



General Assembly

Amendment

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LCO No. 9247

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Offered by:
REP. HAMZY, 78th Dist.

To: Senate Bill No. 1447

File No. 595

Cal. No. 682

(As Amended by House Amendment Schedule "A")

"AN ACT CONCERNING FAMILY AND MEDICAL LEAVE FOR MUNICIPAL EMPLOYEES."

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

3 "Sec. 501. (NEW) (*Effective from passage, and applicable to fiscal years*
4 *commencing on and after July 1, 2008*) (a) For purposes of this section:

5 (1) "Debt payments" means payments of: (A) Principal, interest or
6 mandatory sinking fund payments with respect to bonds, notes,
7 temporary notes or bond anticipation notes, grant account loan
8 obligations, interim funding obligations, project obligations or project
9 loan obligations as defined in section 22a-475 of the general statutes, or
10 other obligations of the municipality constituting debt in accordance
11 with municipal reporting standards described in section 7-394a of the
12 general statutes, which obligations constitute general obligations or are
13 secured by a pledge of the full faith and credit of the municipality, but

14 not including pension deficit funding bonds, as defined in section 7-
15 374c of the general statutes; or (B) obligations of the municipality with
16 respect to bond insurance policies obtained in connection with the
17 issuance of the debt obligations described in subparagraph (A) of this
18 subdivision, or with respect to letters of credit, lines of credit or other
19 credit facilities, reimbursement agreements, remarketing agreements,
20 standby bond purchase agreements, interest rate swap agreements or
21 any other agreements obtained or entered into pursuant to the
22 provisions of section 7-370b of the general statutes, in connection with
23 the issuance of such debt obligations.

24 (2) "Grand list" means the grand list, as described in sections 12-55
25 and 7-328 of the general statutes, of all property in a municipality that
26 is subject to taxation under chapter 203 of the general statutes,
27 modified as follows: (A) The total net assessment of all motor vehicles
28 shall be subtracted from such grand list; (B) the total of any
29 exemptions used for the purpose of reflecting a phase-in, pursuant to
30 section 12-62c of the general statutes, shall be added to such grand list;
31 and (C) any modifications to the assessment of real or personal
32 property other than motor vehicles, or to any exemption for which the
33 owner of such property is eligible, as approved by the board of
34 assessment appeals of the municipality, shall be added to or subtracted
35 from such grand list, as the case may be. Notwithstanding the
36 provisions of this subdivision, the grand list for any assessment year in
37 which the provisions of section 12-62n of the general statutes, are
38 applicable, shall be determined without regard to the rate of
39 assessment for apartment property and residential property, as
40 defined in said section.

41 (3) "Grand list growth" means the amount by which the grand list in
42 any assessment year, except an assessment year with respect to which
43 a revaluation pursuant to section 12-62 of the general statutes, is
44 effective, exceeds the grand list for the preceding assessment year,
45 expressed as a percentage.

46 (4) "Grand list growth increase" means a municipality's grand list

47 growth as computed pursuant to subparagraph (B) of subdivision (1)
48 of subsection (b) of this section.

49 (5) "Legal voter" means any person who is an elector of a
50 municipality and any citizen of the United States of the age of eighteen
51 years or more who, jointly or severally, is liable to the municipality for
52 taxes assessed against such voter on an assessment of not less than one
53 thousand dollars on the last-completed grand list of such municipality.

54 (6) "Legislative body" means (A) the board of selectmen in a town
55 that does not have a charter, special act or home rule ordinance
56 relating to its government, (B) the council, board of aldermen,
57 representative town meeting, board of selectmen or other elected
58 legislative body described in a charter, special act or home rule
59 ordinance relating to government in a city, consolidated town and city,
60 consolidated town and borough or a town having a charter, special act,
61 consolidation ordinance or home rule ordinance relating to its
62 government, (C) the board of burgesses or other elected legislative
63 body in a borough, or (D) the district committee or other elected
64 legislative body in a district, as defined in section 7-324 of the general
65 statutes, or other municipal corporation.

66 (7) "Municipality" means any town, city, borough, consolidated
67 town and city and consolidated town and borough, each district as
68 defined in section 7-324 of the general statutes, and any other
69 municipal corporation having the power to levy a tax on property
70 pursuant to chapter 204 of the general statutes.

71 (8) "Total tax levied" means the total amount of property taxes a
72 municipality levies under chapter 204 of the general statutes with
73 respect to all real property, personal property and motor vehicles.

