



General Assembly

January Session, 2011

Governor's Bill No. 6388

LCO No. 3606

03606_____

Referred to Committee on Finance, Revenue and Bonding

Introduced by:

REP. DONOVAN, 84th Dist.

REP. SHARKEY, 88th Dist.

SEN. WILLIAMS, 29th Dist.

SEN. LOONEY, 11th Dist.

**AN ACT IMPLEMENTING THE GOVERNOR'S BUDGET
RECOMMENDATIONS CONCERNING THE OFFICE OF POLICY AND
MANAGEMENT.**

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

1 Section 1. Subsection (a) of section 7-127d of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2011*):

4 (a) There is established a neighborhood youth center grant program
5 [which] that shall be administered by the [Office of Policy and
6 Management, except that operation of the program shall be suspended
7 for the fiscal years ending June 30, 2004, and June 30, 2005] state
8 Department of Education.

9 Sec. 2. Section 7-127e of the general statutes is repealed and the
10 following is substituted in lieu thereof (*Effective July 1, 2011*):

11 (a) The [Office of Policy and Management] state Department of
12 Education shall solicit competitive proposals under this program for
13 the fiscal [years beginning July 1, 1996, and July 1, 1999] year
14 beginning July 1, 2011, and every two years thereafter. [, except that no
15 competitive proposals shall be solicited for the fiscal years ending June
16 30, 2004, and June 30, 2005.] The [Office of Policy and Management]
17 state Department of Education shall notify the eligible agencies of the
18 amount of funds provided for each city in accordance with section 7-
19 127d, as amended by this act. Eligible agencies may file a grant
20 application with the [Office of Policy and Management] state
21 Department of Education on such form and at such time as [that office]
22 the department may require.

23 (b) Grant funds made available for the provisions of sections 7-127d
24 to 7-127g, inclusive, as amended by this act, shall not be used to
25 supplant existing services. A minimum of twenty-five per cent of the
26 total program costs for each neighborhood youth center program shall
27 be supported with local funds or in-kind contributions which may
28 include federal, local and private funds which support existing
29 services.

30 (c) The [Office of Policy and Management] state Department of
31 Education shall review all grant applications received and make the
32 decisions concerning which applications shall be funded and at what
33 funding levels. Criteria for such decisions shall include (1)
34 documentation of need for the program through crime and poverty
35 statistics for the neighborhood to be served; (2) responsiveness to
36 program component requirements; (3) reasonableness of costs; (4)
37 soundness of program plan; (5) experience of the applicant agency in
38 providing youth recreational services; and (6) evidence of
39 collaboration and coordination with other children's services providers
40 in the neighborhood. The [Office of Policy and Management] state
41 Department of Education shall convene and chair an advisory
42 committee to assist in grant application review. Such committee shall
43 include representatives of the [Office of Policy and Management] state

44 Department of Education, the Judicial Department, and the
45 Departments of Children and Families, [Education,] Public Health and
46 Social Services.

47 (d) In order to be eligible to receive funds from the [Office of Policy
48 and Management] state Department of Education for the Leadership,
49 Education, Athletics in Partnership (LEAP) program, or the
50 neighborhood youth centers program, an applicant must provide a
51 match of at least fifty per cent of the grant amount. The cash portion of
52 such match shall be at least twenty-five per cent of the grant amount.

53 Sec. 3. Section 12-63 of the general statutes is repealed and the
54 following is substituted in lieu thereof (*Effective July 1, 2011*):

55 (a) The present true and actual value of land classified as farm land
56 pursuant to section 12-107c, as forest land pursuant to section 12-107d,
57 as open space land pursuant to section 12-107e, or as maritime heritage
58 land pursuant to section 12-107g shall be based upon its current use
59 without regard to neighborhood land use of a more intensive nature,
60 provided in no event shall the present true and actual value of open
61 space land be less than it would be if such open space land comprised
62 a part of a tract or tracts of land classified as farm land pursuant to
63 section 12-107c. The present true and actual value of all other property
64 shall be deemed by all assessors and boards of assessment appeals to
65 be the fair market value thereof and not its value at a forced or auction
66 sale.

