

CSUS Legislative Initiatives 2010

Key Legislation

1. **Education Doctoral Degree Program in Nursing Education**
2. **K-12 / Higher Education Alignment**
3. **Adjusting Bonds for Capital Improvements**
4. **Reductions in State Funds**

House Bill 5024 (Public Act 10-8), An Act Concerning an Education Doctoral Degree Program in Nursing Education. This Act specifically authorizes the Connecticut State University System (CSUS) to award doctoral degrees in nursing education. It expands the CSUS's degree-granting authority, which currently includes doctoral degrees in education; masters degrees and other graduate study in education; and liberal arts and career programs at the bachelors, masters, and sixth year level.

Effective: Upon Passage

<http://www.cga.ct.gov/2010/ACT/PA/2010PA-00008-R00HB-05024-PA.htm>

Senate Bill 438 (Public Act 10-111), An Act Concerning Education Reform in Connecticut. This Act makes numerous changes to state education laws including setting higher standards to receive a high school diploma, including increasing the minimum credits necessary to graduate from 20 to 25, starting with the graduating class of 2018. It also allows teachers and administrators who had tenure in another school district in Connecticut or out-of-state and who take a job in a priority school district to attain tenure in the new district in half the usual time, i.e., after working 10 months rather than 20 months in the priority school district. It allows retired teachers to teach any subject, not just a shortage subject, in a priority school district for up to two consecutive years at full salary without loss of pension benefits.

Effective: July 1, 2010, except for the teachers' retirement and charter school construction grant provisions, which are effective upon passage.

<http://www.cga.ct.gov/2010/ACT/PA/2010PA-00111-R00SB-00438-PA.htm>

Senate Bill 25 (Public Act 10-44), An Act Authorizing and Adjusting Bonds of the State for Capital Improvements and Other Purposes. Section 28 of this Act shifts \$5 million in general obligation bond authorizations between two projects enumerated in Phase I of the Connecticut State University System (CSUS) 2020 plan, a system-wide capital improvement program. It does so by increasing the authorization for telecommunications infrastructure upgrades by \$5 million and reducing the authorization for land and property acquisition by the same amount. This shift allows CSUS to undertake additional information technology projects, such as a Voice over Internet Protocol communications system.

By law, certain revisions to the CSUS 2020 plan require (1) the formal approval of the CSUS Board of Trustees and (2) subsequent enactment of a public or special act. These revisions are (1) the addition or deletion of a project or (2) an increase or decrease in the original project cost by an amount equal to 10% or more for projects estimated to cost less than \$1 million or 5% or more for projects estimated to cost more than \$1 million, as long as the change in cost is not due to a change in the cost of material (CGS § 10a-91d(c)).

Effective: July 1, 2010

<http://www.cga.ct.gov/2010/ACT/PA/2010PA-00044-R00SB-00025-PA.htm>

House Bill 5545 (Public Act 10-3), An Act Concerning Deficit Mitigation for the Fiscal Year Ending June 30, 2010. The Act makes modifications and revenue adjustments to the FY 2010 budget. The various changes will result in a \$323.2 million net reduction in the anticipated FY 2010 General Fund deficit. The Act transfers \$1 million in CSUS reserves in FY 2010 and \$2 million in CSUS reserves in FY 2011. In addition, it requires the CSUS absorb approximately \$50,000 in costs related to the Bridges Program.

Effective: Various Dates

<http://www.cga.ct.gov/2010/ACT/PA/2010PA-00003-R00HB-05545-PA.htm>

Senate Bill 494 (Public Act 10-179), An Act Making Adjustments to State Expenditures for the Fiscal Year Ending June 30, 2011. Section 43 of the Act increases the required transfer from the Connecticut State University System's (CSUS) operating reserve account to the General Fund for by \$8 million (for a total of \$10 million) in FY 2011.

Effective: July 1, 2010

<http://www.cga.ct.gov/2010/ACT/PA/2010PA-00179-R00SB-00494-PA.htm>

Board Nomination

Nomination of Member of the Board of Trustees

House Resolution 3, Resolution Confirming the Nomination of Michael A. Caron of Danielson to be a Member of the Board of Trustees for the Connecticut State University System.

<http://www.cga.ct.gov/2010/TOB/H/2010HR-00003-R00-HB.htm>

Additional Legislation

ALIGNMENT WITH K-12

Senate Bill 379 (Public Act 10-76), An Act Concerning Vocational-Technical Schools. Section 3 of the Act requires the Education, Higher Education and Employment Advancement, and Labor committees to meet annually, by November 30, with the V-T system superintendent, the Office of Workforce Competitiveness (OWC) director, the labor commissioner, and other appropriate people to consider information each official must submit to the committees by November 15 annually.