74 (b) (1) (A) In the fiscal year commencing July 1, 2008, any increase in
75 the total tax levied by a municipality shall be limited to a percentage
76 increase above the total tax levied by the municipality in the preceding
77 fiscal year, calculated by adding three per cent and the grand list
78 growth increase determined under subparagraph (B) of this

79 subdivision. In addition to the total tax levy determined by application
80 of said percentage increase, a municipality may further increase the
81 levy by the additional amount, if any, approved in accordance with
82 subdivision (3) of this subsection or subsection (c) of this section.

83 (B) In any assessment year, except an assessment year in which a
84 revaluation is effective, a municipality's grand list growth increase
85 shall be the municipality's grand list growth, minus one and one-half
86 per cent. A municipality's grand list growth increase in the assessment
87 year in which a revaluation is effective shall be determined as follows:
88 The municipality's grand list growth increase for each assessment year
89 subsequent to the assessment year in which the municipality's
90 preceding revaluation became effective shall be totaled, and the sum
91 shall be divided by the number of such assessment years, and one and
92 one-half per cent shall be subtracted from such calculation. In no event
93 shall the grand list growth increase for a municipality be less than zero
94 in any assessment year.

95 (2) For each fiscal year commencing on and after July 1, 2009, any
96 increase in the total tax levied by a municipality shall be limited to a
97 percentage increase, above the total amount of the property tax the
98 municipality could have levied in the preceding fiscal year, excluding
99 any addition to such amount approved pursuant to subsection (e) of
100 this section, calculated by adding three per cent and the grand list
101 growth increase determined under this section. In addition to the total
102 tax levy determined by application of said percentage increase, a
103 municipality may further increase the levy by the additional amount, if
104 any, approved in accordance with subdivision (3) of this subsection, or
105 subsection (c) of this section.

106 (3) There shall be an automatic increase to the total tax levy
107 determined under the provisions of subdivisions (1) and (2) of this
108 subsection for a municipality that is a member of a regional school
109 district, if such municipality's proportionate share of the regional
110 school district's budget for a fiscal year, as approved by a referendum
111 held pursuant to section 10-51 of the general statutes, as amended by

112 this act, is greater than the following: The municipality's proportionate
113 share of the regional school district's budget for the year prior to the
114 year with respect to which such referendum is so approved, increased
115 by the per cent of the municipality's allowable total tax levy for the
116 fiscal year in which the results of such referendum will cause an
117 increase in the municipality's share of the regional school district's
118 budget, as determined pursuant to this subsection, excluding any
119 increases approved in accordance with subsection (c) of this section,
120 plus the amount of such municipality's funding pursuant to section 10-
121 262i of the general statutes, as amended by this act, for said fiscal year
122 that is in excess of the amount of funding so distributed to the
123 municipality for the prior fiscal year. The automatic increase applicable
124 to such municipality's tax levy for the fiscal year in which the
125 provisions of this subdivision are applicable shall be equal to the
126 following: The municipality's proportionate share of the regional
127 school district's budget for such fiscal year, minus the municipality's
128 proportionate share of the regional school district's budget for the
129 prior year multiplied by the per cent increase in the municipality's
130 total tax levy that is otherwise allowed under this section, excluding
131 any increases approved in accordance with subsection (c) of this
132 section, plus the amount of such municipality's funding for such fiscal
133 year pursuant to said section 10-262i that is in excess of the amount of
134 funding so distributed to the municipality for such prior year.

135 (c) (1) For any fiscal year, a municipality may exceed the limitation
136 on the amount of the property tax levy determined under subsection
137 (b) of this section, by such additional amount as shall be approved by a
138 two-thirds vote of the legislative body of the municipality, and shall be
139 subsequently approved by a majority of those legal voters voting at
140 referendum on a proposal with respect to exceeding such limitation.

141 (2) The notice of each such referendum shall be given by publication
142 of a notice signed by the clerk of the municipality in a newspaper
143 published in such municipality or having a circulation therein, such
144 publication to be at least five days previous to holding the referendum,
145 including the day that notice is given and any Sunday and any legal

146 holiday which may intervene between such publication and the day of
147 holding such referendum, but not including the day of holding such
148 referendum. The clerk of the municipality shall record a copy of such
149 notice.

150 (3) The referendum on such proposal shall be by a "Yes" and "No"
151 vote on paper ballots or on the voting machines of the municipality.
152 The question submitted to the voters shall be: "Shall the ____ (state the
153 name of the taxing entity) be allowed to levy an additional \$____ (state
154 the amount) in real and personal property taxes for the purposes of
155 ____ (state the intended purpose(s) for which the moneys from this
156 levy will be used) for the fiscal year beginning July first, ____ (state
157 year)?" Each legal voter shall vote "Yes" if in favor of the proposal or
158 "No" if not in favor thereof. If, upon the official determination of the
159 result of such vote, a majority of all the votes so cast are in approval of
160 such proposal, such proposal shall take effect forthwith.

