



General Assembly

Bill No. 5028

February Session, 2008

LCO No. 667

*00667 _____ *

Referred to Committee on Finance, Revenue and Bonding

Introduced by:

REP. CAFERO, 142nd Dist.

SEN. MCKINNEY, 28th Dist.

AN ACT CONCERNING PROPERTY TAX LIMITS, RELIEF FROM UNFUNDED MANDATES, REGIONAL PERFORMANCE INCENTIVES, MUNICIPAL OPERATIONAL EFFICIENCIES AND PROPERTY TAX CREDITS FOR CERTAIN VOLUNTEERS.

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

1 Section 1. (NEW) (*Effective from passage, and applicable to fiscal years*
2 *commencing on and after July 1, 2009*) (a) For purposes of this section:

3 (1) "Debt payments" means payments of: (A) Principal, interest or
4 mandatory sinking fund payments with respect to bonds, notes,
5 temporary notes or bond anticipation notes, grant account loan
6 obligations, interim funding obligations, project obligations or project
7 loan obligations, as defined in section 22a-475 of the general statutes,
8 or other obligations of the municipality constituting debt in accordance
9 with municipal reporting standards described in section 7-394a of the
10 general statutes, which obligations constitute general obligations or are
11 secured by a pledge of the full faith and credit of the municipality, but
12 not including pension deficit funding bonds, as defined in section 7-
13 374c of the general statutes; or (B) obligations of the municipality with

14 respect to bond insurance policies obtained in connection with the
15 issuance of the debt obligations described in subparagraph (A) of this
16 subdivision, or with respect to letters of credit, lines of credit or other
17 credit facilities, reimbursement agreements, remarketing agreements,
18 standby bond purchase agreements, interest rate swap agreements or
19 any other agreements obtained or entered into pursuant to the
20 provisions of section 7-370b of the general statutes, in connection with
21 the issuance of such debt obligations.

22 (2) "Legal voter" means any person who is an elector of a
23 municipality and any citizen of the United States of the age of eighteen
24 years or more who, jointly or severally, is liable to the municipality for
25 taxes assessed against such legal voter on an assessment of not less
26 than one thousand dollars on the last-completed grand list of such
27 municipality.

28 (3) "Legislative body" means (A) the board of selectmen in a town
29 that does not have a charter, special act or home rule ordinance
30 relating to its government, (B) the council, board of aldermen,
31 representative town meeting, board of selectmen or other elected
32 legislative body described in a charter, special act or home rule
33 ordinance relating to government in a city, consolidated town and city,
34 consolidated town and borough or a town having a charter, special act,
35 consolidation ordinance or home rule ordinance relating to its
36 government, (C) the board of burgesses or other elected legislative
37 body in a borough, or (D) the district committee or other elected
38 legislative body in a district, as defined in section 7-324 of the general
39 statutes, or other municipal corporation.

40 (4) "Municipality" means any town, city, borough, consolidated
41 town and city and consolidated town and borough, each district as
42 defined in section 7-324 of the general statutes, and any other
43 municipal corporation having the power to levy a tax on property
44 pursuant to chapter 204 of the general statutes.

45 (5) "State grants-in-aid" means the aggregate total of those grants for

46 which grantee-specific amounts are included in the estimates the
47 Secretary of the Office of Policy and Management compiles pursuant
48 to section 4-71a of the general statutes.

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

52 (b) (1) In the fiscal year commencing July 1, 2009, any increase in the
53 total tax levied by a municipality shall be limited to an increase of four
54 per cent above the total tax levied by the municipality in the preceding
55 fiscal year. In addition to the total tax levy determined by application
56 of said percentage increase, a municipality may further increase such
57 levy by the amount, if any, approved in accordance with subdivision
58 (4) of this subsection or subsection (c) of this section.

59 (2) In the fiscal year commencing July 1, 2010, any increase in the
60 total tax levied by a municipality shall be limited to an increase of
61 three and one half per cent above the total amount of the property tax
62 the municipality could have levied in the preceding fiscal year,
63 excluding any addition to such amount approved pursuant to
64 subdivisions (5) to (7), inclusive, of subsection (e) of this section. In
65 addition to the total tax levy determined by application of said
66 percentage increase, a municipality may further increase such levy by
67 the amount, if any, approved in accordance with subdivision (4) of this
68 subsection or subsection (c) of this section.

69 (3) In each fiscal year commencing on and after July 1, 2011, any
70 increase in the total tax levied by a municipality shall be limited to an
71 increase of three per cent above the total amount of the property tax
72 the municipality could have levied in the preceding fiscal year,
73 excluding any addition to such amount approved pursuant to
74 subdivisions (5) to (7), inclusive, of subsection (e) of this section. In
75 addition to the total tax levy determined by application of said
76 percentage increase, a municipality may further increase such levy by
77 the amount, if any, approved in accordance with subdivision (4) of this

78 subsection or subsection (c) of this section.