67 (b) (1) For the purposes of this subsection, (A) "electronic data
68 processing equipment" means computers, printers, peripheral
69 computer equipment, bundled software and any computer-based
70 equipment acting as a computer, as defined in Section 168 of the
71 Internal Revenue Code of 1986, or any subsequent corresponding
72 internal revenue code of the United States, as from time to time
73 amended; (B) "leased personal property" means tangible personal
74 property which is the subject of a written or oral lease or loan on the
75 assessment date, or any such property which has been so leased or

76 loaned by the then current owner of such property for three or more of
77 the twelve months preceding such assessment date; and (C) "original
78 selling price" means the price at which tangible personal property is
79 most frequently sold in the year that it was manufactured.

80 (2) Any municipality may, by ordinance, adopt the provisions of
81 this subsection to be applicable for the assessment year commencing
82 October first of the assessment year in which a revaluation of all real
83 property required pursuant to section 12-62 is performed in such
84 municipality, and for each assessment year thereafter. If so adopted,
85 the present true and actual value of tangible personal property, other
86 than motor vehicles, shall be determined in accordance with the
87 provisions of this subsection. If such property is purchased, its true
88 and actual value shall be established in relation to the cost of its
89 acquisition, including transportation and installation, and shall reflect
90 depreciation in accordance with the schedules set forth in subdivisions
91 (3) to (6), inclusive, of this subsection. If such property is developed
92 and produced by the owner of such property for a purpose other than
93 wholesale or retail sale or lease, its true and actual value shall be
94 established in relation to its cost of development, production and
95 installation and shall reflect depreciation in accordance with the
96 schedules provided in subdivisions (3) to (6), inclusive, of this
97 subsection. The provisions of this subsection shall not apply to
98 property owned by a public service company, as defined in section 16-
99 1.

100 (3) The following schedule of depreciation shall be applicable with
101 respect to electronic data processing equipment:

102 (A) Group I: Computer and peripheral hardware, including, but not
103 limited to, personal computers, workstations, terminals, storage
104 devices, printers, scanners, computer peripherals and networking
105 equipment:

T1

Depreciated Value

T2		As Percentage
T3	Assessment Year	Of Acquisition
T4	Following Acquisition	Cost Basis
T5	First year	Seventy per cent
T6	Second year	Forty per cent
T7	Third year	Twenty per cent
T8	Fourth year and thereafter	Ten per cent

106 (B) Group II: Other hardware, including, but not limited to, mini-
 107 frame and main-frame systems with an acquisition cost of more than
 108 twenty-five thousand dollars:

T9		Depreciated Value
T10		As Percentage
T11	Assessment Year	Of Acquisition
T12	Following Acquisition	Cost Basis
T13	First year	Ninety per cent
T14	Second year	Sixty per cent
T15	Third year	Forty per cent
T16	Fourth year	Twenty per cent
T17	Fifth year and thereafter	Ten per cent

109 (4) The following schedule of depreciation shall be applicable with
 110 respect to copiers, facsimile machines, medical testing equipment, and
 111 any similar type of equipment that is not specifically defined as
 112 electronic data processing equipment, but is considered by the assessor
 113 to be technologically advanced:

T18		Depreciated Value
T19		As Percentage
T20	Assessment Year	Of Acquisition
T21	Following Acquisition	Cost Basis

T22	First year	Ninety-five per cent
T23	Second year	Eighty per cent
T24	Third year	Sixty per cent
T25	Fourth year	Forty per cent
T26	Fifth year and thereafter	Twenty per cent

114 (5) The following schedule of depreciation shall be applicable with
 115 respect to machinery and equipment used in the manufacturing
 116 process:

T27		Depreciated Value
T28		As Percentage
T29	Assessment Year	Of Acquisition
T30	Following Acquisition	Cost Basis
T31	First year	Ninety per cent
T32	Second year	Eighty per cent
T33	Third year	Seventy per cent
T34	Fourth year	Sixty per cent
T35	Fifth year	Fifty per cent
T36	Sixth year	Forty per cent
T37	Seventh year	Thirty per cent
T38	Eighth year and thereafter	Twenty per cent

117 (6) The following schedule of depreciation shall be applicable with
 118 respect to all tangible personal property other than that described in
 119 subdivisions (3) to (5), inclusive, of this subsection:

T39		Depreciated Value
T40		As Percentage
T41	Assessment Year	Of Acquisition
T42	Following Acquisition	Cost Basis
T43	First year	Ninety-five per cent
T44	Second year	Ninety per cent