The submissions must include information on: 1. general economic trends in the state; 2. occupational movements in the public and private sectors; 3. emerging state, regional, and national workforce needs for the next 30 years; 4. workforce skills that will be needed over the next 30 years and how to ensure that the V-T school curriculum is incorporating those skills; 5. the employment status of V-T school graduates; 6. the adequacy of resources available to the V-T system; and 7. recommendations to SBE for V-T school curriculum changes.

Effective: July 1, 2010 except the provision regarding annual inspection of buses is effective upon passage.

<http://www.cga.ct.gov/2010/ACT/PA/2010PA-00076-R00SB-00379-PA.htm>

ATHLETICS

Senate Bill 456 (Public Act 10-62), An Act Concerning Student Athletes and Concussions. This Act requires anyone who has a coaching permit issued by the State Board of Education (SBE) allowing him or

her to coach intramural or interscholastic athletics to be periodically trained in how to recognize and respond to head injuries and concussions. It also requires such a coach to take a student athlete out of any interscholastic or intramural game or practice if the athlete (1) shows signs of having suffered a concussion after an observed or suspected blow to the head or body or (2) is diagnosed with concussion. The coach must keep the athlete out of any game or practice until the athlete has received clearance from a licensed medical professional to return to participation.

SBE must develop or approve initial and refresher concussion training courses and annual review materials in consultation with (1) the governing authority for intramural and interscholastic athletics, which is the Connecticut Interscholastic Athletic Conference (CIAC), and (2) organizations representing licensed athletic trainers and county medical associations. SBE must develop or approve the initial course by July 1, 2010, the review materials annually starting by July 1, 2011, and the refresher course by January 1, 2014. The Act allows SBE to revoke the coaching permit of any coach who violates its requirements.

Effective: Upon passage for the training requirements; July 1, 2010 for the requirement to remove students from games or practices until they receive medical clearance.

<http://www.cga.ct.gov/2010/ACT/PA/2010PA-00062-R00SB-00456-PA.htm>

BONDING

Senate Bill 25 (Public Act 10-44), An Act Authorizing and Adjusting Bonds of the State for Capital Improvements and Other Purposes. The Act cancels all or part of bond authorizations for the state agency capital projects shown in Table 3. Authorizations are listed by agency.

Table 3: State Agency Project Authorizations Cancelled

| § | For | Current Authorization | Amount Cancelled |
|-------------------------------------|--|------------------------------|-------------------------|
| CONNECTICUT STATE UNIVERSITY | | | |
| 228 | Feasibility study for establishment of an education center in the city of Bridgeport | 250,000 | 250,000 |

Effective: July 1, 2010

<http://www.cga.ct.gov/2010/ACT/PA/2010PA-00044-R00SB-00025-PA.htm>

Senate Bill 443 (Special Act 10-1), An Act Concerning the Cancellation of Unissued Bond Fund Authorizations. The Act allows the state treasurer to close out inactive bond funds and updates bond authorizations originally adopted between 1967 and 1986 to reflect actual project allocations. The changes reduce net authorizations by \$9.22 million. Of these, the following were for the CSUS:

| § | Original Authorization | Agency/Grantee | For | Increase/ (Cancellation) |
|----------|-------------------------------|------------------------------------|---|---------------------------------|
| 5 | 1969 | Southern Connecticut State College | Athletic facilities development, including land acquisition | (226,200) |

| | | | | |
|----|------|--|---|-----------|
| 20 | 1973 | State Colleges Board of Trustees | Western Connecticut State College - Administration building renovations at the in-town campus | 22,185 |
| 33 | 1980 | State Colleges Board of Trustees | Buildings and grounds - alterations and improvements | (122,980) |
| 35 | 1980 | State Colleges Board of Trustees | Eastern Connecticut State University - dormitory facilities | (0. 80) |
| 48 | 1985 | Connecticut State University Board of Trustees | Southern Connecticut State University - dorms and related parking, improvements and renovations | (107,965) |
| 50 | 1986 | Connecticut State University Board of Trustees | Western Connecticut State University, midtown campus - planning for building renovations and improvements | (16,000) |

Effective: Upon Passage

<http://www.cga.ct.gov/2010/ACT/SA/2010SA-00001-R00SB-00443-SA.htm>

BUDGET

House Bill 5163 (Public Act 10-155), An Act Requiring the Establishment of a Searchable Database for State Expenditures. The Act requires the Office of Fiscal Analysis (OFA) to establish and maintain a searchable database for certain expenditures by July 1, 2011. It also requires OFA to report quarterly to the Appropriations Committee on the database, including any recommendations for improvements or operations of the database, by November 1, 2010. Lastly, the Act requires the Auditors of Public Accounts to review procedures and security used to develop the databases and report.