79 (4) There shall be an automatic increase to the total tax levy
80 determined under the provisions of subdivision (1), (2) or (3) of this
81 subsection for a municipality that is a member of a regional school
82 district. The amount of such increase shall be the amount by which
83 such municipality's proportionate share of the regional school district's
84 approved budget for a fiscal year is greater than the following: The
85 municipality's proportionate share of the regional school district's
86 budget for the prior fiscal year, increased by the per cent applicable to
87 said fiscal year as specified in said subdivision (1), (2) or (3), plus the
88 amount of such municipality's funding pursuant to section 10-262i of
89 the 2008 supplement to the general statutes for said fiscal year, that is
90 in excess of the amount of funding so distributed to the municipality
91 for the prior fiscal year.

92 (c) (1) For any fiscal year, a municipality may exceed the limitation
93 on the amount of the total tax levy determined under subsection (b) of
94 this section by an additional amount approved by a vote of not less
95 than two-thirds of the members of the legislative body of the
96 municipality. The record of any such vote shall specify each intended
97 purpose related to such additional amount. Not later than fifteen
98 business days following the date on which such legislative body votes
99 to exceed such limitation, five per cent of the legal voters of the
100 municipality or seventy-five of such voters, whichever is greater, may
101 petition for a referendum to reverse the decision of such legislative
102 body to exceed the limitation on the amount of the total tax levy
103 determined under subsection (b) of this section. The results of such
104 referendum shall be binding.

105 (2) The notice of each such referendum shall be given by publication
106 of a notice signed by the clerk of the municipality in a newspaper
107 published in such municipality or having a circulation therein.
108 Publication shall be at least five days previous to holding the
109 referendum, including the day that notice is given and any Sunday

110 and any legal holiday which may intervene between such publication
111 and the day of holding such referendum, not including the day of
112 holding such referendum. The clerk of the municipality shall record a
113 copy of such notice.

114 (3) The referendum to decide whether or not to reverse the decision
115 of the municipality's legislative body to exceed the limitation on the
116 amount of the total tax levy determined under subsection (b) of this
117 section shall be by a "Yes" and "No" vote on paper ballots or on the
118 voting machines of the municipality. The question submitted to the
119 voters shall be: "Shall the ____ (state the name of the taxing entity) be
120 allowed to levy an additional \$____ (state the amount) in real and
121 personal property taxes for the purposes of ____ (state the intended
122 purpose(s) for which the moneys from this levy will be used) for the
123 fiscal year beginning July 1, ____ (state year)?" Each legal voter shall
124 vote "Yes" if in favor or "No" if not in favor thereof. The result of said
125 referendum shall be binding. If, upon the official determination of the
126 result of such vote a majority of all the votes so cast are in approval,
127 the decision of the municipality's legislative body shall take effect
128 forthwith. If a majority of all the votes so cast are in opposition, the
129 decision of the municipality's legislative body shall be null and void.

130 (d) A municipality may appropriate moneys for a purpose stated in
131 a question that is not approved by the legislative body of the
132 municipality or in a referendum required pursuant to this section,
133 provided such appropriation does not cause the total tax levy limit,
134 determined in accordance with subsection (b) of this section, to be
135 exceeded.

136 (e) Notwithstanding the provisions of this section, the amount of a
137 municipality's total tax levy in any fiscal year may exceed the limit
138 specified in subsection (b) of this section, by the amounts specified in
139 this subsection, under the following conditions:

140 (1) The amount required for employee health insurance costs in any
141 fiscal year in excess of eight per cent over such costs for the prior fiscal

142 year, provided such increase is applicable to costs for the same or
143 similar benefits as provided in the prior year;

144 (2) The amount required for utility costs, including electricity, fuel
145 to operate motor vehicles and machinery or equipment, or natural gas,
146 electricity or oil used for the purpose of heating buildings or
147 structures, in excess of eight per cent over such costs for the prior fiscal
148 year;

149 (3) The amount required to fund actuarially recommended
150 contributions related to pensions or other post-retirement benefit costs,
151 in excess of eight per cent over such costs for the prior fiscal year,
152 provided such increase is applicable to costs for the same or similar
153 benefits as provided in the prior year;

154 (4) The amount of any decrease in state grants-in-aid for any fiscal
155 year over the amount of such state grants-in-aid for the preceding
156 fiscal year, provided discretionary reductions in state grants-in-aid
157 made by a state agency after an audit pursuant to such agency's
158 oversight authority or declines in the number of persons or properties
159 for which such state grants-in-aid are payable, shall not be considered
160 in the calculation of any such decrease;

