



General Assembly

**Substitute Bill No. 34**

February Session, 2006

\* SB00034APP 041906 \*

**AN ACT REVISING THE PROCESS FOR THE TAKING OF REAL PROPERTY BY MUNICIPALITIES FOR REDEVELOPMENT AND ECONOMIC DEVELOPMENT.**

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

1 Section 1. Section 8-125 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2006*):

3 As used in this chapter:

4 [(a)] (1) "Redevelopment" means improvement by the rehabilitation  
5 or demolition of structures, by the construction of new structures,  
6 improvements or facilities, by the location or relocation of streets,  
7 parks and utilities, by replanning or by two or more of these methods;

8 [(b)] (2) "Redevelopment area" means an area within the state which  
9 is deteriorated, deteriorating, substandard or detrimental to the safety,  
10 health, morals or welfare of the community. An area may consist  
11 partly or wholly of vacant or unimproved land or of land with  
12 structures and improvements thereon, and may include structures not  
13 in themselves substandard or insanitary which are found to be  
14 essential to complete an adequate unit of development, if the  
15 redevelopment area is deteriorated, deteriorating, substandard or  
16 detrimental. An area may include properties not contiguous to each  
17 other. An area may include all or part of the territorial limits of any fire

18 district, sewer district, fire and sewer district, lighting district, village,  
19 beach or improvement association or any other district or association,  
20 wholly within a town and having the power to make appropriations or  
21 to levy taxes, whether or not such entity is chartered by the General  
22 Assembly;

23 [(c)] (3) A "redevelopment plan" [shall include: (1)] means a plan  
24 that includes: (A) A description of the redevelopment area and the  
25 condition, type and use of the structures therein; [(2)] (B) the location  
26 and extent of the land uses proposed for and within the area, such as  
27 housing, recreation, business, industry, schools, civic activities, open  
28 spaces or other categories of public and private uses; [(3)] (C) a  
29 determination that the proposed land use for each property in the  
30 redevelopment area is a public use or for economic development; (D)  
31 the location and extent of streets and other public utilities, facilities  
32 and works within the area; [(4)] (E) schedules showing the number of  
33 families displaced by the proposed improvement, the method of  
34 temporary relocation of such families and the availability of sufficient  
35 suitable living accommodations at prices and rentals within the  
36 financial reach of such families and located within a reasonable  
37 distance of the area from which they are displaced; [(5)] (F) present  
38 and proposed zoning regulations in the redevelopment area; [(6)] and  
39 (G) any other detail including financial aspects of redevelopment  
40 which, in the judgment of the redevelopment agency authorized  
41 herein, is necessary to give it adequate information. The plan shall also  
42 include a preliminary statement describing the process for acquisition  
43 of each parcel of real property;

44 [(d)] (4) "Planning agency" means the existing city or town plan  
45 commission or, if such agency does not exist or is not created, the  
46 legislative body or agency designated by it;

47 [(e)] (5) "Redeveloper" means any individual, group of individuals  
48 or corporation or any municipality or other public agency including  
49 any housing authority established pursuant to chapter 128;

50 [(f)] (6) "Real property" means land, subterranean or subsurface  
51 rights, structures, any and all easements, air rights and franchises and  
52 every estate, right or interest therein;

53 (7) "Public use" means (A) possession, occupation and enjoyment of  
54 land by the general public or by a public agency, department or  
55 institution for a public purpose or to provide public services; (B) the  
56 use of land for the creation or operation of public utilities; or (C) the  
57 acquisition of real property to correct a specific harm from the use of  
58 such land on the date of acquisition, including (i) the removal of a  
59 public nuisance or structures that cannot be repaired or are unfit for  
60 human habitation or use, and (ii) the acquisition of abandoned  
61 property; and

62 (8) "Economic development" means any land use that increases tax  
63 revenues, the tax base, employment or general economic health and  
64 that does not result in (A) the transfer of land to public ownership, (B)  
65 the transfer of land to a railroad, (C) the transfer of property to a  
66 private entity when eminent domain will remove a threat to public  
67 health or safety such as public nuisances or structures that are beyond  
68 repair or unfit for human habitation or use, (D) the acquisition of  
69 abandoned property, or (E) the lease of property to private entities that  
70 occupy an incidental area within a public project. "Economic  
71 development" includes, but is not limited to, an industrial purpose or a  
72 business purpose, as defined in section 8-187, as amended by this act.