Effective: Upon Passage

<http://www.cga.ct.gov/2010/ACT/PA/2010PA-00155-R00HB-05163-PA.htm>

CONSTITUENT UNITS

House Bill 5027 (Public Act 10-104), An Act Establishing the University of Connecticut Health Network and Connecticut Bioscience Initiative. This Act, with certain conditions, provides funding for (1) the construction of a new bed tower and renovations of academic, clinical, and research space at UConn's John Dempsey Hospital (JDH) and (2) the development of regional health network initiatives. It also establishes provisions for transferring, from JDH to Connecticut Children's Medical Center (CCMC), licensure and control of 40 neonatal intensive care unit (NICU) beds.

The total cost of the project is \$362 million. The Act authorizes the issuance of \$237 million in new state bonds to fund the project, of which \$207 million will be issued under the UConn 2000 infrastructure improvement program. It also reallocates \$25 million in existing UConn 2000 funds to pay for planning and design costs of the new JDH bed tower and requires a contribution of \$100 million in federal, private, or

other nonstate money. The Act prohibits the \$237 million in new bonds from being issued and construction of the bed tower from commencing until the \$100 million is received. It establishes June 30, 2015 as the deadline for receiving the \$100 million.

The Act also confers the benefits of an enterprise zone to certain businesses in Hartford, Farmington, New Britain, and Bristol, and it requires UConn to report biennially on the progress of the health network initiative and the JDH construction and renovation.

Effective: Upon passage, except for the section on enterprise zones, which is effective July 1, 2010.

<http://www.cga.ct.gov/2010/ACT/PA/2010PA-00104-R00HB-05027-PA.htm>

House Bill 5126 (Public Act 10-164), An Act Establishing a Chemical Innovations Institute at the University of Connecticut. The Act creates a Chemical Innovations Institute within the University of Connecticut Health Center (UCHC) and specifies the composition of its board of directors. The institute must (1) foster green job growth and safer workplaces through clean technology and green chemistry and (2) assist businesses, state agencies, and nonprofit organizations seeking to use alternatives to harmful chemicals. The institute and UCHC must also seek administrative funding from federal entities. Both may seek funding from nongovernmental foundations, including health access foundations, private citizens, corporations, and governmental entities. The Act does not require UCHC to develop, implement, and promote the institute if there is, in aggregate, insufficient federal, state, and private funding to pay for the initial and continuing expenses of the institute.

Effective: Upon passage

<http://www.cga.ct.gov/2010/ACT/PA/2010PA-00164-R00HB-05126-PA.htm>

CURRICULUM

House Bill 5286 (Public Act 10-38), An Act Concerning Licensure of Master and Clinical Social Workers. This Act creates a new license category for certain social workers. The new category, called “master social worker,” is administered by the Department of Public Health (DPH). The Act establishes licensure requirements and sets fees for initial licenses and renewals; defines the practice of a master social worker; allows for licensure by endorsement or licensure without examination in certain cases; provides for one-time temporary permits to practice; allows independent practice for a limited time, specifies activities certain master social workers can do; and establishes continuing education requirements. DPH currently licenses clinical social workers and continues to do so under the Act, with some changes concerning work experience requirements. The Act specifies that (1) DPH must issue licenses to master social workers only if appropriations are available and (2) no new regulatory board is established for master social workers if the licensure program is in fact implemented.

Effective: October 1, 2010

<http://www.cga.ct.gov/2010/ACT/PA/2010PA-00038-R00HB-05286-PA.htm>

ETHICS

Senate Bill 330 (Public Act 10-101), An Act Concerning Student Employees, the State Ethics Code and Workforce Competitiveness. The Act exempts student employees at public colleges and universities from the state code of ethics definition of a state employee. The exemption applies to students whose employment is derived from their status as a student at that institution and does not extend to regular employees at a college or university who take classes on a part-time basis. Under current law, student employees are subject to the code of ethics.

Effective: July 1, 2010

<http://www.cga.ct.gov/2010/ACT/PA/2010PA-00101-R00SB-00330-PA.htm>

FACILITIES

Senate Bill 199 (Public Act 10-138), An Act Concerning the State Plan of Conservation and Development and Dissolving the Wolcottville School Society. The law requires the state, regions, and municipalities to prepare periodic plans for balancing the need to conserve and develop land. This Act postpones, from March 1, 2011 to March 1, 2012, the deadline for revising the five-year State Plan of Conservation and Development (State Plan of C&D), which the Office of Policy and Management (OPM) prepares. In doing so, it resets the schedule for revising the plan. The Act also requires OPM to develop a new process for adopting, revising, and implementing the plan by incorporating “cross-acceptance,” comparing and reconciling local, regional, and state plans. The Act requires state agencies to review grant applications for proposed development, rehabilitation, or other construction projects for their compliance with some or all of the smart growth principles set out in PA 09-230.

Effective: Upon passage, except the section on the delay for municipal plans is effective July 1, 2010 and the provision on compliance with smart growth principles is effective October 1, 2010.