161 (5) The amount needed to fund expenses related to an emergency,
162 including, but not limited to, a natural disaster, fire or other similar
163 catastrophic situation, the funding of expenditures with respect to
164 which causes or will cause such levy to exceed the limit specified in
165 subsection (b) of this section, provided not less than two-thirds of the
166 legislative body of the municipality approves the amount needed to
167 fund such expenses;

168 (6) The amount by which debt payments in any fiscal year exceeds
169 the amount required for debt payments in the fiscal year ending June
170 30, 2009; and

171 (7) The amount of a municipality's portion of one-time costs

172 associated with planning for or commencing the performance of any
173 function that the municipality jointly plans to undertake or undertakes
174 with one or more other municipalities, pursuant to the provisions of
175 section 7-148cc of the general statutes.

176 (f) A municipality may opt out of the total tax levy limitation
177 provisions of subsection (b) of this section for any two fiscal years,
178 upon approval of two-thirds of the members of the municipality's
179 legislative body and the approval of the municipality's electors, as
180 provided in this subsection. Any legislative body that desires to
181 approve an opt out of such levy limitation shall be required to vote on
182 such matter during the month of September in the even-numbered
183 calendar year that precedes the commencement of the first of the two
184 fiscal years during which such opt out is to be effective. At any election
185 held on the first Tuesday of November next following the date on
186 which the legislative body votes to opt out of such levy limitation, the
187 following question shall be submitted to the electors: "Shall the ____
188 (state the name of the taxing entity) be allowed to opt out of the total
189 tax levy limitation requirements of section 1 of this act, for the fiscal
190 year beginning July first, ____ (state year) and the fiscal year beginning
191 July first, ____ (state year)?" If, upon the official determination of the
192 result of such vote, a majority of all the votes so cast are in approval,
193 the property tax limit pursuant to this section shall not apply to the
194 municipality for the two fiscal years next succeeding the fiscal year in
195 which such vote occurs. The municipality shall comply with the
196 provisions of subsection (b) of this section if its legislative body does
197 not vote to opt out of the total tax levy limitation provisions, as
198 provided in this subsection, or if the electors do not approve a vote of
199 the legislative body to opt out of such levy limitation provisions.

200 Sec. 2. Subdivision (9) of subsection (d) of section 7-473c of the
201 general statutes is repealed and the following is substituted in lieu
202 thereof (*Effective July 1, 2008*):

203 (9) In arriving at a decision, the arbitration panel shall give priority

204 to the public interest and the financial capability of the municipal
205 employer, including consideration of other demands on the financial
206 capability of the municipal employer. In assessing the financial
207 capability of the municipality, there shall be an irrebuttable
208 presumption that the municipal employer shall not exceed the total tax
209 limit established in accordance with section 1 of this act, if such limit is
210 applicable, and that a budget reserve of ten per cent or less is not
211 available for payment of the cost of any item subject to arbitration
212 under this chapter. The panel shall further consider the following
213 factors in light of such financial capability: (A) The negotiations
214 between the parties prior to arbitration; (B) the interests and welfare of
215 the employee group; (C) changes in the cost of living; (D) the existing
216 conditions of employment of the employee group and those of similar
217 groups; and (E) the wages, salaries, fringe benefits, and other
218 conditions of employment prevailing in the labor market, including
219 developments in private sector wages and benefits.

220 Sec. 3. Subdivision (4) of subsection (c) of section 10-153f of the
221 general statutes is repealed and the following is substituted in lieu
222 thereof (*Effective July 1, 2008*):

223 (4) [After] (A) (i) Not later than five days after hearing all the issues,
224 the parties may reach a stipulation on all the issues. (ii) Not later than
225 five days after such award is stipulated to, the arbitrators or the single
226 arbitrator shall file one copy of the decision with the commissioner,
227 each town clerk in the school district involved and the board of
228 education and organization which are parties to the dispute. (iii) The
229 stipulated award may be rejected by the legislative body of the local
230 school district or, in the case of a regional school district, by the
231 legislative bodies of the participating towns. Such rejection shall be by
232 a two-thirds majority vote of the members of such legislative body or,
233 in the case of a regional school district, the legislative body of each
234 participating town, present at a regular or special meeting called and
235 convened for such purpose not later than twenty days after the receipt
236 of the award. If the legislative body or bodies do not meet for such