73 Sec. 2. Section 8-128 of the general statutes is repealed and the  
74 following is substituted in lieu thereof (*Effective October 1, 2006*):

75 Within a reasonable time after its approval of the redevelopment  
76 plan as hereinbefore provided, the redevelopment agency may  
77 proceed with the acquisition or rental of real property by purchase,  
78 lease, exchange or gift. The redevelopment agency may acquire any  
79 real property by eminent domain only with the approval of the  
80 legislative body of the municipality and in accordance with the  
81 provisions of sections 8-129 to 8-133, inclusive, as amended by this act,

82 and this section. In the case of the acquisition of real property by  
83 eminent domain for economic development, as provided in the  
84 redevelopment plan, approval of two-thirds of the members of the  
85 legislative body shall be required. The municipality shall cause notice  
86 of any approval under this section to be published not more than ten  
87 days after such approval in a newspaper having a substantial  
88 circulation in the municipality. The legislative body in its approval of a  
89 project under section 8-127 shall specify the time within which real  
90 property is to be acquired. The time for acquisition may be extended  
91 by the legislative body in accordance with section 48-6, upon request  
92 of the redevelopment agency, provided the owner of the real property  
93 consents to such request. Real property may be acquired previous to  
94 the adoption or approval of the project area redevelopment plan,  
95 provided the property acquired shall be located within an area  
96 designated on the general plan as an appropriate redevelopment area  
97 or within an area whose boundaries are defined by the planning  
98 commission as an appropriate area for a redevelopment project, and  
99 provided such acquisition shall be authorized by the legislative body.  
100 The redevelopment agency may clear, repair, operate or insure such  
101 property while it is in its possession or make site improvements  
102 essential to preparation for its use in accordance with the  
103 redevelopment plan.

104 Sec. 3. Section 8-129 of the general statutes is repealed and the  
105 following is substituted in lieu thereof (*Effective October 1, 2006*):

106 (a) The redevelopment agency shall determine the compensation to  
107 be paid to the persons entitled thereto for [such] real property [and] to  
108 be taken pursuant to section 8-128, as amended by this act. Such  
109 amount shall be equal to the fair market value of the real property,  
110 except that for any real property taken for economic development, as  
111 defined in section 8-128, as amended by this act, the owner shall be  
112 compensated in an amount not less than one hundred fifty per cent of  
113 the fair market value of the real property. The fair market value of the  
114 property taken shall not include any increase or decrease in the value  
115 of the property attributable to (1) the project for which the property is

116 to be acquired, (2) any eminent domain proceeding in which the  
117 property is to be acquired, or (3) any preliminary actions of the  
118 redevelopment agency relating to the acquisition of the property. If  
119 such property is a commercial or business use, such compensation  
120 shall include a value for loss of good will pursuant to subsection (e) of  
121 this section. The redevelopment agency shall file a statement of  
122 compensation, containing a description of the property to be taken and  
123 the names of all persons having a record interest therein and setting  
124 forth the amount of such compensation, and a deposit as provided in  
125 section 8-130, with the clerk of the superior court for the judicial  
126 district in which the property affected is located. Upon filing such  
127 statement of compensation and deposit, the redevelopment agency  
128 shall forthwith cause to be recorded, in the office of the town clerk of  
129 each town in which the property is located, a copy of such statement of  
130 compensation, such recording to have the same effect and to be treated  
131 the same as the recording of a lis pendens, and shall forthwith give  
132 notice, as provided in this section, to each person appearing of record  
133 as an owner of property affected thereby and to each person appearing  
134 of record as a holder of any mortgage, lien, assessment or other  
135 encumbrance on such property or interest therein [(a)] (A) in the case  
136 of any such person found to be residing within this state, by causing a  
137 copy of such notice, with a copy of such statement of compensation, to  
138 be served upon each such person by a state marshal, constable or  
139 indifferent person, in the manner set forth in section 52-57 for the  
140 service of civil process, and [(b)] (B) in the case of any such person who  
141 is a nonresident of this state at the time of the filing of such statement  
142 of compensation and deposit or of any such person whose  
143 whereabouts or existence is unknown, by mailing to each such person  
144 a copy of such notice and of such statement of compensation, by  
145 registered or certified mail, directed to [his] such person's last-known  
146 address, and by publishing such notice and such statement of  
147 compensation at least twice in a newspaper published in the judicial  
148 district and having daily or weekly circulation in the town in which  
149 such property is located. Any such published notice shall state that it is  
150 notice to the widow or widower, heirs, representatives and creditors of