T45	Third year	Eighty per cent
T46	Fourth year	Seventy per cent
T47	Fifth year	Sixty per cent
T48	Sixth year	Fifty per cent
T49	Seventh year	Forty per cent
T50	Eighth year and thereafter	Thirty per cent

120 (7) The present true and actual value of leased personal property
121 shall be determined in accordance with the provisions of this
122 subdivision. Such value for any assessment year shall be established in
123 relation to the original selling price for self-manufactured property or
124 acquisition cost for acquired property and shall reflect depreciation in
125 accordance with the schedules provided in subdivisions (3) to (6),
126 inclusive, of this subsection. If the assessor is unable to determine the
127 original selling price of leased personal property, the present true and
128 actual value thereof shall be its current selling price.

129 (8) With respect to any personal property which is prohibited by
130 law from being sold, the present true and actual value of such property
131 shall be established with respect to such property's original
132 manufactured cost increased by a ratio the numerator of which is the
133 total proceeds from the manufacturer's salable equipment sold and the
134 denominator of which is the total cost of the manufacturer's salable
135 equipment sold. Such value shall then be depreciated in accordance
136 with the appropriate schedule in this subsection.

137 (9) The schedules of depreciation set forth in subdivisions (3) to (6),
138 inclusive, of this subsection shall not be used with respect to
139 videotapes, horses or other taxable livestock or electric cogenerating
140 equipment.

141 (10) If the assessor determines that the value of any item of personal
142 property produced by the application of the schedules set forth in this
143 subsection does not accurately reflect the present true and actual value
144 of such item, the assessor shall adjust such value to reflect the present

145 true and actual value of such item.

146 (11) Nothing in this subsection shall prevent any taxpayer from
147 appealing any assessment made pursuant to this subsection if such
148 assessment does not accurately reflect the present true and actual
149 value of any item of such taxpayer's personal property.

150 [(c) (1) For the assessment years commencing October 1, 2006,
151 October 1, 2007, October 1, 2008, October 1, 2009, October 1, 2010, and
152 October 1, 2011, the annual declaration of tangible personal property
153 that a taxpayer files with the assessor of the town, shall be
154 accompanied by a supplement to said declaration on which the
155 taxpayer shall provide the following information for machinery and
156 equipment eligible for a grant pursuant to section 12-94b or 12-94f: (A)
157 The assessment year during which such property was acquired and
158 installed; (B) the original cost of acquisition for such property,
159 including charges for such property's transportation and installation;
160 (C) the value of such property depreciated in accordance with the
161 schedule provided by the assessor; (D) the total of the original cost of
162 acquisition for all such property; and (E) the total depreciated value of
163 such property for all such property. The assessor shall provide a
164 declaration of tangible personal property, together with such
165 supplement, to the owner of each manufacturing facility, as defined in
166 subparagraph (A) of subdivision (72) of section 12-81, and to the owner
167 of each facility engaged in biotechnology, as defined in said
168 subparagraph.

169 (2) For the assessment years commencing October 1, 2006, October
170 1, 2007, October 1, 2008, October 1, 2009, October 1, 2010, and October
171 1, 2011, the assessor of each town shall determine the depreciated
172 value of machinery and equipment, for the purposes of this section,
173 section 12-94b and section 12-94f, in accordance with the method said
174 assessor used to determine the depreciated value of the same or similar
175 machinery and equipment for the assessment year commencing
176 October 1, 2005. The supplement to the declaration of tangible personal

177 property the assessor provides, pursuant to subdivision (1) of this
178 subsection, for the assessment year commencing October 1, 2006, shall
179 not reflect an alteration of the depreciation schedule that would result
180 in an assessment increase for any such property, over the assessment
181 of such property for the assessment year commencing October 1, 2005,
182 and the supplement to such declaration the assessor provides for the
183 assessment years commencing October 1, 2007, October 1, 2008,
184 October 1, 2009, October 1, 2010, and October 1, 2011, shall not reflect
185 an alteration of the depreciation schedule that would result in an
186 assessment increase for any such property, over the assessment of such
187 property for the preceding assessment year.]