237 purpose during such twenty-day period after the receipt of the award,
238 the award shall be deemed accepted by the body or bodies. (iv) If the
239 legislative body or legislative bodies, as appropriate, reject any such
240 award, such body or bodies shall notify, not later than five days after
241 the vote to reject, the commissioner and the exclusive representative
242 for the teachers' or administrators' unit of such vote and submit to
243 them a written explanation of the reasons for the vote. (v) Not later
244 than five days after such notification of rejection of the award, the
245 parties shall notify the commissioner of either their agreement to
246 submit their dispute to a single arbitrator or the name of the arbitrator
247 selected by each of them. Not later than five days after providing such
248 notice, the parties shall notify the commissioner of the name of the
249 arbitrator if there is an agreement on a single arbitrator appointed to
250 the panel pursuant to subparagraph (C) of subdivision (1) of
251 subsection (a) of this section or agreement on the third arbitrator
252 appointed to the panel pursuant to said subdivision (1). The
253 commissioner may order the parties to appear before said
254 commissioner during the arbitration period. If the parties have notified
255 the commissioner of their agreement to submit their dispute to a single
256 arbitrator and they have not agreed on such arbitrator, not later than
257 five days after such notification, the commissioner shall select such
258 single arbitrator who shall be an impartial representative of the
259 interests of the public in general. If each party has notified the
260 commissioner of the name of the arbitrator it has selected and the
261 parties have not agreed on the third arbitrator, not later than five days
262 after such notification, the commissioner shall select a third arbitrator,
263 who shall be an impartial representative of the interests of the public in
264 general. If either party fails to notify the commissioner of the name of
265 an arbitrator, the commissioner shall select an arbitrator to serve and
266 the commissioner shall also select a third arbitrator who shall be an
267 impartial representative of the interests of the public in general. Any
268 selection pursuant to this section by the commissioner of an impartial
269 arbitrator shall be made at random from among the members
270 appointed under subparagraph (C) of subdivision (1) of subsection (a)

271 of this section. Arbitrators shall be selected from the panel appointed
272 pursuant to subdivision (1) of subsection (a) of this section and shall
273 receive a per diem fee determined on the basis of the prevailing rate
274 for such services. Whenever a panel of three arbitrators is selected, the
275 chairperson of such panel shall be the impartial representative of the
276 interests of the public in general. (vi) The arbitrators or arbitrator shall
277 provide notice and conduct the hearing in accordance with subdivision
278 (2) of this subsection. (vii) The hearing may, at the discretion of the
279 arbitration panel or the single arbitrator, be continued but in any event
280 shall be concluded not later than twenty days after its commencement.
281 The arbitrators or arbitrator shall issue an award in accordance with
282 the provisions of subparagraph (B) of this subdivision and
283 subdivisions (5) and (6) of this subsection. Such award shall not be
284 subject to further review by the legislative body of the local school
285 district, or in the case of a regional school district, the legislative body
286 of each participating town.

287 (B) If the parties do not reach a stipulation on all the issues in
288 accordance with subparagraph (A)(i) of this subdivision, not later than
289 twenty days after hearing all the issues, the arbitrators or the single
290 arbitrator shall [, within twenty days,] render a decision in writing,
291 signed by a majority of the arbitrators or the single arbitrator, which
292 states in detail the nature of the decision and the disposition of the
293 issues by the arbitrators or the single arbitrator. The written decision
294 shall include a narrative explaining the evaluation by the arbitrators or
295 the single arbitrator of the evidence presented for each item upon
296 which a decision was rendered by the arbitrators or the single
297 arbitrator and shall state with particularity the basis for the decision as
298 to each disputed issue and the manner in which the factors
299 enumerated in this subdivision were considered in arriving at such
300 decision, including, where applicable, the specific similar groups and
301 conditions of employment presented for comparison and accepted by
302 the arbitrators or the single arbitrator and the reason for such
303 acceptance. The arbitrators or the single arbitrator shall file one copy of
304 the decision with the commissioner, each town clerk in the school