151 the person holding such record interest, if such person is dead. If, after  
152 a reasonably diligent search, no last-known address can be found for  
153 any interested party, an affidavit stating such fact, and reciting the  
154 steps taken to locate such address, shall be filed with the clerk of the  
155 superior court and accepted in lieu of mailing to the last-known  
156 address.

157 (b) Not less than twelve days or more than ninety days after such  
158 notice and such statement of compensation have been so served or so  
159 mailed and first published, the redevelopment agency shall file with  
160 the clerk of the superior court a return of notice setting forth the notice  
161 given and, upon receipt of such return of notice, such clerk shall,  
162 without any delay or continuance of any kind, issue a certificate of  
163 taking setting forth the fact of such taking, a description of all the  
164 property so taken and the names of the owners and of all other persons  
165 having a record interest therein. The redevelopment agency shall cause  
166 such certificate of taking to be recorded in the office of the town clerk  
167 of each town in which such property is located. Upon the recording of  
168 such certificate, title to such property in fee simple shall vest in the  
169 municipality, and the right to just compensation shall vest in the  
170 persons entitled thereto. At any time after such certificate of taking has  
171 been so recorded, the redevelopment agency may repair, operate or  
172 insure such property and enter upon such property, and take any  
173 action that is proposed with regard to such property by the project  
174 area redevelopment plan.

175 (c) The notice [referred to above] required in subsection (b) of this  
176 section shall state that (1) not less than twelve days or more than  
177 ninety days after service or mailing and first publication thereof, the  
178 redevelopment agency shall file, with the clerk of the superior court for  
179 the judicial district in which such property is located, a return setting  
180 forth the notice given, (2) upon receipt of such return, such clerk shall  
181 issue a certificate for recording in the office of the town clerk of each  
182 town in which such property is located, (3) upon the recording of such  
183 certificate, title to such property shall vest in the municipality, the right  
184 to just compensation shall vest in the persons entitled thereto and the

185 redevelopment agency may repair, operate or insure such property  
186 and enter upon such property and take any action that may be  
187 proposed with regard thereto by the project area redevelopment plan,  
188 and (4) such notice shall bind the widow or widower, heirs,  
189 representatives and creditors of each person named therein who then  
190 or thereafter may be dead.

191 (d) When any redevelopment agency acting on behalf of any  
192 municipality has acquired or rented real property by purchase, lease,  
193 exchange or gift in accordance with the provisions of this section, or in  
194 exercising its right of eminent domain has filed a statement of  
195 compensation and deposit with the clerk of the superior court and has  
196 caused a certificate of taking to be recorded in the office of the town  
197 clerk of each town in which such property is located as provided in  
198 this section, any judge of such court may, upon application and proof  
199 of such acquisition or rental or such filing and deposit and such  
200 recording, order such clerk to issue an execution commanding a state  
201 marshal to put such municipality and the redevelopment agency, as its  
202 agent, into peaceable possession of the property so acquired, rented or  
203 condemned. The provisions of this section shall not be limited in any  
204 way by the provisions of chapter 832.

205 (e) (1) As used in this subsection, "good will" means the benefits that  
206 accrue to a business from its location, reputation for dependability,  
207 skill or quality and any other circumstances resulting in probable  
208 retention of old or acquisition of new patronage.

209 (2) The owner of a business conducted on the property to be  
210 acquired, or on the remainder if such property is part of a larger parcel  
211 shall be compensated for loss of good will if such owner proves: (A)  
212 The loss is caused by the taking of the property or injury to the  
213 remainder; (B) the loss cannot reasonably be prevented by a relocation  
214 of the business or by taking steps and adopting procedures that a  
215 reasonably prudent person would take and adopt in preserving good  
216 will; and (C) compensation for the loss will not be duplicated in the  
217 compensation otherwise awarded to the owner.

