Series: 2006-2007 Circular Letter: C-3

TO: Superintendents of Schools

FROM: George A. Coleman, Interim Commissioner of Education

DATE: August 17, 2006

SUBJECT: Final Summary of Education Legislation Enacted in the 2006 Regular

Session

On May 22, 2006, we provided you with a circular letter highlighting the major education legislation passed by the 2006 Regular Session of the General Assembly (2005-06 Circular Letter C-14). Now, for your use, is a more comprehensive summary of the 2006 public acts that are of general applicability and interest to school districts.

In reviewing this summary, please keep the following in mind:

- While comprehensive, this document does not describe every 2006 public or special act affecting the operation of a school district or provide every detail of the acts that are summarized. Consequently, since this is only a summary of new legislation, you should read the actual text of any act that is of interest to you. The public acts described in this letter are available on the Department of Education's website at <a href="http://www.state.ct.us/sde/legal/2006bills.htm">http://www.state.ct.us/sde/legal/2006bills.htm</a>. If you are reviewing this document electronically, you can click on the act title to see the text of the act. Questions about accessing this information and requests for copies of particular acts should be directed to Marybeth Aleskwiz at (860) 713-6520.
- As was done last year, the act summaries are not in numerical order by act number. Instead, the summaries are in two parts. The first part contains those acts that primarily concern education laws. The second part includes summaries of other acts that may be of interest. This latter section has been included to alert you to changes in those areas. Questions concerning those acts should be directed to the appropriate state agency or your board attorney.

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- Each narrative entry is followed by a section number and effective date of the public act. The section number refers to the section of the act that has been summarized. In some cases only selected sections of an act have been included.
- "P.A." means Public Act.

To assist you, also included are:

- An index to key legislation; and
- A table that lists the sections of the Connecticut General Statutes and public and special acts which have been amended or repealed by the summarized legislation (Attachment A). Please note that on that table are references to "2006 Supp."
   Where that occurs, it means that the statute was enacted or amended in 2005 and has been codified in the 2006 Supplement to the General Statutes of Connecticut.

If you have any questions about the new legislation, Department of Education staff members are ready and willing to help you. In most cases you will know from past experience whom to consult. However, if you do not know whom to contact or have general questions about this letter, please contact Attorney Katherine T. Nicoletti of the Division of Legal and Governmental Affairs at (860) 713-6520 or at <a href="mailto:katherine.nicoletti@ct.gov">katherine.nicoletti@ct.gov</a>.

GAC:kna Attachments

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### P.A. 06-8, AN ACT CONCERNING TESTING START TIMES.

Repeals the statute that prohibited the administration before 9:00 a.m. of
 examinations required by state or federal law for students in grades seven to
 twelve, inclusive. These tests may now be administered before 9:00 a.m. (Sec. 1,
 effective July 1, 2006).

### P.A. 06-18, AN ACT CONCERNING SPECIAL EDUCATION.

• Conforms **state laws** to the recently reauthorized federal Individuals with Disabilities Education Act **(IDEA)** (Secs. 1 to 8, inclusive, effective July 1, 2006).

### P.A. 06-44, AN ACT PROMOTING THE PHYSICAL HEALTH NEEDS OF STUDENTS.

- Requires the Department of Education, not later than January 1, 2007, to develop **guidelines** for addressing the **physical health needs of students** in a comprehensive manner and make the guidelines available to boards of education (Sec. 1, effective May 8, 2006).
- Permits boards of education to establish **comprehensive and coordinated plans** to address the physical health needs of students and base these plans on the department's guidelines (Sec. 1, effective May 8, 2006).

### P. A. 06-55, AN ACT CONCERNING CHARTER SCHOOLS.

• Increases the **charter school enrollment cap** for state charter schools found by the State Board of Education to have a demonstrated record of achievement. Such schools may, upon application to and approval by the State Board, enroll up to 85 students per grade to the extent that sufficient state money is appropriated (Sec. 1, effective May 8, 2006).

### P.A. 06-63, AN ACT CONCERNING HEALTHY FOOD AND BEVERAGES IN SCHOOLS.

- Specifies new requirements concerning the **sale of beverages**, from any source, to students in schools (Secs. 1 and 6, effective July 1, 2006):
  - 1. Boards of education, the technical high school system, and the governing authorities for charter schools, interdistrict magnet schools and endowed

#### P.A. 06-63 (continued)

academies shall permit the sale to students of only the beverages that meet the requirements identified in this act, except that boards and governing authorities may permit the sale to students of beverages that are not listed provided (A) the sale is in connection with an event occurring after the end of the regular school day or on the weekend, (B) the sale is at the location of the event, and (C) the beverages are not sold from a vending machine or school store; and

- 2. Portion sizes of beverages, other than water, that are offered for sale may not exceed 12 ounces.
- Establishes a new grant program for boards of education, the technical high schools and the governing authorities of the other schools described above that participate in the National School Lunch Program and serve only food items that meet Department of Education nutrition standards (Secs. 2 to 5, inclusive, effective July 1, 2006):
  - Eligible entities must certify in their annual application for school lunch funding that all food items made available for sale to students in their schools, which are sold separately from a reimbursable breakfast or lunch sold as part of the National School Lunch and School Breakfast Program, meet the department's nutrition standards, except as provided in #2, below;
  - 2. The exception to #1, above, is that entities certifying compliance with the nutrition standards may exclude from such certification the sale to students of food items that do not meet the standards provided (A) the sale is in connection with an event occurring after the end of the regular school day or on the weekend, (B) the sale is at the location of the event, and (C) the food is not sold from a vending machine or school store;
  - 3. Grant amounts under this program will be based on ten cents for each lunch served in the prior school year. These grants will be in addition to per meal grants paid prior to the new law;
  - 4. Not later than August 1, 2006, and January 1<sup>st</sup> of each year thereafter, the Department of Education must publish nutrition standards for food items offered for sale to students at schools; and
  - 5. The Commissioner of Education must establish a procedure for monitoring compliance with the certifications submitted and may adjust grant amounts based on the failure to comply with such a certification.
- Eliminates the statutory provision that required public schools to make nutritious and low-fat **beverages available** in schools **for purchase** by students when other beverages are available for purchase during the regular school day and makes other minor changes to the statutes concerning school breakfast and lunch programs (Secs. 4 to 6, inclusive, effective July 1, 2006).