305 district involved and the board of education and organization which
306 are parties to the dispute. The decision of the arbitrators or the single
307 arbitrator shall be final and binding upon the parties to the dispute
308 unless a rejection is filed in accordance with subdivision (7) of this
309 subsection. The decision of the arbitrators or the single arbitrator shall
310 incorporate those items of agreement the parties have reached prior to
311 its issuance. At any time prior to the issuance of a decision by the
312 arbitrators or the single arbitrator, the parties may jointly file with the
313 arbitrators or the single arbitrator, any stipulations setting forth
314 contract provisions which both parties agree to accept. In arriving at a
315 decision, the arbitrators or the single arbitrator shall give priority to
316 the public interest and the financial capability of the town or towns in
317 the school district, including consideration of other demands on the
318 financial capability of the town or towns in the school district. In
319 assessing the financial capability of the town or towns, there shall be
320 an irrebuttable presumption that the town or towns in the school
321 district shall not exceed the total tax limit established for each such
322 town in accordance with section 1 of this act, if such limit is applicable,
323 and that a budget reserve of [five] ten per cent or less is not available
324 for payment of the cost of any item subject to arbitration under this
325 chapter. The arbitrators or the single arbitrator shall further consider,
326 in light of such financial capability, the following factors: [(A)] (i) The
327 negotiations between the parties prior to arbitration, including the
328 offers and the range of discussion of the issues; [(B)] (ii) the interests
329 and welfare of the employee group; [(C)] (iii) changes in the cost of
330 living averaged over the preceding three years; [(D)] (iv) the existing
331 conditions of employment of the employee group and those of similar
332 groups; and [(E)] (v) the salaries, fringe benefits, and other conditions
333 of employment prevailing in the state labor market, including the
334 terms of recent contract settlements or awards in collective bargaining
335 for other municipal employee organizations and developments in
336 private sector wages and benefits. The parties shall submit to the
337 arbitrators or the single arbitrator their respective positions on each
338 individual issue in dispute between them in the form of a last best

339 offer. The arbitrators or the single arbitrator shall resolve separately
340 each individual disputed issue by accepting the last best offer thereon
341 of either of the parties, and shall incorporate in a decision each such
342 accepted individual last best offer and an explanation of how the total
343 cost of all offers accepted was considered. Whenever the last best offers
344 of the parties contain identical agreement provisions on any of the
345 unresolved issues, the panel or single arbitrator shall consider such
346 issues resolved and shall incorporate such provisions into the
347 arbitration decision. The award of the arbitrators or the single
348 arbitrator shall not be subject to rejection by referendum. The parties
349 shall each pay the fee of the arbitrator selected by or for them and
350 share equally the fee of the third arbitrator or the single arbitrator and
351 all other costs incidental to the arbitration.

352 Sec. 4. Subsection (g) of section 31-53 of the general statutes is
353 repealed and the following is substituted in lieu thereof (*Effective July*
354 *1, 2008*):

355 (g) The provisions of this section do not apply where the total cost
356 of all work to be performed by all contractors and subcontractors in
357 connection with (1) new construction of any public works project
358 undertaken by a state agency is less than four hundred thousand
359 dollars or where the total cost of all work to be performed by all
360 contractors and subcontractors in connection with any remodeling,
361 refinishing, refurbishing, rehabilitation, alteration or repair of any such
362 public works project is less than one hundred thousand dollars, or (2)
363 new construction of any such public works project undertaken by a
364 municipality is less than one million dollars or where the total cost of
365 all work to be performed by all contractors and subcontractors in
366 connection with any remodeling, refinishing, refurbishing,
367 rehabilitation, alteration or repair of any such public works project is
368 less than five hundred thousand dollars, and provided the amounts set
369 forth in this subdivision shall be indexed to inflation and adjusted
370 annually as needed.

371 Sec. 5. (NEW) (*Effective July 1, 2008*) On or before June 30, 2009, each
372 municipality that has not opted out of the tax levy limit pursuant to
373 section 1 of this act shall adopt a five-year employee health care cost
374 containment plan. In developing such plan, the municipality shall
375 consult with representatives of the municipality's employee collective
376 bargaining units. If a municipality enters into an agreement with the
377 Secretary of the Office of Policy and Management, pursuant to section
378 11 of this act, the cost of developing such plan may be paid from a
379 grant under said section 11. A grant pursuant to the provisions of
380 section 4-124s of the 2008 supplement to the general statutes, as
381 amended by this act, may also be available to pay the costs of
382 development of any such plans on a regional basis. As used in this
383 section, "municipality" means any town, consolidated town and city or
384 consolidated town and borough.

385 Sec. 6. (NEW) (*Effective July 1, 2008*) (a) On or before December 31,
386 2008, the Secretary of the Office of Policy and Management shall issue
387 best practice guidelines for energy conservation planning by
388 municipalities.

389 (b) On or before June 30, 2009, each municipality that has not opted
390 out of the tax levy limit pursuant to section 1 of this act shall adopt a
391 five-year energy conservation plan, incorporating applicable best
392 practice guidelines for energy conservation planning issued by the
393 secretary under subsection (a) of this section.

394 (c) As used in this section, "municipality" means any town,
395 consolidated town and city or consolidated town and borough.