218 Sec. 4. Section 8-187 of the general statutes is repealed and the  
219 following is substituted in lieu thereof (*Effective October 1, 2006*):

220 As used in this chapter, (1) "municipality" means a town, city,  
221 consolidated town and city or consolidated town and borough; (2)  
222 "legislative body" means (A) the board of selectmen in a town that  
223 does not have a charter, special act or home rule ordinance relating to  
224 its government or (B) the council, board of aldermen, representative  
225 town meeting, board of selectmen or other elected legislative body  
226 described in a charter, special act or home rule ordinance relating to  
227 government in a city, consolidated town and city, consolidated town  
228 and borough or a town having a charter, special act, consolidation  
229 ordinance or home rule ordinance relating to its government; (3)  
230 "development agency" means the agency designated by a municipality  
231 under section 8-188 through which the municipality may exercise the  
232 powers granted under this chapter; (4) "development project" means a  
233 project conducted by a municipality for the assembly, improvement  
234 and disposition of land or buildings or both to be used principally for  
235 industrial or business purposes and includes vacated commercial  
236 plants; (5) "vacated commercial plants" means buildings formerly used  
237 principally for business or industrial purposes of which more than fifty  
238 per cent of the usable floor space is, or which it is anticipated, within  
239 eighteen months, shall be, unused or substantially underutilized; (6)  
240 "project area" means the area within which the development project is  
241 located; (7) "commissioner" means the Commissioner of Economic and  
242 Community Development; (8) "planning commission" means the  
243 planning and zoning commission designated pursuant to section 8-4a  
244 or the planning commission created pursuant to section 8-19; (9) "real  
245 property" means land, subterranean or subsurface rights, structures,  
246 any and all easements, air rights and franchises and every estate, right  
247 or interest therein; [and] (10) "business purpose" includes, but is not  
248 limited to, any commercial, financial or retail enterprise and includes  
249 any enterprise which promotes tourism and any property that  
250 produces income; (11) "public use" means (A) possession, occupation  
251 and enjoyment of land by the general public or by a public agency,

252 department or institution, for a public purpose or to provide public  
253 services; (B) the use of land for the creation or operation of public  
254 utilities; or (C) the acquisition of real property to correct a specific  
255 harm from the use of such land on the date of acquisition, including (i)  
256 the removal of a public nuisance or structures that cannot be repaired  
257 or are unfit for human habitation or use, and (ii) the acquisition of  
258 abandoned property; and (12) "economic development" means any  
259 land use that increases tax revenues, the tax base, employment or  
260 general economic health and that does not result in (A) the transfer of  
261 land to public ownership, (B) the transfer of land to a railroad, (C) the  
262 transfer of property to a private entity when eminent domain will  
263 remove a threat to public health or safety such as public nuisances or  
264 structures that are beyond repair or unfit for human habitation or use,  
265 (D) the acquisition of abandoned property, or (E) the lease of property  
266 to private entities that occupy an incidental area within a public project  
267 and includes an industrial purpose or a business purpose.

268 Sec. 5. Section 8-189 of the general statutes is repealed and the  
269 following is substituted in lieu thereof (*Effective October 1, 2006*):

270 The development agency may initiate a development project by  
271 preparing a project plan therefor in accordance with regulations of the  
272 commissioner. The project plan shall include: [(a)] (1) A legal  
273 description of the land within the project area; [(b)] (2) a description of  
274 the present condition and uses of such land or building; [(c)] (3) a  
275 description of the types and locations of land uses or building uses  
276 proposed for the project area; [(d)] (4) a description of the types and  
277 locations of present and proposed streets, sidewalks and sanitary,  
278 utility and other facilities and the types and locations of other  
279 proposed site improvements; [(e)] (5) statements of the present and  
280 proposed zoning classification and subdivision status of the project  
281 area and the areas adjacent to the project area; [(f)] (6) a plan for  
282 relocating project-area occupants; [(g)] (7) a financing plan; [(h)] (8) an  
283 administrative plan; [(i)] (9) a marketability and proposed land-use  
284 study or building use study if required by the commissioner; [(j)] (10)  
285 appraisal reports and title searches; [(k)] (11) a statement of the