<http://www.cga.ct.gov/2010/ACT/PA/2010PA-00138-R00SB-00199-PA.htm>

HUMAN RESOURCES

House Bill 5204 (Public Act 10-12), An Act Implementing the Recommendations of the Joint Enforcement Commission on Employee Misclassification. By law, any employer who misrepresents either the number of its employees or casts them as independent contractors to defraud or deceive an insurance company in order to pay lower workers' compensation insurance is (1) guilty of a class D felony and (2) subject to a stop work order. Under the Act, the same penalty applies if the employer defrauds or deceives the state in the same way.

The Act also increases the penalty for this violation by specifying that each day of the violation constitutes a separate offense. Violators are liable to the Labor Department for a \$300 civil penalty.

The Act specifies that any employer who is fully insured for workers' compensation and fails to pay the required state assessments for (1) the administration of the Workers' Compensation Commission and (2) the administration and payment fund of the Second Injury Fund is guilty of a class D felony and subject to a stop work order. By law, a self-insured employer who fails to make the same assessments is already subject to these penalties.

*House Amendment “A” specifies that each day of defrauding or deceiving the state regarding misrepresentation for workers' compensation purposes constitutes a separate offense but the separate offense provision does not apply to other offenses, in state wage, employment regulation, personnel files, or other workers compensation law.

Effective: October 1, 2010

<http://www.cga.ct.gov/2010/ACT/PA/2010PA-00012-R00HB-05204-PA.htm>

House Bill 5207 (Public Act 10-142), An Act Concerning Criminal Background Checks for Prospective State Employees. This Act prohibits certain covered state employers from asking about a prospective employee's past convictions until the person is deemed otherwise qualified for the position. The prohibition does not apply if a statute specifically disqualifies someone from a position due to a prior conviction. The applicable employers are the state; the executive and judicial branches including any of their boards, departments, commissions, institutions, agencies, or units; boards of trustees of state-owned or – supported colleges, universities, or their branches; public and quasi-public state corporations; authorities established by law; and anyone designated by the employer to act in its interest with employees. The Act does not cover the state Board of Labor Relations; Board of Mediation and Arbitration, or, apparently, the legislative branch. This means these employers may ask about the prior convictions of a prospective employee. However, the law, unchanged by the Act, prohibits these and other state agencies from disqualifying a person from employment solely because of a prior conviction.

*House Amendment “A” changes the original file's provisions by (1) applying to any inquiry about past convictions and not just inquiring through a consumer report, (2) prohibiting an inquiry until the person is

deemed qualified rather than until the person is deemed qualified and made a conditional offer of employment, and (3) eliminating provisions on when an agency must consider certain factors before denying state employment or a credential based on a prior conviction.

Effective: October 1, 2010

<http://www.cga.ct.gov/2010/ACT/PA/2010PA-00142-R00HB-05207-PA.htm>

House Bill 5219 (Public Act 10-13), An Act Extending State Continuation of Health Insurance Coverage.

This Act extends the period for which certain people and their dependents may continue group health insurance under the state's "mini-COBRA" law from 18 to 30 months. To qualify for the continued coverage, the person must have experienced a specified qualifying event, including a layoff, reduced hours, leave of absence, or termination of employment for other than death or gross misconduct.

The Act's extended coverage provision applies to people who are already continuing coverage due to those qualifying events and people who elect to do so on and after the bill's passage. By law, unchanged by the Act, spouses and dependents who are continuing coverage for any other reason (e.g., death of employee or divorce) are permitted to continue coverage for the period set forth under federal COBRA (i.e., 36 months). The Act requires each insurer and health care center (i.e., HMO) that has issued a group health insurance policy subject to the continuation requirements, in conjunction with their group policyholders, to provide notice of the extended coverage period to affected people within 60 days of the bill's passage. Group policyholders include those with fewer than 20 employees.

The Act also makes technical and conforming changes.

Effective: Upon Passage

<http://www.cga.ct.gov/2010/ACT/PA/2010PA-00013-R00HB-05219-PA.htm>

Senate Bill 50 (Public Act 10-63), An Act Concerning Oral Chemotherapy Treatments. This Act requires certain health insurance policies that cover intravenously and orally administered anticancer medications prescribed by a licensed practitioner with prescribing authority to cover the orally administered medication on at least as favorable a basis as the intravenously administered medication. It prohibits insurers, HMOs, medical and hospital service corporations, and fraternal benefit societies from reclassifying anticancer medications or increasing the patient's out-of-pocket costs for the medications as a way to comply. The Act also broadens the applicability of several health insurance benefits required by law, including treatment of tumors and leukemia, reconstructive surgery, nondental prosthesis, chemotherapy, and wigs for chemotherapy patients. It does this by requiring all policies renewed, amended, or continued in Connecticut to include the benefits. Policies delivered or issued here already must include them.