(Note: The recently published **Department of Education nutrition standards** are available at: <a href="http://www.state.ct.us/sde/deps/Student/NutritionEd/CTNutritionStandards.pdf">http://www.state.ct.us/sde/deps/Student/NutritionEd/CTNutritionStandards.pdf</a>.

For further information about the standards and this act, please contact Susan Fiore in the Department of Education's Health Services Unit at (860) 807-2075 or <a href="mailto:susan.fiore@ct.gov">susan.fiore@ct.gov</a>.)

# P.A. 06-77, AN ACT DESIGNATING THE MONTH OF NOVEMBER AS LUNG CANCER AWARENESS MONTH AND CONCERNING THE ESTABLISHMENT OF A PUBLIC UMBILICAL CORD BLOOD BANK.

 Provides that the Governor shall proclaim the month of November to be Lung Cancer Awareness Month to heighten public awareness of the fact that lung cancer is the leading cause of cancer death of both men and women in the United States (Sec. 1, effective October 1, 2006).

### P.A. 06-79, AN ACT CONCERNING MUNICIPAL PENSION DEFICIT FUNDING BONDS.

- Changes the requirements for municipalities to issue and repay pension deficit funding bonds to fund all or a portion of an unfunded past benefit obligation and allows regional school districts to issue and repay these bonds under the same rules as municipalities (Sec. 2, effective July 1, 2006).
- Amends provisions concerning **retirement of municipal employees** to add in references to regional school districts (Secs. 4 and 5, effective July 1, 2006).
- Amends provisions concerning certain municipal **reserve funds** and pension, retirement, or other **post-employment municipal health and life benefit systems** (Secs. 1, 3, 6 and 7, effective July 1, 2006).

(For further information and details about this act, please contact your board attorney.)

### P.A. 06-83, AN ACT CONCERNING JOBS FOR THE TWENTY-FIRST CENTURY.

- Requires the Department of Education to establish, within available appropriations, the following three **pilot programs**:
  - 1. A high school mathematics and science challenge program that uses student performance results for mathematics and science on the state-wide 10<sup>th</sup> grade mastery examination (CAPT) to design and implement mathematics and science curricula for students in the 11<sup>th</sup> grade in public high schools (Sec. 17, effective July 1, 2006). (Note: \$350K has been appropriated for this program for 2006-07, see Sec. 1 of P.A. 06-186, below.)
  - 2. "Generation Next," a program to provide industry-based job shadowing and internship experiences for high school students and externship experiences for teachers (Sec. 18, effective July 1, 2006). (Note: \$125K has been appropriated for this program for 2006-07, see Sec. 1 of P.A. 06-186, below.)

#### P.A. 06-83 (continued)

3. "Future Scholars," a matching grant program for the development and implementation of an interdisciplinary mathematics, science and technology curriculum, including the establishment and staffing of mathematics and science laboratories, in middle and high schools that have demonstrated support and involvement by local or state-wide mathematics, science or technology intensive businesses in the state (Sec. 19, effective July 1, 2006). (Note: \$125K has been appropriated for this program for 2006-07, see Sec. 1 of P.A. 06-186, below.)

### P.A. 06-115, <u>AN ACT CONCERNING BULLYING POLICIES IN SCHOOLS AND NOTICES SENT TO PARENTS OR LEGAL GUARDIANS.</u>

- Expands the statutory provisions concerning **bullying policies** that boards of education must develop and use to address the existence of bullying in schools by:
  - Specifying that the policies must (A) require students to be notified annually of the process by which they may make anonymous reports of bullying to teachers and school administrators and (B) direct the development of case-bycase interventions, such as counseling and discipline, to address repeated incidents of bullying;
  - 2. Amending the definition of bullying to include (A) overt acts by a student or group of students directed against another student with the intent to **harass** that student and (B) overt acts of bullying that occur on a **school bus**; and
  - 3. Providing that bullying policies may include provisions addressing bullying **outside of the school setting** if it has a direct and negative impact on a student's academic performance or safety in school (Sec. 1, effective July 1, 2006).
- Requires districts to provide, to the parent or legal guardian with whom a student does not primarily reside, all **school notices** that are provided to the parent with whom the student primarily resides (Sec. 2, effective July 1, 2006).

### P.A. 06-135, AN ACT IMPLEMENTING THE PROVISIONS OF THE BUDGET CONCERNING EDUCATION.

#### School Readiness:

 Specifies that \$3,483,750 of the increased school readiness appropriation for priority school districts go only to school readiness programs in Bridgeport, Hartford, New Britain, New Haven, New London, Waterbury and Windham (Sec. 1, effective July 1, 2006). (See Sec. 1 of PA 06-186, below, for Department of Education budget.)