286 number of jobs which the development agency anticipates would be  
287 created by the project and the number and types of existing housing  
288 units in the municipality in which the project would be located, and in  
289 contiguous municipalities, which would be available to employees  
290 filling such jobs; and [(1)] (12) findings that the land and buildings  
291 within the project area will be used principally for industrial or  
292 business purposes; that the proposed land use for each property is a  
293 public use or for economic development; that the plan is in accordance  
294 with the plan of development for the municipality adopted by its  
295 planning commission and the plan of development of the regional  
296 planning agency, if any, for the region within which the municipality  
297 is located; that the plan is not inimical to any state-wide planning  
298 program objectives of the state or state agencies as coordinated by the  
299 Secretary of the Office of Policy and Management; that the project will  
300 contribute to the economic welfare of the municipality and the state;  
301 and that to carry out and administer the project, public action under  
302 this chapter is required. The plan shall also include a preliminary  
303 statement describing the process for acquisition of each parcel of  
304 property. Any plan which has been prepared by a redevelopment  
305 agency under chapter 130 may be submitted by the development  
306 agency to the legislative body and to the commissioner in lieu of a plan  
307 initiated and prepared in accordance with this section, provided all  
308 other requirements of this chapter for obtaining the approval of the  
309 commissioner of the project plan are satisfied.

310 Sec. 6. Section 8-193 of the general statutes is repealed and the  
311 following is substituted in lieu thereof (*Effective October 1, 2006*):

312 (a) After approval of the development plan as provided in this  
313 chapter, the development agency may proceed by purchase, lease,  
314 exchange or gift with the acquisition or rental of real property within  
315 the project area and real property and interests therein for rights-of-  
316 way and other easements to and from the project area. The  
317 development agency may, with the approval of the legislative body,  
318 and in the name of the municipality, acquire by eminent domain real  
319 property located within the project area and real property and interests

320 therein for rights-of-way and other easements to and from the project  
321 area, in the same manner that a redevelopment agency [may] shall  
322 acquire real property under sections 8-128 to 8-133, inclusive, as  
323 amended by this act, as if said sections specifically applied to  
324 development agencies. In the case of acquisition of real property by  
325 eminent domain for economic development, as provided in the  
326 development plan, approval of two-thirds of the legislative body shall  
327 be required. The municipality shall cause notice of any approval under  
328 this section to be published not more than ten days after such approval  
329 in a newspaper having a substantial circulation in the municipality.  
330 Any real property or interest therein taken on or after the effective date  
331 of this section for the purpose of economic development, as defined in  
332 section 8-189, as amended by this act, the owner shall be compensated  
333 in an amount not less than one hundred fifty per cent of the fair market  
334 value of such real property or interest. The fair market value of the  
335 property taken shall not include any increase or decrease in the value  
336 of the property attributable to (1) the project for which the property is  
337 to be acquired, (2) any eminent domain proceeding in which the  
338 property is to be acquired, or (3) any preliminary actions of the  
339 redevelopment agency relating to the acquisition of the property. If  
340 such property is a commercial or business use, such compensation  
341 shall include a value for loss of good will pursuant to subsection (c) of  
342 this section. The development agency may, with the approval of the  
343 legislative body and, of the commissioner if any grants were made by  
344 the state under section 8-190 or 8-195 for such development project,  
345 and in the name of such municipality, transfer by sale or lease at fair  
346 market value or fair rental value, as the case may be, the whole or any  
347 part of the real property in the project area to any person, in  
348 accordance with the project plan and such disposition plans as may  
349 have been determined by the commissioner.

350 (b) A development agency shall have all the powers necessary or  
351 convenient to undertake and carry out development plans and  
352 development projects, including the power to clear, demolish, repair,  
353 rehabilitate, operate, or insure real property while it is in its

354 possession, to make site improvements essential to the preparation of  
355 land for its use in accordance with the development plan, to install,  
356 construct or reconstruct streets, utilities and other improvements  
357 necessary for carrying out the objectives of the development project,  
358 and, in distressed municipalities, as defined in section 32-9p, to lend  
359 funds to businesses and industries in a manner approved by the  
360 commissioner.

361 (c) (1) As used in this subsection, "good will" means the benefits that  
362 accrue to a business from its location, reputation for dependability,  
363 skill or quality and any other circumstances, resulting in probable  
364 retention of old or acquisition of new patronage.

