; and (2) such number plates which are low number plates, in accordance with section 14-160, in addition to the fee or fees prescribed for plates issued under said section. The Commissioner of Motor Vehicles shall establish, by regulations adopted in accordance with the provisions of chapter 54, an additional voluntary lighthouse preservation donation which shall be deposited in the Connecticut Lighthouse Preservation account established under section 22a-27n. All fees established and collected pursuant to this section shall be deposited in the [General Fund] Long Island Sound account established pursuant to section 188 of this act.

Sec. 188. (NEW) (*Effective from passage*) (a) There is established an account to be known as the "Long Island Sound account". The Long Island Sound account shall be a separate, nonlapsing account of the General Fund. Any moneys required by law to be deposited in the account shall be deposited in and credited to the Long Island Sound account. The account shall be available to the Commissioner of Environmental Protection for (1) (A) restoration and rehabilitation of tidal wetlands in proximity to Long Island Sound, (B) restoration and rehabilitation of estuarine embayments in proximity to Long Island Sound, (C) acquisition of public access to Long Island Sound, (D) propagation of and habitat protection for shellfish and finfish, including anadromous fish, and (E) education and public outreach programs to enhance the public's understanding of the need to protect and conserve the natural resources of Long Island Sound; (2) allocation of grants to agencies, institutions or persons, including, but not limited to, the Long Island Sound Foundation, to conduct research and to provide public education and public awareness to enhance understanding and management of the natural resources of Long Island Sound; (3) provision of funds for services which support the protection and conservation of the natural resources of Long Island Sound; or (4) reimbursement of the Department of Motor Vehicles for

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the cost of producing, issuing, renewing and replacing Long Island Sound commemorative number plates, including administrative expenses, pursuant to section 14-21e of the general statutes, as amended by this act.

(b) The commissioner may receive private donations to the Long Island Sound account and any such receipts shall be deposited in the account.

(c) The commissioner may provide for the reproduction and marketing of the Long Island Sound commemorative number plate image for use on clothing, recreational equipment, posters, mementoes, or other products or programs deemed by the commissioner to be suitable as a means of supporting the Long Island Sound account. Any funds received by the commissioner from such marketing shall be deposited in the Long Island Sound account.

Sec. 189. (*Effective from passage*) Any funds transferred from the Long Island Sound account, established under section 22a-27k of the general statutes, revision of January 1, 2009, to the General Fund prior to the effective date of this section shall be transferred to the account established under section 188 of this act.

Sec. 190. Sections 46a-2, 46a-3, 46a-6, 46a-127 and 48-50 to 48-57, inclusive, of the general statutes are repealed. (*Effective from passage*)

Approved October 5, 2009