Effective: January 1, 2011

<http://www.cga.ct.gov/2010/ACT/PA/2010PA-00063-R00SB-00050-PA.htm>

Senate Bill 65 (Public Act 10-46), An Act Concerning Unemployment Compensation Extended Benefits.

This Act conforms state unemployment compensation law with federal law regarding extended benefits paid by employers that are allowed to reimburse the unemployment compensation fund rather than regularly pay unemployment taxes. Under federal and state law, the following employers are allowed to reimburse the fund for benefits paid to their former employees collecting unemployment: the state, municipalities, and Native American tribes. The Act codifies the federal requirement that these employers pay 100% of the cost of any extended benefits. (Extended benefits are benefits granted beyond the standard 26-week period and any additional benefits the federal government granted and pays for.)

Effective: Upon Passage

<http://www.cga.ct.gov/2010/ACT/PA/2010PA-00046-R00SB-00065-PA.htm>

Senate Bill 167 (Public Act 10-68), An Act Concerning Indemnification of Certain Police Officers.

Under current law, a police officer who is found not guilty or has charges dismissed in a prosecution for a crime allegedly committed in the course of duty, must be indemnified by his or her employer for economic loss, including legal fees. This applies to state, local, and State Capitol police officers. Under case law, an officer can recover attorney's fees related to the prosecution but not from a separate lawsuit to enforce the

officer's right to indemnification (*Link v. Shelton*, 186 Conn. 623 (1982)). This Act allows the officer to recover attorneys' fees and costs from enforcing the indemnification provisions.

Effective: October 1, 2010

<http://www.cga.ct.gov/2010/ACT/PA/2010PA-00068-R00SB-00167-PA.htm>

Senate Bill 494 (Public Act 10-179), An Act Making Adjustments to State Expenditures for the Fiscal Year Ending June 30, 2011. Sec. 38. (NEW) (Effective July 1, 2010) (a) The State Comptroller may transfer from the Employers Social Security Tax account the amount or any portion of the amount of actual or projected savings in said account resulting from employee participation in the flexible savings account program, established in sections 5-264b to 5-264e, inclusive, of the general statutes, to a restrictive grant fund account for payment of administrative and program costs of the flexible spending account program. The total amount transferred for administrative costs pursuant to this subsection shall not exceed two hundred fifty thousand dollars per year.

(b) The State Comptroller may transfer from the Employers Social Security Tax account an amount equal to an employee's yearly contribution to the restrictive grant fund account described in subsection (a) of this section, provided such amount is reimbursed to the Employers Social Security Tax account from said restrictive grant fund account not later than eighteen months after such transfer.

(c) On or before March 30, 2012, and annually thereafter, the State Comptroller shall report, in accordance with the provisions of section 11-4a of the general statutes, to the joint standing committee of the General Assembly having cognizance of matters relating to appropriations and the budgets of state agencies and the Secretary of the Office of Policy and Management on the status of the flexible spending account programs. Each such report shall include, but not be limited to: (1) The number of employees enrolled in such programs, (2) the administrative costs of such programs, (3) the amount of forfeitures in such programs, and (4) the effect of the transfers permitted under subsections (a) and (b) of this section on the Employers Social Security Tax account.

Effective: July 1, 2010

<http://www.cga.ct.gov/2010/ACT/PA/2010PA-00179-R00SB-00494-PA.htm>

PUBLIC SAFETY

Senate Bill 149 (Public Act 10-50), An Act Concerning the Governor's Power to Modify or Suspend Statutes, Regulations or Other Requirements During a Public Health Emergency. This Act allows the governor, when she declares a civil preparedness emergency, to modify or suspend statutes, regulations, or other requirements that conflict with the protection of the public health, not just those that conflict with the efficient and expeditious execution of civil preparedness functions. The Act also explicitly allows her to take such actions when she declares a public health emergency, but it appears that she may do so only if she has declared a civil preparedness emergency. Under current law, the governor may already, during a civil preparedness emergency, take steps that are reasonably necessary to protect the health of state residents and may modify and suspend laws for certain occurrences, which may include situations affecting public health. Consequently, the legal effect of this provision is unclear.

Effective: October 1, 2010

<http://www.cga.ct.gov/2010/ACT/PA/2010PA-00050-R00SB-00149-PA.htm>

VETERANS

House Bill 5350 (Public Act 10-105), An Act Concerning Licensure and Certification Credits for Military Training. This Act requires state agencies or boards that issue licenses or certificates requiring professional training, schooling, or apprenticeship to provide credits or exemption requirements toward licensure or certification for applicants who received applicable training, schooling, or experience while serving in the armed forces. It prohibits the agencies from requiring applicants to repeat any substantively similar training

or schooling required for licensure or certification. The Act requires that credits or exemptions granted towards licenses or certificates awarded by the state's higher education constituent units be granted in a manner consistent with (1) guidelines established by the American Council on Education, (2) the institutions' transfer credit policies, and (3) federal regulations (38 CFR §§ 21. 4253 and 21. 4254).