188 Sec. 4. Subdivision (72) of section 12-81 of the general statutes is
189 repealed and the following is substituted in lieu thereof (*Effective July*
190 *1, 2011*):

191 (72) (A) Effective for assessment years commencing on or after
192 October 1, 2002, but prior to assessment years commencing on or after
193 October 1, 2011, new machinery and equipment, as defined in this
194 subdivision, acquired after October 1, 1990, and prior to October 1,
195 2011, and newly-acquired machinery and equipment, as defined in this
196 subdivision, acquired on or after July 1, 1992, and prior to October 1,
197 2011, by the person claiming exemption under this subdivision,
198 provided this exemption shall only be applicable in the five full
199 assessment years following the assessment year in which such
200 machinery or equipment is acquired, subject to the provisions of
201 subparagraph (B) of this subdivision. Machinery and equipment
202 acquired on or after July 1, 1996, and prior to October 1, 2011, and used
203 in connection with biotechnology shall qualify for the exemption
204 under this subdivision. Machinery and equipment acquired on or after
205 July 1, 2006, and used in connection with recycling shall qualify for the
206 exemption under this subdivision. For the purposes of this
207 subdivision: (i) "Machinery" and "equipment" means tangible personal
208 property which is installed in a manufacturing facility and claimed on
209 the owner's federal income tax return as either five-year property or

210 seven-year property, as those terms are defined in Section 168(e) of the
211 Internal Revenue Code of 1986, or any subsequent corresponding
212 internal revenue code of the United States, as from time to time
213 amended, and the predominant use of which is for manufacturing,
214 processing or fabricating; for research and development, including
215 experimental or laboratory research and development, design or
216 engineering directly related to manufacturing; for the significant
217 servicing, overhauling or rebuilding of machinery and equipment for
218 industrial use or the significant overhauling or rebuilding of other
219 products on a factory basis; for measuring or testing or for metal
220 finishing; or used in the production of motion pictures, video and
221 sound recordings. "Machinery" means the basic machine itself,
222 including all of its component parts and contrivances such as belts,
223 pulleys, shafts, moving parts, operating structures and all equipment
224 or devices used or required to control, regulate or operate the
225 machinery, including, without limitation, computers and data
226 processing equipment, together with all replacement and repair parts
227 therefor, whether purchased separately or in conjunction with a
228 complete machine, and regardless of whether the machine or
229 component parts thereof are assembled by the taxpayer or another
230 party. "Equipment" means any device separate from machinery but
231 essential to a manufacturing, processing or fabricating process. (ii)
232 "Manufacturing facility" means that portion of a plant, building or
233 other real property improvement used for manufacturing, processing
234 or fabricating, for research and development, including experimental
235 or laboratory research and development, design or engineering
236 directly related to manufacturing, for the significant servicing,
237 overhauling or rebuilding of machinery and equipment for industrial
238 use or the significant overhauling or rebuilding of other products on a
239 factory basis, for measuring or testing or for metal finishing. (iii)
240 "Manufacturing" means the activity of converting or conditioning
241 tangible personal property by changing the form, composition, quality
242 or character of the property for ultimate sale at retail or use in the
243 manufacturing of a product to be ultimately sold at retail. Changing

244 the quality of property shall include any substantial overhaul of the
245 property that results in a significantly greater service life than such
246 property would have had in the absence of such overhaul or with
247 significantly greater functionality within the original service life of the
248 property, beyond merely restoring the original functionality for the
249 balance of the original service life. (iv) "Fabricating" means to make,
250 build, create, produce or assemble components or tangible personal
251 property work in a new or different manner, but does not include the
252 presorting, sorting, coding, folding, stuffing or delivery of direct or
253 indirect mail distribution services. (v) "Processing" means the physical
254 application of the materials and labor in a manufacturing process
255 necessary to modify or change the characteristics of tangible personal
256 property. (vi) "Measuring or testing" includes both nondestructive and
257 destructive measuring or testing, and the alignment and calibration of
258 machinery, equipment and tools, in the furtherance of the
259 manufacturing, processing or fabricating of tangible personal property.
260 (vii) "Biotechnology" means the application of technologies, including
261 recombinant DNA techniques, biochemistry, molecular and cellular
262 biology, genetics and genetic engineering, biological cell fusion
263 techniques, and new bioprocesses, using living organisms, or parts of
264 organisms, to produce or modify products, to improve plants or
265 animals, to develop microorganisms for specific uses, to identify
266 targets for small molecule pharmaceutical development, or to
267 transform biological systems into useful processes and products. (viii)
268 "Recycling" means the processing of solid waste to reclaim material, as
269 defined in section 22a-260;