365 (2) The owner of a business conducted on the property to be  
366 acquired, or on the remainder if such property is part of a larger parcel  
367 shall be compensated for loss of good will if such owner proves the  
368 following: (A) The loss is caused by the taking of the property or injury  
369 to the remainder; (B) the loss cannot reasonably be prevented by a  
370 relocation of the business or by taking steps and adopting procedures  
371 that a reasonably prudent person would take and adopt in preserving  
372 good will; and (C) compensation for the loss will not be duplicated in  
373 the compensation otherwise awarded to the owner.

374 Sec. 7. (NEW) (Effective October 1, 2006) (a) Any person aggrieved by  
375 the decision of the legislative body of a municipality to acquire real  
376 property by eminent domain under section 8-128 of the general  
377 statutes, as amended by this act, may appeal such decision to the  
378 superior court for the judicial district in which the municipality is  
379 located. The appeal shall be commenced by service of process not more  
380 than fifteen days after notice of the approval published under section  
381 8-128 of the general statutes, amended by this act. A municipality shall  
382 not file a statement of compensation by such property under section 8-  
383 129 of the general statutes, as amended by this act, until any appeal  
384 under this section is finally adjudicated.

385 (b) Upon an appeal taken under subsection (a) of this section, the

386 burden shall be on the municipality to prove, based upon the evidence  
387 in the record concerning the acquisition before the redevelopment  
388 agency, that the decision from which such appeal is taken and the  
389 reasons cited for such decision are supported by sufficient evidence in  
390 the record. The municipality shall also have the burden to prove, based  
391 upon the evidence in the record, that (1) the acquisition is for a public  
392 use, as defined in section 8-125 of the general statutes, as amended by  
393 this act, or will increase tax revenues, the tax base, employment or  
394 general economic health; (2) the acquisition is necessary to protect  
395 substantial public interests in health, safety or other matters which the  
396 municipality may legally consider; (3) public interests clearly outweigh  
397 the interests of the individual property owner; and (4) such public  
398 interests cannot be protected by reasonable changes to the  
399 redevelopment area. If the municipality does not satisfy its burden of  
400 proof under this subsection, the court shall wholly or partly revise,  
401 modify, remand or reverse the decision from which the appeal was  
402 taken in a manner consistent with the evidence in the record before it.

403 Sec. 8. (NEW) (*Effective October 1, 2006*) (a) Any person aggrieved by  
404 the decision of the legislative body of a municipality to acquire real  
405 property by eminent domain under section 8-193 of the general  
406 statutes, as amended by this act, may appeal such decision to the  
407 superior court for the judicial district in which the municipality is  
408 located. The appeal shall be commenced by service of process not more  
409 than fifteen days after the notice of the approval is published under  
410 section 8-193 of the general statutes, as amended by this act. A  
411 municipality shall not file a statement of compensation for such  
412 property under section 8-129 of the general statutes, as amended by  
413 this act, until any appeal under this section is finally adjudicated.

414 (b) Upon an appeal taken under subsection (a) of this section, the  
415 burden shall be on the municipality to prove, based upon the evidence  
416 in the record compiled before the development agency, that the  
417 decision from which such appeal is taken and the reasons cited for  
418 such decision are supported by sufficient evidence in the record. The  
419 municipality shall also have the burden to prove, based upon the

420 evidence in the record, that (1) the acquisition will increase tax  
421 revenues, the tax base, employment or general economic health; (2) the  
422 decision is necessary to accomplish a development project; (3) public  
423 interests clearly outweigh the interests of the individual property  
424 owner; and (4) such public interests cannot be protected by reasonable  
425 changes to the project area. If the municipality does not satisfy its  
426 burden of proof under this subsection, the court shall wholly or partly  
427 revise, modify, remand or reverse the decision from which the appeal  
428 was taken in a manner consistent with the evidence in the record  
429 before it.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2006</i>	8-125
Sec. 2	<i>October 1, 2006</i>	8-128
Sec. 3	<i>October 1, 2006</i>	8-129
Sec. 4	<i>October 1, 2006</i>	8-187
Sec. 5	<i>October 1, 2006</i>	8-189
Sec. 6	<i>October 1, 2006</i>	8-193
Sec. 7	<i>October 1, 2006</i>	New section
Sec. 8	<i>October 1, 2006</i>	New section

**PD**            *Joint Favorable Subst.-LCO*

**JUD**           *Joint Favorable*

**APP**           *Joint Favorable*