161 (d) A municipality may appropriate moneys for a purpose stated in
162 a question that is not approved in a referendum required pursuant to
163 this section or section 10-51 of the general statutes, as amended by this
164 act, provided such appropriation does not cause the levy limit in
165 subsection (b) of this section to be exceeded.

166 (e) Notwithstanding the provisions of this section, the amount of a
167 municipality's property tax levy in any fiscal year may exceed the limit
168 specified in subsection (b) of this section, under the following
169 conditions:

170 (1) The municipality experiences an emergency situation, including,
171 but not limited to, a natural disaster, fire or other emergency, the
172 funding of expenditures with respect to which causes or will cause
173 such levy to exceed the limit specified in subsection (b) of this section,
174 and provided such additional levy is approved by (A) not less than
175 two-thirds of the legislative body of the municipality, and (B) by the
176 Secretary of the Office of Policy and Management; or

177 (2) The amount levied by the municipality in excess of the limit

178 specified in subsection (b) of this section is required for payment of
179 debt payments due in the fiscal year in excess of the amount required
180 for such payments in the fiscal year ending June 30, 2008.

181 Sec. 502. (*Effective from passage*) (a) There is established a Municipal
182 Best Practices Research Advisory Group to study and make
183 recommendations aimed at improving the quality and cost-
184 effectiveness of municipal service delivery.

185 (b) The advisory group shall:

186 (1) Research and review municipal best practices in this state and
187 nationally in areas including, but not limited to, municipal financial
188 management, financial reporting, budgetary practices, debt
189 management, pension and benefits management, risk management
190 and information technology; and

191 (2) Develop a statement of best practices and make findings and
192 recommendations to increase municipal operational efficiency and
193 effectiveness, including, but not limited to, (A) service consolidation,
194 (B) elimination of specified state mandates, (C) methods for soliciting
195 citizen and taxpayer input concerning municipal service needs and
196 priorities and satisfaction with such services, (D) methods of
197 increasing accountability to the public concerning municipal
198 performance, cost-effectiveness and implementation of best practices,
199 including establishment of key performance measures, (E) a system of
200 incentives or penalties for poor performance on such key performance
201 measures, and (F) options to assist municipalities in mitigating and
202 addressing unfunded pension liabilities, employee health insurance
203 and energy costs. Such recommendations shall have a targeted
204 implementation date of July 1, 2009.

205 (c) The advisory group shall consist of the following members:

206 (1) The State Treasurer, or the State Treasurer's designee;

207 (2) The State Comptroller, or the State Comptroller's designee;

208 (3) The Secretary of the Office of Policy and Management, or the
209 secretary's designee;

210 (4) Five members appointed by the Governor, four of whom shall
211 have experience in municipal government, business, applicable
212 professional organizations or other relevant areas of municipal finance,
213 and one of whom shall serve as a citizen representative; and

214 (5) Two bargaining unit representatives, one each appointed by the
215 speaker of the House of Representatives and the president pro tempore
216 of the Senate.

217 (d) The Secretary of the Office of Policy and Management shall serve
218 as chairperson of the advisory group and shall convene the initial
219 meeting of the advisory group not later than September 1, 2007.

220 (e) Not later than January 1, 2008, the advisory group shall submit a
221 report of its findings and recommendations to the Governor and the
222 joint standing committees of the General Assembly having cognizance
223 of matters relating to appropriations and the budgets of state agencies
224 and finance, revenue and bonding, in accordance with section 11-4a of
225 the general statutes. The advisory group shall terminate upon
226 submission of the report.

227 Sec. 503. Subdivision (9) of subsection (d) of section 7-473c of the
228 general statutes is repealed and the following is substituted in lieu
229 thereof (*Effective from passage*):

230 (9) In arriving at a decision, the arbitration panel shall give priority
231 to the public interest and the financial capability of the municipal
232 employer, including consideration of other demands on the financial
233 capability of the municipal employer. In assessing the financial
234 capability of the municipality, there shall be an irrebuttable
235 presumption that the municipal employer shall not exceed the
236 property tax limit created pursuant to section 501 of this act, and that a
237 budget reserve of ten per cent or less is not available for payment of
238 the cost of any item subject to arbitration under this chapter. The panel

239 shall further consider the following factors in light of such financial
240 capability: (A) The negotiations between the parties prior to
241 arbitration; (B) the interests and welfare of the employee group; (C)
242 changes in the cost of living; (D) the existing conditions of employment
243 of the employee group and those of similar groups; and (E) the wages,
244 salaries, fringe benefits, and other conditions of employment
245 prevailing in the labor market, including developments in private
246 sector wages and benefits."