The Act defines the "armed forces" as the U. S. Army, Navy, Marine Corps, Coast Guard, and Air Force and reserve components, including the Connecticut National Guard and state militia.

*House Amendment "A" adds the terms under which credits or exemptions must be granted for credentials from higher education institutions.

Effective: October 1, 2010

<http://www.cga.ct.gov/2010/ACT/PA/2010PA-00105-R00HB-05350-PA.htm>

Senate Bill 215 (Public Act 10-66), An Act Concerning Veteran Tuition Waivers. This Act specifies that for purposes of the veterans' tuition waiver, which the law requires UConn, the Connecticut State University (CSU) system, and regional community-technical colleges (CTC) to give to eligible veterans, "service in time of war" does not include time spent attending a military service academy. The Act requires that, within 30 days of its passage, the institutions' boards review current and prospective students' eligibility for the waiver to ensure compliance.

*Senate Amendment "A" eliminates the original bill's specification that "service in time of war" does not include time spent in training, (2) adds the compliance review requirement, and (3) changes the effective date from July 1, 2010 to upon passage.

Effective: Upon Passage

<http://www.cga.ct.gov/2010/ACT/PA/2010PA-00066-R00SB-00215-PA.htm>

WORKFORCE DEVELOPMENT

House Bill 5028 (Public Act 10-55), An Act Concerning the Development of the Creative Economy. This Act establishes a 22-member task force (including an appointment from CSUS) to study the creative economy in the state and, for five years beginning by February 1, 2011, annually report its findings and recommendations. It also requires the Department of Economic and Community Development (DECD) to identify and analyze "creative clusters" in both its annual report and the state's economic strategic plan, which is submitted every five years. Lastly, it specifies that representatives from creative clusters are to make recommendations for certain curricular changes in the state's vocational-technical (V-T) schools and the community-technical colleges (CTC).

Effective: October 1, 2010, except the formation of the task force is effective upon passage.

<http://www.cga.ct.gov/2010/ACT/PA/2010PA-00055-R00HB-05028-PA.htm>

House Bill 5164 (Public Act 10-156), An Act Implementing the Recommendation of the Program Review and Investigations Committee Concerning the Alignment of Postsecondary Education and Employment in the Green Industry. This Act requires higher education institutions in Connecticut to publicize green technology initiatives in higher education and to collaborate in furthering these initiatives. The Act requires the Department of Higher Education (DHE), in consultation with the Department of Education, to develop annually and publish on its website (1) a list of every green jobs course and academic program in a public higher education institution or a regional vocational-technical school in the state and (2) an inventory of green jobs-related equipment in these schools.

Additionally, the Act requires the Community-Technical Colleges Board of Trustees (CTC) to have uniformly named green jobs academic programs in the CTC.

The Act also requires institutions to share equipment and to hold meetings to explore possible ways to collaborate on green initiatives, and it requires public higher education institutions to support efforts to develop career ladders in the green technology industry.

Effective: October 1, 2010

<http://www.cga.ct.gov/2010/ACT/PA/2010PA-00156-R00HB-05164-PA.htm>

House Bill 5435 (Public Act 10-75), An Act Concerning the Recommendations of the Majority Leaders' Job Growth Roundtable. This Act authorizes programs and policies for establishing or expanding businesses and creating jobs. It authorizes tax credits for investing in new and expanding businesses and pre seed capital for those developing new concepts. It also phases out existing Insurance Reinvestment Act tax credit program, which authorizes credits for investing only in insurance businesses, and replaces it a new version authorizing similar credits for insurers investing in many different types of businesses. The Act authorizes financial and technical assistance for established businesses. Specifically, it authorizes loans and lines of credit for small businesses and funds them under an existing bond authorization. It also authorizes, tax credits for those hiring new employees, including those with disabilities. And it provides technical assistance for all businesses seeking foreign markets for their goods and services. Further, the Act directs the Community-Technical Colleges to develop training programs preparing unemployed people meet job needs. It also creates a council to continuously identify and assess the state's strategic business clusters and recommend policies addressing their needs. It also provides authorizes bonds for the existing mortgage crisis job training program. The Act authorizes financial incentives and technical assistance for businesses developing alternative energy technologies and Connecticut students seeking jobs in those and other technology fields. The Act establishes a task force to boost government efficiency and eliminate waste. The Act sunsets the tax credits for (1) donating computers to public and private schools (CGS § 10-228b), (2) constructing new facilities housing financial institutions (CGS § 12-217u), and (3) paying Small Business Administration guaranty fees (CGS § 12-217cc). It repeals these credits upon passage for income years beginning on or after January 1, 2014.