#### P.A. 06-135 (continued)

- 2. Eliminates some of the restrictions on, and expands, the use by the Department of Education of school readiness funds that current and former priority school district towns have not earmarked for expenditure by October 1 in any year. Formerly, the department could use up to 70% of the unearmarked funds to provide supplemental grants to other eligible towns and the remaining 30% of the funds for school readiness professional development. The act (A) eliminates the requirement that these funds be distributed on a percentage basis for particular purposes and (B) adds that the funds may also be used to conduct activities related to preschool and kindergarten student developmental evaluations or assessments (Sec. 23, effective July 1, 2006).
- 3. Prohibits the Department of Education from providing funding to any **school** readiness provider that (A) on or before January 1, 2004, first entered into a contract with a town to provide school readiness services and is **not accredited** on January 1, 2007, or (B) after January 1, 2004, first entered into a contract with a town to provide school readiness services and does not become accredited by the date three years after the date on which the provider first entered into such a contract (Sec. 24, effective July 1, 2006).
- 4. Requires boards of education and preschool programs that receive state or federal funding to participate, in a manner prescribed by the Commissioner of Education, in the statewide public school information system. Such participation shall include, but not be limited to, reporting, by October 1, 2007, and annually thereafter, on student experiences in preschool programs and the readiness of students entering kindergarten and student progress in kindergarten (Sec. 22, effective July 1, 2006).
- Provides that the Department of Higher Education, in consultation with the Department of Education, shall develop **alternate route to certification** programs for (1) school administrators and superintendents and (2) early childhood education teachers (Sec. 25, effective July 1, 2006).

### Early Reading Success Program in Priority School Districts:

- 1. Shifts the focus from providing **reading assistance** to students in grades 4 and 6 to providing such assistance to students in grades 1 to 3, inclusive, and strengthens the provisions concerning personal reading plans. Some examples of how this is being done are by:
  - a. Providing that priority school districts, within available appropriations, (1) require students in grades 1 to 3, inclusive, who are substantially deficient in reading to attend **summer school** and (2) may require such students in grades 4 to 6, inclusive, to attend summer school; and

#### P.A. 06-135 (continued)

- b. Requiring that **personal reading plans** be (1) reviewed and revised after each evaluation of reading skills or Connecticut mastery test (CMT), as appropriate, (2) discussed with the provider of the student's additional instruction, and (3) given to the parent or guardian of the student and include recommendations for reading strategies that the parent or guardian can use at home (Secs. 14 to 16, inclusive, effective June 6, 2006).
- 2. Requires that (A) plans for the expenditure of grant funds for intensive early intervention reading programs provide for on-site teacher training and coaching in the implementation of research-based reading instruction and (B) school districts that receive funds for early reading success report annually to the Department of Education on the district's progress toward reducing the achievement gap in reading, including data on student progress in reading and how such data have been used to guide professional development and the coaching process (Sec. 17, effective July 1, 2007).

### Interdistrict magnet schools and charter schools:

- 1. Allows the Commissioner of Education to make grants for **summer school** programs for **interdistrict magnet school students** within available appropriations for magnet schools, rather than as magnet school supplemental grants (Sec. 3, effective July 1, 2006).
- 2. Increases the maximum per pupil grant for **transporting children to interdistrict magnet schools** from \$1,200 to \$1,300 (Sec. 12, effective July 1, 2006).
- 3. Provides that if the amount appropriated for **charter school per student grants** exceeds \$8,000 per student, the grants to each charter school shall be increased proportionately up to a maximum per student increase of \$70. If funds remain after any such increase, they are to be used by the Department of Education for supplemental grants to interdistrict magnet schools (Sec. 26, effective July 1, 2006).

#### Foods in Schools:

- 1. Establishes an **In-Classroom School Breakfast Pilot Program** to assist up to ten severe need schools, as defined by federal law governing school nutrition programs, to establish in-classroom school breakfast programs (Sec. 20, effective July 1, 2006).
- 2. Requires the Department of Education to undertake a number of activities to **promote Connecticut agriculture and foods** to children. Some of the activities are the establishment of a week-long promotional event, Connecticut-

#### P.A. 06-135 (continued)

Grown for Connecticut Kids Week, and the providing of outreach, guidance and training to districts, parent and teacher organizations, schools and school food service directors concerning the value of, and procedure for purchasing and incorporating into their regular menus, Connecticut-grown farm products (Sec. 21, effective July 1, 2006).

### Other Education Grants and Funding

- 1. Eliminates the provision that required that the **costs** attributable to conforming to the additional **testing requirements of the No Child Left Behind Act** (NLCB) be paid exclusively from federal funds received by the state and boards of education pursuant to NCLB (Sec. 4, effective July 1, 2006).
- 2. Extends the **minimum expenditure requirement (MER)** through 2006-07 (Sec. 5, effective July 1, 2006).
- 3. Amends the **education cost sharing (ECS)** formula grant to provide that for 2006-07 no town shall receive a grant in an amount that is less than 60% of its target aid and that for each fiscal year thereafter no town shall receive a grant that is less than the grant it received in the prior fiscal year or 60% of its target aid (Sec. 19, effective July 1, 2006).
- 4. Allows new applicants to be eligible for **youth service bureau grants** if they meet certain conditions (Sec. 18, effective June 6, 2006).
- 5. Allocates an additional \$6M annually to current **priority school districts** based on the size of their overall priority school district grant (Sec. 27, effective July 1, 2006).
- Makes certain out-of-state minority students eligible for in-state tuition at public institutions of higher education if they (1) attended for three years and graduated from a Connecticut high school and (2) were sponsored, housed and supported during attendance at the school by a program, such as the "A Better Chance Program," established as a nonprofit organization that gives certain minority students an opportunity to attend school in a different environment (Sec. 6, effective July 1, 2006).

### P.A. 06-139, AN ACT CONCERNING PROTECTION OF MINORS IN THE WORKPLACE AND FOURTEEN-YEAR-OLDS EMPLOYED AS CADDIES.

 Allows minors who have reached the age of 14 to be employed as caddies or in a pro shop at any municipal or private golf course and requires a school superintendent, or an agent designated by the superintendent, upon application and in accordance with procedures established by the State Board of Education, to

#### P.A. 06-139 (continued)

furnish to any person desiring to so employ a minor a certificate showing that such minor is 14 years of age or older. Superintendents continue to be required to furnish certificates of age for the employment of minors in other settings at other ages (Secs. 8 and 9, effective June 6, 2006).

• Significantly increases and makes uniform the fines, maximum prison terms, and civil penalties for violating laws regulating the hours and type of work performed by minors (Secs. 1 to 7, inclusive, and 10, effective January 1, 2007).