270 (B) Any person who on October first in any year holds title to
271 machinery and equipment for which such person desires to claim the
272 exemption provided in this subdivision shall file with the assessor or
273 board of assessors in the municipality in which the machinery or
274 equipment is located, on or before the first day of November in such
275 year, a list of such machinery or equipment together with written
276 application claiming such exemption. [on a form prescribed by the
277 Secretary of the Office of Policy and Management.] Such application

278 shall include the taxpayer identification number assigned to the
279 claimant by the Commissioner of Revenue Services and the federal
280 employer identification number assigned to the claimant by the
281 Secretary of the Treasury. If title to such equipment is held by a person
282 other than the person claiming the exemption, the claimant shall
283 include on such person's application information as to the portion of
284 the total acquisition cost incurred by such person, and on or before the
285 first day of November in such year, the person holding title to such
286 machinery and equipment shall file a list of such machinery with the
287 assessor of the municipality in which the manufacturing facility of the
288 claimant is located. Such person shall include on the list information as
289 to the portion of the total acquisition cost incurred by such person.
290 Commercial or financial information in any application or list filed
291 under this section shall not be open for public inspection, provided
292 such information is given in confidence and is not available to the
293 public from any other source. The provisions of this subdivision
294 regarding the filing of lists and information shall not supersede the
295 requirements to file tax lists under sections 12-41, 12-42 and 12-57a. In
296 substantiation of such claim, the claimant and the person holding title
297 to machinery and equipment for which exemption is claimed shall
298 present to the assessor or board of assessors such supporting
299 documentation as said secretary may require, including, but not
300 limited to, invoices, bills of sale, contracts for lease and bills of lading
301 and shall, upon request, present to the secretary or the secretary's
302 designee a copy of each applicable federal income tax return and
303 accompanying schedules. In lieu of submitting each applicable federal
304 income tax return and accompanying schedules, a claimant and person
305 holding title to machinery and equipment for which an exemption is
306 claimed may, upon approval of said secretary, submit copies of
307 applicable schedules accompanied by a sworn affidavit stating that
308 such schedules were filed as part of such claimant's or person's federal
309 income tax return. Failure to file such application in this manner and
310 form within the time limit prescribed shall constitute a waiver of the
311 right to such exemption for such assessment year, unless an extension

312 of time is allowed pursuant to section 12-81k, as amended by this act.
313 If title to exempt machinery is conveyed subsequent to October first in
314 any assessment year, entitlement to such exemption shall terminate for
315 the next assessment year and there shall be no pro rata application of
316 the exemption unless such machinery or equipment continues to be
317 leased by the manufacturer who claimed and was approved for the
318 exemption in the previous assessment year. Machinery or equipment
319 shall not be eligible for exemption upon transfer from a seller to a
320 related business or from a lessor to a lessee except to the extent it
321 would have been eligible for exemption by the seller or the lessor, as
322 the case may be. For the purposes of this subdivision, "related
323 business" means: (i) A corporation, limited liability company,
324 partnership, association or trust controlled by the taxpayer; (ii) an
325 individual, corporation, limited liability company, partnership,
326 association or trust that is in control of the taxpayer; (iii) a corporation,
327 limited liability company, partnership, association or trust controlled
328 by an individual, corporation, limited liability company, partnership,
329 association or trust that is in control of the taxpayer; or (iv) a member
330 of the same controlled group as the taxpayer. For purposes of this
331 subdivision, "control", with respect to a corporation, means ownership,
332 directly or indirectly, of stock possessing fifty per cent or more of the
333 total combined voting power of all classes of the stock of such
334 corporation entitled to vote. "Control", with respect to a trust, means
335 ownership, directly or indirectly, of fifty per cent or more of the
336 beneficial interest in the principal or income of such trust. The
337 ownership of stock in a corporation, of a capital or profits interest in a
338 partnership or association or of a beneficial interest in a trust shall be
339 determined in accordance with the rules for constructive ownership of
340 stock provided in Section 267(c) of the Internal Revenue Code of 1986,
341 or any subsequent corresponding internal revenue code of the United
342 States, as from time to time amended, other than paragraph (3) of said
343 Section 267(c);