***House Amendment "A"** replaces the original version of the bill, but retains many of its elements. It retains provisions authorizing pre seed funding, angel credits, the waste reduction task force, and expands MAA assistance. It also substitutes a similar version of an investment tax credit.

The amendment drops the original bill's provisions: 1. placing an angel investor on Connecticut Innovation, Inc.s' board of directors, 2. authorizing matching funds for federal Small Business Innovation Research grants, 3. requiring CII to market Connecticut as a place of innovation, placing the DECD commissioner on two energy policy advisory boards, 4. using school construction grants to make energy improvements, 5. extending the existing job creation tax credits to S corporations and partnerships, 6. shutting down completely the Insurance Reinvestment Act tax credits, and 7. repealing several existing tax credits.

***House Amendment "B"** requires existing insurance reinvestment act funds to meet investment targets before investors can claim credits and makes other minor and technical changes.

Effective: Various Dates

<http://www.cga.ct.gov/2010/ACT/PA/2010PA-00075-R00HB-05435-PA.htm>

House Bill 5498 (Public Act 10-), An Act Concerning State Contracts for Micro Businesses, Utility Deposits for Connecticut Businesses and the Creation of a Small Business Recovery Program. This bill provides several forms of assistance to smaller businesses. It requires Public Works Department (DPW) selection panels to consider whether a business has annual gross revenues under \$3 million in deciding which consultants are pre-qualified to work on projects; prohibits a utility company, other than a telephone company, from requiring nonresidential customers to pay a deposit greater than the amount the company charges for 1.5 months of service; requires the Public Utility Control Department (DPUC) to study utilities' use of service deposits from nonresidential customers; permits the Transportation Department (DOT) to set aside contracts or portions of contracts for very small businesses; opens participation in the microloan program to regional revolving loan funds, and allows the Department of Economic and Community Development (DECD) commissioner to North American Industrial Classification Code designations in place of those in the older Standard Industrial Classification Code when issuing eligibility certificates for tax credits and exemptions and grants under the Job Incentive Grant and Urban, Enterprise Zone, and Industrial Site Reinvestment programs.

Effective: July 1, 2010, except for the provisions related to utilities, the microloan program, and the North American Industrial Classification Code, which take effect on passage.

House Bill 5500 (Public Act 10-145), An Act Concerning the Office of Small Business Affairs and Establishing the Small Business Advisory Board. This Act requires the Department of Economic and Community Development (DECD) commissioner to appoint and convene a Small Business Advisory Board to advise the department about resources available to small businesses. At a minimum, the board must include seven members: the DECD commissioner and representatives of a manufacturing and business association, a chamber of commerce, an economic development entity, the Connecticut Economic Resource Center, and Connecticut Center for Advanced Technology, Inc. The board members each serve five-year terms. They must meet by December 31, 2010 and at least annually after that.

The Act also expands the duties of DECD's Small Business Affairs Office, which currently include running a small business development center and administering any business management program the commissioner establishes. The Act additionally requires the office to: 1. provide a single contact point for small businesses seeking financial and technical assistance from state and quasi-public agencies, 2. coordinate all state small business revolving loan funds, and 3. establish an informational webpage listing all small business resources with appropriate links. The office must establish the webpage with the commissioner's cooperation and within available appropriations. It must also post the resources and links in a conspicuous place on DECD's website and update the information quarterly.

Beginning February 1, 2011, the Act requires the office to summarize all available small business programs and activities and include the summary in DECD's comprehensive annual report.

Lastly, the Act makes a technical correction to the law specifying the Small Business Affairs Office's duties. Current law assumes that DECD runs the Small Business Development Center program and requires the office to administer it. In practice, the federal Small Business Administration administers the program, which funds regional centers that provide comprehensive technical assistance to new and existing small businesses. The program currently funds five centers in Connecticut, including one housed in DECD. The Act changes the statute to reflect this arrangement by specifying that the office must administer at least one regional center housed within DECD. It also requires the office to coordinate with the center's director the flow of information within the program.

Effective: Upon passage, except for the provision establishing the advisory board, which is effective July 1, 2010.

<http://www.cga.ct.gov/2010/ACT/PA/2010PA-00145-R00HB-05500-PA.htm>

Senate Bill 1 (Public Act 10-45), An Act Concerning the Preservation and Creation of Jobs in Connecticut. This Act imposes an 8.97% tax in lieu of regular state income tax on certain bonuses of \$500,000 or more paid or awarded to Connecticut taxpayers by companies that received direct funding from the federal Troubled Asset Relief Program (TARP) or certain of their affiliates; and exempts certain businesses with annual net incomes of \$50,000 or less from the \$250 business entity tax for two years.

