



General Assembly

January Session, 2007

**Amendment**

LCO No. 7274

**\*SB0129207274SD0\***

Offered by:  
SEN. PRAGUE, 19<sup>th</sup> Dist.

To: Senate Bill No. 1292

File No. 689

Cal. No. 534

**"AN ACT CONCERNING THE ALTERNATIVE BASE PERIOD FOR  
PURPOSES OF UNEMPLOYMENT COMPENSATION."**

1 After the last section, add the following and renumber sections and  
2 internal references accordingly:

3 "Sec. 501. Section 31-249b of the general statutes is repealed and the  
4 following is substituted in lieu thereof (*Effective October 1, 2007*):

5 At any time before the board's decision has become final, any party,  
6 including the administrator, may appeal any question or questions of  
7 law arising in the board's proceedings to the superior court for the  
8 judicial district of Hartford or for the judicial district wherein the  
9 appellant resides. Any or all parties similarly situated may join in one  
10 appeal. In such judicial proceeding the original and five copies of a  
11 petition, which shall state the grounds on which a review is sought,  
12 shall be filed in the office of the board. The chairman of the board shall,  
13 within the third business day thereafter, cause the original petition or  
14 petitions to be mailed to the clerk of the Superior Court and copy or  
15 copies thereof to the administrator and to each other party to the

16 proceeding in which such appeal was taken; and said clerk shall  
17 docket such appeal as returned to the next return day after the receipt  
18 of such petition or petitions. In all cases, the board shall certify the  
19 record to the court. The record shall consist of the notice of appeal to  
20 the referee and the board, the notices of hearing before them, the  
21 referee's findings of fact and decision, the findings and decision of the  
22 board, all documents admitted into evidence before the referee and the  
23 board or both and all other evidentiary material accepted by them.  
24 Upon request of the court, the board shall (1) in cases in which its  
25 decision was rendered on the record of such hearing before the referee,  
26 prepare and verify to the court a transcript of such hearing before the  
27 referee; and (2) in cases in which its decision was rendered on the  
28 record of its own evidentiary hearing, provide and verify to the court a  
29 transcript of such hearing of the board. In any appeal, any finding of  
30 the referee or the board shall be subject to correction only to the extent  
31 provided by section 22-9 of the Connecticut Practice Book. Such  
32 appeals shall be claimed for the short calendar unless the court shall  
33 order the appeal placed on the trial list. An appeal may be taken from  
34 the decision of the Superior Court to the Appellate Court in the same  
35 manner as is provided in section 51-197b. It shall not be necessary in  
36 any judicial proceeding under this section that exceptions to the  
37 rulings of the board shall have been made or entered and no bond  
38 shall be required for entering an appeal to the Superior Court. Unless  
39 the court shall otherwise order after motion and hearing, the final  
40 decision of the court shall be the decision as to all parties to the  
41 original proceeding. In any appeal in which one of the parties is not  
42 represented by counsel and in which the party taking the appeal does  
43 not claim the case for the short calendar or trial within a reasonable  
44 time after the return day, the court may of its own motion dismiss the  
45 appeal, or the party ready to proceed may move for nonsuit or default  
46 as appropriate. When an appeal is taken to the Superior Court, the  
47 clerk thereof shall by writing notify the board of any action of the court  
48 thereon and of the disposition of such appeal whether by judgment,  
49 remand, withdrawal or otherwise and shall, upon the decision on the  
50 appeal, furnish the board with a copy of such decision. The court may

51 remand the case to the board for proceedings de novo, or for further  
52 proceedings on the record, or for such limited purposes as the court  
53 may prescribe. The court also may order the board to remand the case  
54 to a referee for any further proceedings deemed necessary by the court.  
55 The court may retain jurisdiction by ordering a return to the court of  
56 the proceedings conducted in accordance with the order of the court or  
57 the court may order final disposition. A party aggrieved by a final  
58 disposition made in compliance with an order of the Superior Court,  
59 by the filing of an appropriate motion, may request the court to review  
60 the disposition of the case."