344 (C) Any person claiming the exemption provided under this
345 subdivision for machinery or equipment shall not be eligible to claim

346 the exemption provided under subdivision (60) of this section or
347 subdivision (70) of this section for the same machinery or equipment.
348 The state and the municipality and district shall hold a security
349 interest, as defined in subdivision (35) of subsection (b) of section 42a-
350 1-201, in any machinery or equipment which is exempt from taxation
351 pursuant to this subdivision, in an amount equal to the tax revenue
352 reimbursed or lost, as the case may be, which shall be subordinate to
353 any purchase money security interest, as defined in section 42a-9-103a.
354 Such security interest shall be enforceable against the claimant for a
355 period of five years after the last assessment year in which such
356 exemption was received in any case in which such person ceases all
357 manufacturing or biotechnology operations or moves such
358 manufacturing or biotechnology operations entirely out of this state.
359 Any assessor who has granted an exemption under this subdivision
360 shall provide written notification to the secretary of the cessation of
361 such operations or the move of such operations entirely out of this
362 state. Such notification may be made at any time after the October first
363 of the last assessment year in which such exemption is granted and
364 before the September thirtieth that is five years after the conclusion of
365 said assessment year. Upon receiving such notification and complying
366 with the provisions of section 12-35a, the state shall have a lien upon
367 the machinery or equipment situated in this state and owned by the
368 person that ceased all business operations or moved such operations
369 entirely out of this state. Notwithstanding the provisions of section 12-
370 35a, the total amount of the reimbursement made by the state for the
371 property tax exemptions granted to the person under the provisions of
372 this subdivision, shall be deemed to be the amount of the tax which
373 such person failed to pay. Notwithstanding said section 12-35a, the
374 information required to be included in the notice of lien for such tax
375 shall be as follows: (i) The owner of the property upon which the lien
376 is claimed, (ii) the business address or residence address of such
377 owner, (iii) the specific property claimed to be subject to such lien, (iv)
378 the location of such property at the time it was last made tax-exempt
379 pursuant to this subdivision, (v) the total amount of the

380 reimbursement made by the state for the property tax exemptions
381 granted to such owner under the provisions of this subdivision, and
382 (vi) the tax period or periods for which such lien is claimed. If more
383 than one agency of the state perfects such a notice of lien on the same
384 day, the priority of such liens shall be determined by the time of day
385 such liens were perfected, and if perfected at the same time, the lien for
386 the highest amount shall have priority. In addition to the other
387 remedies provided in this subdivision, the Attorney General, upon
388 request of the secretary, may bring a civil action in a court of
389 competent jurisdiction to recover the amount of tax revenue
390 reimbursed by the state from any person who received an exemption
391 under this subdivision. The following shall not be eligible for the
392 exemption provided under this subdivision: (I) A public service
393 company, as defined in section 16-1; and (II) any provider, directly or
394 indirectly, of electricity, oil, water or gas;

395 (D) A claim for property tax exemption under this subdivision may
396 be denied by the assessor or board of assessors of a town, consolidated
397 town and city or consolidated town and borough, with the consent of
398 the chief executive officer thereof, if the claimant is delinquent in a
399 property tax payment to such town, consolidated town and city or
400 consolidated town and borough, pursuant to section 12-146, for
401 property owned by such claimant. Before any such claim is denied, the
402 assessor or board of assessors shall send written notice to the claimant,
403 stating that the claimant may pay the amount of such delinquent tax or
404 enter into an agreement with such town, consolidated town and city or
405 consolidated town and borough for the payment thereof, by the date
406 set forth in such notice, provided, such date shall not be less than thirty
407 days after the date of such notice. Failure on the part of the claimant to
408 pay the amount of the delinquent tax or enter into an agreement to pay
409 the amount thereof by said date shall result in a disallowance of the
410 exemption being claimed;

411 [(E) The secretary, in the secretary's discretion, may deny any claim
412 for exemption under the provisions of this subdivision for new