396 Sec. 7. Section 47a-42 of the general statutes is repealed and the
397 following is substituted in lieu thereof (*Effective July 1, 2008*):

398 (a) Whenever a judgment is entered against a defendant pursuant to
399 section 47a-26, 47a-26a, 47a-26b or 47a-26d for the recovery of
400 possession or occupancy of residential property, such defendant and
401 any other occupant bound by the judgment by subsection (a) of section

402 47a-26h shall forthwith remove himself or herself, such defendant's or
403 occupant's possessions and all personal effects unless execution has
404 been stayed pursuant to sections 47a-35 to 47a-41, inclusive. If
405 execution has been stayed, such defendant or occupant shall forthwith
406 remove himself or herself, such defendant's or occupant's possessions
407 and all personal effects upon the expiration of any stay of execution. If
408 the defendant or occupant has not so removed himself or herself upon
409 entry of a judgment pursuant to section 47a-26, 47a-26a, 47a-26b or
410 47a-26d, and upon expiration of any stay of execution, the plaintiff
411 may obtain an execution upon such summary process judgment, and
412 the defendant or other occupant bound by the judgment by subsection
413 (a) of section 47a-26h and the possessions and personal effects of such
414 defendant or other occupant may be removed by a state marshal,
415 pursuant to such execution. [, and such possessions and personal
416 effects may be set out on the adjacent sidewalk, street or highway.]

417 (b) Before any such removal, the state marshal charged with
418 executing upon any such judgment of eviction shall [give the chief
419 executive officer of the town twenty-four hours notice of the eviction,
420 stating the date, time and location of such eviction as well as a general
421 description, if known, of the types and amount of property to be
422 removed from the premises. Before giving such notice to the chief
423 executive officer of the town, the state marshal shall] use reasonable
424 efforts to locate and notify the defendant of the date and time such
425 eviction is to take place and of the possibility of a sale pursuant to
426 subsection (c) of this section. Such notice shall include service upon
427 each defendant and upon any other person in occupancy, either
428 personally or at the premises, of a true copy of the summary process
429 execution. Such execution shall be on a form prescribed by the Judicial
430 Department, shall be in clear and simple language and in readable
431 format, and shall contain, in addition to other notices given to the
432 defendant in the execution, a conspicuous notice, in large boldface
433 type, that a person who claims to have a right to continue to occupy
434 the premises should immediately contact an attorney.

435 (c) Whenever [the possessions and personal effects of a defendant
436 are set out on the sidewalk, street or highway, and are not immediately
437 removed by the defendant, the chief executive officer of the town shall
438 remove and] a state marshal removes the possessions and personal
439 effects of the defendant, the state marshal shall store the same. Such
440 removal and storage shall be at the expense of the defendant. If such
441 possessions and effects are not called for by the defendant and the
442 expense of such removal and storage is not paid to the [chief executive
443 officer within] state marshal not later than fifteen days after such
444 eviction, the [chief executive officer] state marshal shall sell the same at
445 public auction, after using reasonable efforts to locate and notify the
446 defendant of such sale and after [posting notice of such sale for one
447 week on the public signpost nearest to the place where the eviction
448 was made, if any, or at some exterior place near the office of the town
449 clerk] publishing a notice of such sale in a newspaper having a
450 circulation in the state, at least five days before the auction. The [chief
451 executive officer] state marshal shall deliver to the defendant the net
452 proceeds of such sale, if any, after deducting a reasonable charge for
453 removal and storage of such possessions and effects. If the defendant
454 does not demand the net proceeds [within] not later than thirty days
455 after such sale, the [chief executive officer] state marshal shall turn
456 over the net proceeds of the sale to the [town treasury] State Treasurer.

457 Sec. 8. (NEW) (*Effective from passage*) Notwithstanding the provisions
458 of section 7-3 of the general statutes, section 8-3 of the 2008 supplement
459 to the general statutes, section 8-7d of the 2008 supplement to the
460 general statutes, section 8-26 of the 2008 supplement to the general
461 statutes, 8-28, 9-16, 9-37, 9-53, 9-225, 9-226, 9-332, 9-395, 9-433, 9-435,
462 12-40, 12-145, 12-186, 14-67t and 50-11 of the general statutes, any
463 department, board or commission of a municipality that maintains a
464 web site may publish on the web site of the municipality the notice
465 required to be published in a newspaper under said sections in lieu of
466 publication in a newspaper. The provisions of this section shall not be
467 deemed to affect any other notice required in said sections.

468 Sec. 9. (NEW) (*Effective January 1, 2009*) (a) As used in this section:

469 (1) "Costly state mandate" means any constitutional, statutory or
470 executive action, excluding any order issued by a state court and any
471 legislation necessary to comply with a federal mandate, that requires a
472 municipality to establish, expand or modify its activities in such a way
473 as to reasonably necessitate additional expenditures from local
474 revenues equal to the lesser of one hundred thousand dollars or one-
475 half of one per cent of the total amount of the municipality's general
476 operating budget for the fiscal year prior to that in which such
477 additional expenditures are required; and

478 (2) "Municipality" means any town, consolidated town and city or
479 consolidated town and borough.