### P.A. 06-154, AN ACT CONCERNING THE EARLY CHILDHOOD EDUCATION WORKFORCE.

- Requires the Commissioner of Higher Education, within available appropriations, to expand the capacity of programs for training early childhood education teachers through the development of accelerated alternate route programs to initial teacher certification with an endorsement in early childhood education (Sec. 1, effective July 1, 2006).
- Requires the Commissioner of Higher Education, in consultation with the
  Department of Education and others, to define the pre-service and minimum
  training requirements and competencies for persons involved in early
  childhood education, from birth to five years of age, including requirements for
  individual levels of early childhood credentialing and licensing (Sec. 1, effective
  July 1, 2006).

# P.A. 06-158, AN ACT CONCERNING AUTHORIZATION OF STATE GRANT COMMITMENTS FOR SCHOOL BUILDING PROJECTS AND OTHER SCHOOL CONSTRUCTION PROVISIONS.

- Authorizes the Commissioner of Education to enter into grant commitments for school construction projects, including previously authorized projects that have changed substantially in scope or cost, and enacts special provisions for individual school construction projects (Secs. 1 to 3, inclusive, and 13 to 32, inclusive, effective June 6, 2006, except that Sec. 30 is effective July 1, 2006).
- Defines a "turn-key purchase" as the purchase of a facility that a party has agreed
  to construct or renovate and deliver as fully completed in accordance with an
  agreement between that party and a purchasing school district and amends the
  provisions concerning school construction grant calculations to specifically include
  these types of purchases and establish requirements for eligibility for state
  construction grants for them (Secs. 4 and 8, effective July 1, 2006).
- Makes biennial, rather than annual, school district and Department of Education reporting on the condition of school facilities and actions to implement long-

#### P.A. 06-158 (continued)

term school building programs and indoor air quality programs (Sec. 5, effective July 1, 2006).

- Provides that up to 2% of the bond authorization for grants to upgrade or install wiring, including electrical wiring, cable or other distribution systems and infrastructure improvements to support telecommunications and other information transmission equipment for educational purposes, may be used by the Department of Education for such purposes at the technical high schools (Sec. 7, effective July 1, 2006).
- Limits the school construction grant eligibility of construction change orders. For projects authorized after July 1, 2006, with total authorized project costs greater than \$10M, if total construction change orders or other change directives otherwise eligible for grant assistance exceed 5% of the authorized total project cost, only 50% of the change orders or other change directives in excess of such 5% are eligible for grant assistance assuming they meet all other eligibility requirements (Sec. 8, effective July 1, 2006).
- Prohibits school construction projects from being resubmitted to the legislature for supplemental authorizations due to changes in project cost or scope more than two times (Sec. 9, effective July 1, 2006).
- Prohibits projects initially authorized as standard construction projects from later being reauthorized as interdistrict magnet schools and receiving a higher percentage of reimbursement than that determined at the time of the initial authorization (Sec. 9, effective July 1, 2006).
- Modifies the school construction grant provisions concerning the repayment to the state of certain state funds when a town redirects the use of a school to an otherthan-public-school use. Formerly, projects for roof replacements, for portable classrooms, to correct safety, health and other code violations or to remedy certified school indoor air quality emergencies were exempted from these repayment provisions. Under this act roof replacement and portable classroom projects are no longer exempted, but the other types of projects continue to be exempted (Sec. 9, effective July 1, 2006).
- Enacts extensive requirements pertaining to contracts with consultants to render independent architectural services for projects receiving state school construction grant assistance. Towns that fail to adhere to the provisions of this section will be assessed a 10% reduction in the amount of their construction grants. Some examples of the new requirements are that:
  - 1. The consultant must agree to perform services as an independent contractor and in a good and workmanlike manner, consistent with (A) the instructions,

#### P.A. 06-158 (continued)

guidance and directions provided by the town, (B) the terms and conditions of the services agreement, (C) the highest prevailing applicable professional or industry standards, (D) sound architectural practices, and (E) any applicable laws, rules, regulations, etc.;

- 2. The service agreements shall not limit the liability of the consultant for errors and omissions related to the performance of the services;
- 3. The consultant may not use, publish, distribute, sell or divulge any information obtained through the service agreement for the consultant's own purposes or for the benefit of the firm without prior written consent; and
- 4. All reports or other work prepared by the consultant while performing services under the agreement shall be owned solely and exclusively by the town and the Department of Education and cannot be used by the consultant for any purposes beyond the scope of the service agreement without prior written consent of the town (Sec. 10, effective July 1, 2006).
- Amends the state's design-build pilot program, which allows the State Board of Education to authorize up to two school construction projects a year to use a design-build contract to undertake a school construction project, by:
  - 1. Extending the program through June 30, 2007;
  - 2. Permitting the program to include renovation projects. Formerly it was limited to new school construction; and
  - 3. Requiring the State Board to submit a report on the efficiency and efficacy of using the design-build approach to the General Assembly on or before January 15, 2008 (Sec. 11, effective June 6, 2006).
- Requires the Department of Education to develop a series of standard school construction contracts that, upon completion, towns may use when contracting for school building projects receiving state assistance (Sec. 12, effective July 1, 2006).
- Requires the Department of Education to provide **leadership and guidance** to school construction grant recipients concerning the efficient and effective means for constructing and renovating school buildings (Sec. 12, effective July 1, 2006).

(Note: In light of this public act's many new provisions and their impact on the school construction grant process and the grant eligibility of certain costs, it is recommended that you review the legislation itself, especially sections 8 to 10, inclusive.)

### P.A. 06-167, AN ACT CONCERNING PARENTAL INVOLVEMENT REPORTING IN SCHOOL PROFILES.

Requires superintendents to include in the narrative portion of the strategic school
profile report information about parental involvement in schools and whether the
district has taken measures to improve parental involvement, including, but not
limited to, employment of methods to engage parents in the planning and
improvement of school programs and methods to increase support to parents
working at home with their children on learning activities (Sec. 1, effective July 1,
2006).