*Senate Amendment "A" expands the TARP bonuses subject to the higher tax to cover those of at least \$500,000 rather than \$1 million and eliminates the requirement that a TARP recipient be a company that received TARP fund on or after October 3, 2008 (the date the TARP law was enacted). It makes a business entity eligible for the business entity tax exemption only if it has an employee, member, or partner who is paid to work at last 35 hours a week, not just one that works that much. Finally, it eliminates the loans and loan guarantee program for businesses with fewer than 50 employees and the \$ 20 million bond authorization to fund it.

Effective: Upon passage and applicable to tax years starting on or after January 1, 2010.

<http://www.cga.ct.gov/2010/ACT/PA/2010PA-00045-R00SB-00001-PA.htm>

MISCELLANEOUS

House Bill 5360 (Public Act 10-133), An Act Concerning Children in the Recession. This Act creates new state agency responsibilities, and reporting requirements intended to provide an emergency response to children affected by the recession. The Department of Social Services (DSS) is the agency most affected, but the other state agencies that the bill gives new responsibilities are: the departments of Children and Families

(DCF), Education (SDE), Labor (DOL), and Public Health (DPH). The added responsibilities are all to be achieved within available appropriations. Among other things, the Act requires DSS to develop a plan for comprehensive state services; specifies how DSS can spend emergency funds received through the federal American Recovery and Reimbursement Act (ARRA) and makes attending a two- or four-year degree program an acceptable work activity for Temporary Assistance For Needy Families (TANF) participants when the unemployment rate is high.

Effective: Upon passage, except the provisions on food outreach which take effect July 1, 2010

<http://www.cga.ct.gov/2010/ACT/PA/2010PA-00133-R00HB-05360-PA.htm>

House Bill 5425 (Public Act 10-175), An Act Concerning Special Education. Starting July 1, 2012, the Act requires school districts to use only behavior analysts licensed or certified in accordance with its requirements to provide applied behavior analysis for students with autism spectrum disorders who require the services (1) according to a special education individualized education program (IEP) or (2) under an educational plan established under section 504 of the federal Rehabilitation Act of 1973. The Act also establishes standards for people who may provide applied behavioral analysis services if the education commissioner finds there are not enough licensed or certified personnel available. The Act also revamps the Advisory Council for Special Education by: reducing its statutorily specified membership from 37 to 30 and updating those members' qualifications; requiring appointees to reflect the ethnic and racial diversity and types of disabilities found in the state; requiring the terms of all current council members to expire on June 30, 2010; and requiring that, for terms starting July 1, 2010, the appointees of the commissioners of education, developmental services, and children and families serve initial terms of three years and thereafter serve the same two-year terms as the other appointees.

*House Amendment "A" (1) specifies that a teacher or paraprofessional may implement the behavior analysis services under the supervision of a licensed or certified person; (2) increases the revised membership of the Special Education Advisory Council from 29 to 30 by adding an additional, nonvoting legislator member appointed by the House speaker; and (3) makes technical changes.

Effective: Upon passage for the changes in the advisory council and July 1, 2010 for the applied behavior analysis provisions.

<http://www.cga.ct.gov/2010/ACT/PA/2010PA-00175-R00HB-05425-PA.htm>

House Bill 5516 (Public Act 10-), An Act Concerning Administrative Efficiency. This bill extends, from four to seven years, the duration of the Department of Administrative Services (DAS) pilot program established to create and expand janitorial work opportunities for people with disabilities and disadvantages. The bill also specifies that if DAS awards an exclusive contract during the pilot's term under the state's preference purchasing law for people with disabilities, including those for janitorial services, the contract must remain in effect with no change in the fair market value formula. Under current law, this provision applies to any new contract.

Effective: Upon passage

Senate Bill 176 (Public Act 10-107), An Act Concerning the Film Tax Credit. This Act generally tightens the criteria companies must meet to claim the tax credits for producing films or developing film-related infrastructure in Connecticut. By law, a company producing film or digital media qualifies for credits based on the amount of time and money it spends producing a film in Connecticut. The credits apply against the corporation business or insurance premium taxes, but film companies can transfer them to other taxpayers liable for these taxes. By law, a company must spend at least \$100,000 producing film in the state. Under current law, it must also conduct at least 50% of its principal photography days here or spend at least 50% of the film's post-production costs in the state. The Act reduces the principal photography days in Connecticut to 25%.

But it additionally requires the company to produce at least 25% of the film in Connecticut studios, beginning January 1, 2011. The Act narrows the types of production that qualify for the credit. Starting January 1, 2013, a company producing interactive web site content no longer qualifies for the credit. Such a company currently qualifies for the credit if it spends at least \$ 500,000 per year developing the site and the

site meets specified criteria. The Act tightens the criteria for determining eligible production and infrastructure costs. It also makes a conforming technical change.

Effective: July 1, 2010 and applicable to income years beginning on or after January 1, 2010.

<http://www.cga.ct.gov/2010/ACT/PA/2010PA-00107-R00SB-00176-PA.htm>