480 (b) On and after January 1, 2009, the General Assembly shall not
481 enact any costly state mandate unless two-thirds of the members of
482 both houses vote affirmatively to do so.

483 Sec. 10. Section 4-124s of the 2008 supplement to the general statutes
484 is repealed and the following is substituted in lieu thereof (*Effective July*
485 *1, 2008*):

486 (a) For purposes of this section, (1) "regional council of
487 governments" means any such council organized under the provisions
488 of sections 4-124i to 4-124p, inclusive, (2) "regional council of elected
489 officials" means any such council organized under the provisions of
490 sections 4-124c to 4-124h, inclusive, and (3) "regional planning agency"
491 means an agency defined in chapter 127.

492 (b) There is established a regional performance incentive program
493 that shall be administered by the Secretary of the Office of Policy and
494 Management. On or before December 1, 2007, [and annually
495 thereafter,] any regional planning agency, any regional council of
496 elected officials, any regional council of governments, or any
497 combination thereof, may submit to said secretary a proposal for joint

498 provision of a service or services that are currently provided by
499 municipalities within the region of such agency or council or
500 contiguous thereto, but not currently provided on a regional basis.
501 [The proposal shall include such service or services which may
502 increase the participating municipalities' purchasing power or provide
503 a cost savings initiative resulting in a decrease in participating
504 municipalities' expenses and lower property taxes.] On or before
505 December 31, 2008, and annually thereafter, any such entity may
506 submit a proposal to said secretary for: (1) The joint provision of any
507 service that one or more participating municipalities of such council or
508 agency currently provide but which is not provided on a regional
509 basis; (2) the joint provision of any service that is not currently
510 provided within the region of such council or agency or the region
511 contiguous thereto, by such council or agency or by any participating
512 municipalities of such council or agency; or (3) a planning study
513 regarding the joint provision of any service on a regional basis. A copy
514 of said proposal shall be sent to the legislators representing said
515 participating municipalities.

516 [(c) The proposal shall (1) describe at least one service currently
517 provided by a municipality or municipalities within the region of the
518 agency or council or contiguous thereto, but not currently provided on
519 a regional basis, (2) provide a description of how such service would
520 be delivered on a regional basis, including consideration of what entity
521 would be responsible for such service, and how the population would
522 continue to be served, (3) describe the amount and the manner in
523 which the service will achieve economies of scale and the amount and
524 manner in which each municipality will reduce its mill rate as a result
525 of the savings realized by changing the municipal service to a regional
526 service, (4) include a cost benefit analysis for the provision of such
527 service by the municipality and by the council or agency, (5) set out a
528 plan of implementation for such regional service, (6) estimate the
529 savings that will be realized by each municipality, and (7) any other
530 items requested by said secretary. Each proposal shall have attached to
531 it (A) a resolution by the legislative body of each municipality affected

532 by the proposal endorsing such proposal; and (B) certification by each
533 such municipality that there are no legal obstacles to provision of
534 services in the manner specified in the proposal including, but not
535 limited to, binding arbitration. The proposal shall be submitted on a
536 form prescribed by said secretary. Said secretary shall review all such
537 proposals, and award grants to those that the secretary determines best
538 meet the requirements of this subsection. In making such grants the
539 secretary shall give priority to proposals presented by regional
540 councils of government which include participation of at least fifty per
541 cent of the member municipalities of such council.]

542 (c) (1) An entity specified in subsection (a) of this section shall
543 submit each proposal in the form and manner said secretary prescribes
544 and shall, at a minimum, provide the following information for each
545 proposal: (A) Service description; (B) the explanation of the need for
546 such service; (C) the method of delivering such service on a regional
547 basis; (D) the organization that would be responsible for regional
548 service delivery; (E) a description of the population that would be
549 served; (F) the manner in which regional service delivery will achieve
550 economies of scale; (G) the amount by which participating
551 municipalities will reduce their mill rates as a result of savings
552 realized; (H) a cost benefit analysis for the provision of the service by
553 each participating municipality and by the entity submitting the
554 proposal; (I) a plan of implementation for delivery of the service on a
555 regional basis; (J) a resolution endorsing such proposal approved by
556 the legislative body of each participating municipality, or, in any town
557 where the legislative body is a town meeting, by the board of
558 selectmen; and (K) an explanation of the potential legal obstacles, if
559 any, to the regional provision of the service.