### P.A. 06-182, <u>AN ACT CONCERNING YOUTH POLICY AND THE KINSHIP NAVIGATOR</u> PROGRAM.

Requires the Office of Workforce Competitiveness to convene a youth futures committee, which includes the Commissioner of Education or a designee. Among its tasks, the committee is to develop guidelines for the delivery of services that incorporate best practices based on defined, developmentally appropriate, positive outcomes for youth relating to health, safety and education, which include, but are not limited to, improved school attendance, improved academic and technical proficiencies and improvement in the percentage of youth obtaining a high school diploma or its equivalent. The committee is to report to the General Assembly on or before January 1, 2008 (Sec. 1, effective June 7, 2006).

### P.A. 06-186, AN ACT MAKING ADJUSTMENTS TO STATE EXPENDITURES AND REVENUES FOR THE BIENNIUM ENDING JUNE 30, 2007.

- Increases general fund appropriations for the Department of Education for 2006-07 by approximately \$52M, a 2.3% increase over the previous 2006-07 budget. Included in these appropriations are increases for special education excess cost-student based (\$20M), priority school districts (\$12M, with about \$6M allocated for school readiness programs and \$6M allocated for the priority school district grant), charter schools (\$6M, with \$2.3M for two new charter schools to begin operations and the balance for an increase in enrollment growth), and magnet school transportation (\$500K).
- Adds funding for (1) new grant initiatives for school nutrition (\$3M) (see P.A. 06-63, above) and after-school programs (\$3M), (2) the establishment of a program to promote Connecticut agriculture and foods to children (\$100K) (see Sec. 21 of P.A. 06-135, above), and (3) three pilot programs to address some of the state's employment needs (see Secs. 17 to 19, inclusive, of P.A. 06-83, above). Grants for transportation, excess cost-student based, adult education, health services and regional educational service center (RESC) leases may be proportionately reduced to stay within available appropriations.

(Note: Updated **2006-2007 state budget information** is available at <a href="http://www.state.ct.us/sde/dgm/report1/BUD06-07.HTM">http://www.state.ct.us/sde/dgm/report1/BUD06-07.HTM</a>. Town-by-town education cost sharing (ECS) estimated entitlements are also available from this site.)

### P.A. 06-188, AN ACT CONCERNING SOCIAL SERVICES AND PUBLIC HEALTH BUDGET IMPLEMENTATION PROVISIONS.

- Provides that on and after July 1, 2006, Medicaid reimbursement received by boards of education from the Department of Social Services shall not be deducted from certain special education grants, including the excess cost grant. The Medicaid reimbursement is provided under the School Based Child Health (SBCH) program and is for board of education expenditures for Medicaid-covered services that must be provided to children requiring special education (Sec. 10, effective July 1, 2006).
- Specifies that, for purposes of Medicaid reimbursement, certain items of durable medical equipment recommended by a planning and placement team and specified in an individualized education program may be subject to prior authorization requirements established by the Commissioner of Social Services under the SBCH program (Sec. 26, effective July 1, 2006).
- Eliminates the requirement that **diagnostic and evaluation services** eligible for reimbursement under the SBCH program need to be specified on the individualized education program, but retains the requirement that they be recommended by the planning and placement team (Sec. 26, effective July 1, 2006).
- Increases the nonvoting ex-officio membership of the state's **Behavioral Health Partnership Oversight Council** by adding, among others, an individual appointed by the Commissioner of Education to represent the Department of Education (Sec. 28, effective July 1, 2006).

P.A. 06-190, AN ACT AUTHORIZING MEMBERS OF THE TEACHERS' RETIREMENT SYSTEM TO CONTRIBUTE TO RETIREMENT INCENTIVE PLANS FOR TEACHERS AND TO PURCHASE RETIREMENT CREDIT FOR CERTAIN SERVICE AS ASSISTANT SOCIAL WORKERS.

Makes a several changes to the Teachers' Retirement System (TRS) concerning
 (1) retirement incentive plans for teachers, (2) the purchase of additional credited
 service, (3) the commencement date of the initial payment of benefits, (4) options
 available to certain surviving spouses of TRS members and (5) health benefit plans
 and participation in Medicare Part B medical insurance (Secs. 1 to 6, inclusive,
 effective July 1, 2006).

### P.A. 06-192, <u>AN ACT CONCERNING MINOR REVISIONS TO THE EDUCATION</u> STATUTES.

#### Teachers

- 1. Allows students enrolled in teacher preparation programs in Connecticut institutions of higher education to do student teaching in foreign countries. In order to do this, (A) there must be a written cooperative agreement between the Connecticut institution of higher education and the institution of higher education in the foreign country and (B) the State Board of Education and Board of Governors for Higher Education must have approved the Connecticut teacher preparation program to enter into such an agreement (Sec. 2, effective July 1, 2006).
- 2. Allows the State Board of Education to issue durational shortage area permits to individuals who are qualified **graduates of a national corps of teachers' training program** and who teach in the public schools in Hartford, Bridgeport and New Haven in positions where no certified teacher suitable to the position is available (Sec. 3, effective July 1, 2006).
- 3. Adds to the provisions for the **rehiring of retired teachers** in subject shortage areas by requiring that the board of education must certify to the Teachers' Retirement Board that no qualified candidates are available (Sec. 13, effective July 1, 2006).

#### School Districts

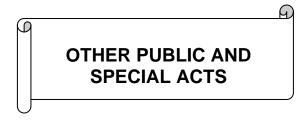
- 1. Requires (A) **Unified School District #1** within the Department of Correction to send the education records of a **student** transferring out of that district to the student's new school district and (B) the new district, not later than 30 days after receiving the student's education records, to credit the student for all instruction received in Unified School District #1 (Sec. 1, effective July 1, 2006).
- 2. Permits **regional boards of education** to establish **reserve funds** for (A) capital and nonrecurring expenditures and (B) accrued liabilities for employee sick leave and severance benefits (Secs. 4 and 5, effective June 7, 2006).
- 3. Provides that boards of education and public libraries that are designated by the Commission for Educational Technology for connection to the Connecticut Education Network be deemed to have authorized the commission, or its designee, to submit an application for universal service funds on its behalf and makes technical changes concerning the activities of the commission (Sec. 8, effective July 1, 2006).
- 4. Requires each board of education, as may be designated by the Commissioner of Education, to participate in national or international **measures of student**

#### P.A. 06-192 (continued)

**progress** as may be determined by the commissioner (Sec. 10, effective July 1, 2006).

### • Department of Education

- Requires the department, within available resources, to review and report to the General Assembly by January 1, 2007, on programs in states other than Connecticut for their effectiveness in reducing the **drop-out and suspension** rates for those students at risk of dropping out or being suspended from school (Sec. 6, effective July 1, 2006).
- 2. Requires the department to encourage the use of regional educational service centers (RESCs) as providers of goods and services for boards of education and allows the department to award special consideration to grant applications that indicate the use of services of RESCs or joint purchasing agreements among boards of education for the purpose of purchasing instructional or other supplies, testing materials, food or food services (Sec. 11, effective July 1, 2006).
- 3. Requires the department and the state's after-school committee to develop and apply appropriate evaluation procedures to measure the **effectiveness of the after-school grant program** (Sec. 12, effective July 1, 2006).



### P.A. 06-16, AN ACT CONCERNING TRUTH IN MUSIC ADVERTISING.

Prohibits, with certain exceptions, individuals from advertising or conducting a live musical performance or production through the use of a false, deceptive or misleading affiliation, connection or association between a performing group and a recording group. For purposes of this act, a "performing group" means a vocal or instrumental group seeking to use the name of another vocal or instrumental group that has previously released a commercial sound recording under that name (Sec. 1, effective July 1, 2006).

### P.A. 06-92, AN ACT CONCERNING THE DEPARTMENT OF MENTAL RETARDATION.

- Requires the Commissioner of Mental Retardation to solicit input regarding a name change for the Department of Mental Retardation and report its findings and recommendations to the Governor and General Assembly not later than January 1, 2007 (Sec. 1, effective May 30, 2006).
- Provides that the absence of a diagnosis of, or reference to, mental retardation, intellectual disability or developmental disability within an individual's school records or medical records shall not preclude the Department of Mental Retardation from making a finding of mental retardation (Sec. 2, effective October 1, 2006).

### P.A. 06-130, AN ACT CONCERNING THE DEPARTMENT OF MOTOR VEHICLES.

- Provides that individuals who are assigned drivers in a Safe Ride Program sponsored by the American Red Cross, the Boy Scouts of America or another national public service organization are exempt from the restriction that 16- and 17year-olds may not operate motor vehicles from midnight until 5:00 a.m. of the same day (Sec. 9, effective June 2, 2006).
- Authorizes the Commissioner of Motor Vehicles to furnish to any board of education
  or to any public or private organization that is actively engaged in providing public
  transportation, including the transportation of school children, a report containing
  the names and motor vehicle operator license numbers of each person who has
  been issued an operator's license with one or more endorsements authorizing such
  person to transport passengers, but whose license or any such endorsement has
  been withdrawn, suspended or revoked by the commissioner. The report is to be
  issued and updated periodically. Formerly, upon the request of a board of
  education or person to whom a town had awarded a contract for the transportation

#### P.A. 06-130 (continued)

of school children, the commissioner had to provide bimonthly the names of individuals whose passenger and school endorsement had been suspended or revoked (Secs. 10 and 11, effective October 1, 2006).

- Prohibits the Commissioner of Motor Vehicles from registering a student transportation vehicle, and prohibits anyone from operating such a vehicle, until the owner or the lessee of the vehicle has procured insurance or a bond satisfactory to the commissioner to meet certain minimum liability requirements. This provision adds student transportation vehicles to the list of other public service vehicles, including school buses, that cannot be registered or operated without insurance (Sec. 13, effective June 2, 2006).
- Makes a technical change regarding the numbers of hours of behind-the-wheel instruction a board of education course in motor vehicle operation and highway safety may include (Sec. 3, effective June 2, 2006).

(For further information about this public act, please contact Sharon Geanuracos, Bureau of Legal Services, Department of Motor Vehicles, at (860) 806-6187 or <a href="mailto:Sharon.geanuracos@dmvct.org">Sharon.geanuracos@dmvct.org</a>.)

### P.A. 06-132, AN ACT CONCERNING PUBLIC AGENCY TERMINATION, SUSPENSION OR SEPARATION AGREEMENTS.

• Provides that certain agreements entered into by a public agency with an employee or personal services contractor are subject to disclosure under the Freedom of Information Act. The agreements subject to this act are those providing for the termination, suspension or separation from employment of an employee, or the termination or suspension of the provision of personal services by a contractor, as the case may be, that contain a confidentiality provision that prohibits or restricts the public agency from disclosing the existence of the agreement or the cause or causes for the termination, suspension or separation including, but not limited to, alleged or substantiated sexual abuse, sexual harassment, sexual exploitation or sexual assault by such employee or contractor (Sec. 1, effective October 1, 2006).

# P.A. 06-134, AN ACT CONCERNING CONSTRUCTION OVERSIGHT AT THE UNIVERSITY OF CONNECTICUT AND THE PREQUALIFICATION OF SUBSTANTIAL CONTRACTORS.

 Amends provisions concerning the prequalification and evaluation of contractors who enter into certain contracts for the construction, reconstruction, alteration, remodeling, repair or demolition of public buildings. The changes include, but are not limited to, adding in provisions for substantial contractors, i.e., persons who perform work with a value in excess of \$500K for a contractor

#### P.A. 06-134 (continued)

pursuant to a contract for work for the state or a municipality which is estimated to cost more than \$500K. (Secs. 22 to 24, inclusive, effective October 1, 2007).