560 (2) The secretary shall review each proposal and shall award grants
561 for proposals the secretary determines best meet the requirements of
562 this section. In awarding such grants, the secretary shall give priority
563 to a proposal submitted by any entity specified in subsection (a) of this
564 section that includes participation of at least fifty per cent of the

565 member municipalities of such entity, and which may increase the
566 purchasing power of such member municipalities or provide a cost
567 savings initiative resulting in a decrease in expenses of such
568 municipalities, allowing such municipalities to lower property taxes.

569 (d) [Not later than February 1, 2008, and annually thereafter, the]
570 The secretary shall submit to the Governor and the joint standing
571 committee of the General Assembly having cognizance of matters
572 relating to finance, revenue and bonding a report on the grants
573 provided pursuant to this section. Each such report shall include
574 information on the amount of each grant, and the potential of each
575 grant for leveraging other public and private investments. The
576 secretary shall submit a report for the fiscal year commencing July 1,
577 2007, not later than February 1, 2008, and shall submit a report for each
578 subsequent fiscal year not later than the first day of March in such
579 fiscal year.

580 Sec. 11. (NEW) (*Effective July 1, 2008*) (a) For the fiscal year
581 commencing July 1, 2008, there is established a municipal operational
582 efficiency study grant that the Secretary of the Office of Policy and
583 Management shall administer. Said secretary may enter into an
584 assistance agreement, jointly with a municipality or with two or more
585 municipalities, for purposes of: (1) Conducting an efficiency study of
586 any operation performed at the municipal level; or (2) preparing the
587 five-year health care cost containment plan required by section 5 of
588 this act. Entering into such an agreement shall make a municipality
589 eligible for a grant under this section, in an amount up to seventy-five
590 per cent of the cost incurred by the municipality, to hire a consultant to
591 assist in the preparation of such study or plan. The secretary shall,
592 within available appropriations, provide staff assistance to each
593 signatory of such assistance agreement.

594 (b) Not later than August 1, 2008, the chief executive officer of a
595 municipality or the chief executive officers of two or more
596 municipalities may submit an application to the secretary to

597 participate in a joint assistance agreement under the provisions of this
598 section. Such application shall be made in the form and manner the
599 secretary prescribes. The secretary shall review each such application
600 and shall select assistance agreement participants, giving priority
601 consideration to applications submitted by two or more municipalities
602 indicating willingness to jointly undertake the study or plan described
603 in subsection (a) of this section.

604 Sec. 12. (NEW) (*Effective July 1, 2008*) Upon request of the Secretary
605 of the Office of Policy and Management, the Auditors of Public
606 Accounts shall review the budget and financial condition of any
607 municipality which, in any fiscal year, receives state grants-in-aid as
608 defined in section 1 of this act, the total amount of which exceeds
609 thirty-five per cent of the operating budget of the municipality for the
610 preceding fiscal year. The auditors shall prepare a report of their
611 review along with any recommendations on programmatic savings,
612 efficiencies, financial improvements and reforms in the municipality
613 and submit such report to the Governor and joint standing committees
614 of the General Assembly having cognizance of matters relating to
615 planning and development, appropriations and the budgets of state
616 agencies, and finance, revenue and bonding.

617 Sec. 13. (NEW) (*Effective from passage, and applicable to assessment*
618 *years commencing on or after October 1, 2008*) The legislative body of any
619 municipality may establish, by ordinance adopted by its legislative
620 body, a program providing a property tax credit to residents of the
621 municipality who are sixty-five years of age or older and who
622 volunteer their services to the municipality, or to a program
623 sponsored, provided or approved by the municipality. The
624 municipality shall determine the amount of such property tax credit,
625 the number of hours of volunteer service required and the method by
626 which a resident shall apply for such credit. The municipality may
627 establish a maximum property tax credit amount for any fiscal year or
628 a maximum property tax credit amount for each volunteer.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage, and applicable to fiscal years commencing on and after July 1, 2009</i>	New section
Sec. 2	<i>July 1, 2008</i>	7-473c(d)(9)
Sec. 3	<i>July 1, 2008</i>	10-153f(c)(4)
Sec. 4	<i>July 1, 2008</i>	31-53(g)
Sec. 5	<i>July 1, 2008</i>	New section
Sec. 6	<i>July 1, 2008</i>	New section
Sec. 7	<i>July 1, 2008</i>	47a-42
Sec. 8	<i>from passage</i>	New section
Sec. 9	<i>January 1, 2009</i>	New section
Sec. 10	<i>July 1, 2008</i>	4-124s
Sec. 11	<i>July 1, 2008</i>	New section
Sec. 12	<i>July 1, 2008</i>	New section
Sec. 13	<i>from passage, and applicable to assessment years commencing on or after October 1, 2008</i>	New section

Statement of Purpose:

To implement the Governor's budget recommendations.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]