### P. A. 06-138, AN ACT CONCERNING THE LOWERING OF THE FLAG.

• Specifies that whenever the Governor prescribes that the state flag be flown at half-staff for a period following the death in the line of duty of a member of the armed forces, the Governor shall also prescribe that the **national flag** be flown at half-staff for the same period (Sec. 1, effective October 1, 2006).

### P.A. 06-145, AN ACT CONCERNING TAX CREDITS FOR DONATIONS OF COMPUTER EQUIPMENT TO NONPUBLIC SCHOOLS.

 Requires the Commissioner of Revenue Services to grant a business tax credit for the donation to a nonpublic school of new computers or used computers that are not more than two years old at the time of the donation. In order to qualify for the tax credit, the business firm must comply with the same requirements as are in place for donations of computers to a board of education or public school (Sec. 1, effective July 1, 2006, and applicable to income years commencing on or after January 1, 2006).

### P.A. 06-162, AN ACT CONCERNING FLOOR PROXIMITY PATH MARKING DEVICES.

 Requires the State Building Inspector and the State Fire Marshall to make amendments to the State Building Code and the State Fire Safety Code, not later than January 1, 2008, to require that a path marking system (to identify the path of emergency egress) be installed within 18 inches of the floor in various types of new construction including, but not limited to, educational occupancies (Sec. 1, effective October 1, 2006).

### P.A. 06-175, AN ACT CONCERNING CONSTRUCTION SAFETY.

• Provides that each contract entered into on or after July 1, 2007, for the construction, remodeling, refinishing, refurbishing, rehabilitation, alteration or repair of any public building project by the state or any of its agents, or by any political subdivision of the state or any of its agents, where the total cost of all work to be performed by all contractors and subcontractors in connection with the contract is at least \$100K, shall contain a provision concerning employee training in construction safety and health. The provision shall require that, not later than thirty days after the date the contract is awarded, each contractor furnish proof to the Labor Commissioner that all employees performing manual labor on or in such public building, pursuant to the contract, have completed a course of at least ten hours in duration in construction safety and health as described in the act (Sec. 1, effective October 1, 2006).

## P.A. 06-179, AN ACT CONCERNING STATE INVESTMENT IN PREVENTION AND CHILD POVERTY REDUCTION AND THE MERGER OF THE STATE PREVENTION AND CHILD POVERTY COUNCILS.

• Merges the Child Poverty Council and the State Prevention Council to create a Child Poverty and Prevention Council, which includes in its membership the Commissioner of Education, or a designee. This act imposes reporting requirements that are in addition to those of the former councils and provides that such reporting may include, but need not be limited to, reporting on increasing the number of children who (1) are ready for school at an appropriate age, (2) learn to read by third grade, (3) succeed in school, (4) graduate from high school and (5) successfully obtain and maintain employment as adults (Secs. 1 to 5, inclusive, effective October 1, 2006).

### P.A. 06-187, AN ACT CONCERNING GENERAL BUDGET AND REVENUE IMPLEMENTATION PROVISIONS.

- Requires the Labor Commissioner, in consultation with the Commissioners of Education and Economic and Community Development and within available appropriations, to establish and operate a Twenty-First Century Skills Training Program to sustain high growth occupation and economically vital industries identified by the commissioners and to assist workers in obtaining skills to start or move up their career ladders (Sec. 14, effective July 1, 2006).
- Requires the Office of Policy and Management, in consultation with other state agencies, to adopt regulations, not later than January 1, 2007, for building construction standards which are consistent with or exceed the silver building rating of the Leadership in Energy and Environmental Design's rating system for new commercial construction and major renovation projects. This act also requires new construction of state facilities, other than school construction, salt sheds, parking garages, or maintenance facilities, projected to cost \$5M or more and approved and funded on or after January 1, 2007, to comply with these regulations unless the cost of compliance significantly outweighs the benefits (Sec. 70, effective October 1, 2006). (Note: These regulations do not apply to local school construction projects.)

### P.A. 06-193, AN ACT CONCERNING CRIMINAL JUSTICE POLICY AND PLANNING AND THE ESTABLISHMENT OF A SENTENCING TASK FORCE.

Renames the Commission on Prison and Jail Overcrowding so that it is now the
 Criminal Justice Policy Advisory Commission and expands the responsibilities
 of the commission. The act also adds four new members, including the
 Commissioner of Education, or a designee. The Commissioner may only
 participate and vote on matters concerning juvenile justice (Secs. 4 and 5, effective
 July 1, 2006).

### P.A. 06-195, <u>AN ACT CONCERNING REVISIONS TO DEPARTMENT OF PUBLIC</u> HEALTH STATUTES.

- Requires the Department of Public Health, on or before October 1, 2006, to publish
  guidelines establishing mold abatement protocols that include acceptable
  methods for performing mold remediation or abatement work (Sec. 40, effective
  June 7, 2006).
- Requires the Commissioner of Public Health to establish an ad hoc committee for the purpose of assisting the commissioner and the General Assembly in examining and evaluating statutory and regulatory changes to improve health care through access to **school based health centers**, particularly by persons who are underinsured, uninsured or receiving services under the state Medicaid program (Sec. 51, effective June 7, 2006).

### Attachment A

## TABLE OF AMENDED AND REPEALED STATUTES AND PUBLIC AND SPECIAL ACTS FOR 2006

Statute	Public Act
4-67s	06-179, S. 2
4-67t Rd.	06-179, S. 5
4-67u Rd.	06-179, S. 5
4-67v	06-179, S. 1
4-67w Rd.	06-179, S. 5
4-67x (2006 Supp.)	06-179, S. 3
4a-100	06-134, S. 22
4a-101	06-134, S. 23
4b-91(j) added (2006 Supp.)	06-134, S. 24
4d-82(b)	06-192, S. 8
1.0 02(0)	30 .32, 0.0
5-198(/) (2006 Supp.)	06-135, S. 13
7-374b(b)	06-79, S. 1
7-374c	06-79, S. 2
7-403a (2006 Supp.)	06-79, S. 3
7-425(1)	06-79, S. 4
7-425(3)	06-79, S. 5
7-450 (2006 Supp.)	06-79, S. 6
7-450a (2006 Supp.)	06-79, S. 7
- 100a (2000 Capp.)	33 : 3, 3: :
10-4h (a)	06-158, S. 7
10-10a (d) (added)	06-135, S. 22
10-14n (g) (2006 Supp.)	06-135, S. 4
10-14s Rd.	06-8, S. 1
10-15b	06-115, S. 2
10-16p (d) (2006 Supp.)	06-13, S. 1
10-16p (e)(3) (2006 Supp.)	06-13, S. 2;
	06-135, S. 23
10-16p (k) (added) (2006 Supp.)	06-135, S. 1
10-16q (b) (2006 Supp.)	06-135, S. 24
10-16x (2006 Supp.)	06-13, S. 3;
	06-192, S. 12
10-16x (a) (2006 Supp.)	06-196, S. 222
10-19m (a), (b)	06-196, S. 62
10-19o (a) (2006 Supp.)	06-135, S. 18
10-29a (a) (51) (added)(2006 Supp.)	06-77, S. 1
10-51 (d)	06-192, S. 4
10-66bb (c)	06-55, S. 1
10-66ee (c) (2006 Supp.)	06-135, S. 26
10-67 (4)	06-150, S. 19
10-76d (a)(1) (2006 Supp.)	06-18, S. 1
10-76d (a)(9) (2006 Supp.)	06-188, S. 26

### Attachment A

## TABLE OF AMENDED AND REPEALED STATUTES AND PUBLIC AND SPECIAL ACTS FOR 2006

Statute	Public Act
10-76d (d) (2006 Supp.)	06-18, S. 2
10-76d (e)(1) (2006 Supp.)	06-13, S. 4
10-76d (f) (2006 Supp.)	06-18, S. 3
10-76d (f) (2006 Supp.)	06-18, S. 3
10-76h	06-18, S. 4
10-76i (a)	06-18, S. 7
10-76q (a)	06-18, S. 5
10-76ff	06-18, S. 6
10-94g (a)	06-18, S. 8
10-145h (d)(1) (2006 Supp.)	06-13, S. 5
10-156	06-196, S. 63
10-183 (b)	06-190, S. 2
10-183b (6), (7) (2006 Supp.)	06-196, S. 194
10-183e (b)	06-190, S. 6
10-183g (g)	06-190, S. 3
10-183h (g) (added)	06-190, S. 4
10-183t (a), (b) (2006 Supp.)	06-190, S. 5
10-183v (b)	06-192, S. 13
10-183jj	06-190, S. 1
10-186 (b)(2)	06-192, S. 9
10-193 (a)	06-139, S. 9
10-215a	06-63, S. 5
10-215b	06-63, S. 4
10-220 (a)	06-158, S. 5
10-220 (c)	06-167, S. 1
10-220a (d)	06-192, S. 2
10-220h	06-192, S. 1
10-221 (e)	06-196, S. 64
10-221p	06-63, S. 6
10-222d	06-115, S. 1
10-228b (a), (b)	06-145, S. 1
10-228b (c)	06-159, S. 1
10-231a (2006 Supp.)	06-14, S. 1;
	06-196, S. 223
10-231b (b) (2006 Supp.)	06-14, S. 2;
	06-196, S. 224
10-239i	06-192, S. 10
10-262h (a) (6) (2006 Supp.)	06-135, S. 19
10-262i (b) (2006 Supp.)	06-13, S. 6
10-262j (d) (13) (added) (2006 Supp.)	06-135, S. 5
10-262r (2006 Supp.)	06-196, S. 65

### Attachment A

## TABLE OF AMENDED AND REPEALED STATUTES AND PUBLIC AND SPECIAL ACTS FOR 2006

Statute	Public Act
10-264i (a)	06-135, S. 12
10-264l (c) (2006 Supp.)	06-135, S. 3
10-265f (d) (2006 Supp.)	06-135, S. 17
10-265f (h) (2006 Supp.)	06-135, S. 28
10-265g	06-135, S. 14
10-265	06-135, S. 15
10-265m (a)	06-135, S. 16
10-266p (g) (added) (2006 Supp.)	06-135, S. 27
10-282 (20) (added)	06-158, S. 4
10-283 (a)(2), (3)	06-158, S. 9
10-283b	06-158, S. 6
10-285f	06-158, S. 11
10-286 (2006 Supp.)	06-158, S. 8
10-292o (d)	06-13, S. 7
10a-29 (2006 Supp.)	06-135, S. 6
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14-29(a)	06-130, S. 13
14-36e(b) (2006 Supp.)	06-130, S. 3
14-36g(a) (2006 Supp.)	06-130, S. 9
14-44 (2006 Supp.)	06-130, S. 10
14-276	06-130, S. 11
17a-22j(b) (2006 Supp.)	06-188, S. 28
17b-16 (2006 Supp.)	06-179, S. 4
, , , , , ,	
18-87j (2006 Supp.)	06-193, S. 4
18-87k (2006 Supp.)	06-193, S. 5
31-12	06-139, S. 1
31-13	06-139, S. 2
31-15	06-139, S. 10
31-18	06-139, S. 3
31-23	06-139, S. 4
31-23(b)	06-139, S. 8
31-24	06-139, S. 5
31-69a	06-139, S. 6
Public Act	Amended by
05-251, S. 11	06-186, S. 1
05-3 June Sp. Sess., S. 100	06-135, S. 2
05-6 June Sp. Sess., S. 29	06-158, S. 22
Special Act	Amended by
02-1 May 9 Sp. Sess., S. 109	06-158, S. 30