413 machinery and equipment by a claimant who is delinquent in the
414 payment of corporation business tax imposed under chapter 208, as
415 reported on the list provided by the Commissioner of Revenue
416 Services pursuant to subsection (b) of section 12-7a and who qualified
417 for exemption under this subdivision in the preceding year. On or
418 before September first annually, commencing September 1, 1998, the
419 secretary shall send a written notice to any claimant identified on said
420 list and to the assessor of the town in which the property is subject to
421 taxation, stating that the property tax exemption allowed by this
422 subdivision for the assessment date following the date on which such
423 notice is sent, shall be denied by the assessor of the town in which the
424 property of the taxpayer is subject to taxation unless the taxpayer
425 provides written documentation from the Department of Revenue
426 Services that the delinquency has been cleared. Such written
427 documentation shall substantiate that the delinquency was cleared on
428 or before the statutory date for the filing of an application for
429 exemption under this subdivision, provided, if a taxpayer receives an
430 extension of the filing date pursuant to section 12-81k, the date by
431 which the taxpayer shall be required to clear such tax delinquency
432 shall be extended for a like period of time. No assessor shall approve
433 an application for the exemption under this subdivision that is not
434 accompanied by the written documentation required from a claimant
435 who was sent a notification by the Secretary of the Office of Policy and
436 Management;]

437 Sec. 5. Section 12-81k of the general statutes is repealed and the
438 following is substituted in lieu thereof (*Effective July 1, 2011*):

439 Whenever any person claiming the exemption from property tax
440 under the provisions of subdivisions (59) [] and (60) [(70), (72) and
441 (74)] of section 12-81, as amended by this act, has failed to file a claim
442 with the assessor or board of assessors as required in said
443 subdivisions, the assessor or board of assessors, upon receipt of a
444 request from such person, may allow an extension of time until the
445 fifteenth day of December for the filing of such claim, provided

446 whenever an extension of time is so allowed, such person shall be
447 required to pay a fee for late filing to the municipality in which the
448 property, with respect to which such claim is submitted, is situated,
449 unless such fee is waived by the assessor or board of assessors. Said fee
450 shall be calculated as follows: If the assessed value of the property
451 with respect to which such claim is submitted is one hundred
452 thousand dollars or less, said fee shall be fifty dollars; if the assessed
453 value of the property with respect to which such claim is submitted is
454 greater than one hundred thousand dollars but less than two hundred
455 fifty thousand dollars, said fee shall be one hundred fifty dollars; if the
456 assessed value of the property with respect to which such claim is
457 submitted is equal to or greater than two hundred fifty thousand
458 dollars but less than five hundred thousand dollars, said fee shall be
459 two hundred fifty dollars; if the assessed value of the property with
460 respect to which such claim is submitted is equal to or greater than five
461 hundred thousand dollars, said fee shall be five hundred dollars. If any
462 person is granted an extension of the November first date for filing a
463 tax list in accordance with section 12-42, the date by which he shall be
464 required to claim an exemption under subdivision (59) [] or (60) [(70),
465 (72) or (74)] of section 12-81, as amended by this act, shall be
466 automatically extended to the fifteenth day of December and such
467 person shall not be required to request an extension of the filing date
468 for such claim.

469 Sec. 6. Section 12-94e of the general statutes is repealed and the
470 following is substituted in lieu thereof (*Effective July 1, 2011*):

471 Whenever any person claiming the exemption from property tax
472 under the provisions of subdivision (59) [] or (60) [(70), (72) or (74)] of
473 section 12-81, as amended by this act, has failed to file a claim with the
474 assessor or board of assessors as required in said subdivisions and has
475 further failed to apply for an extension of time under section 12-81k, as
476 amended by this act, the municipality, upon receipt of a request from
477 such person, may, by vote of its legislative body, grant such exemption
478 according to criteria established by the municipality, including, but not

479 limited to, allowing for any hardship experienced by the person which
480 may account for the failure to claim the exemption or to file for an
481 extension of time and whether the exemption would provide a net
482 benefit to economic development in the municipality. No payment in
483 lieu of tax under this chapter shall be made with regard to any
484 property exempted from tax under this section.

485 Sec. 7. Subsection (a) of section 12-120b of the general statutes is
486 repealed and the following is substituted in lieu thereof (*Effective July*
487 *1, 2011*):

488 (a) As used in this section:

489 (1) "Claimant" means a person, company, limited liability company,
490 firm, association, corporation or other business entity having received
491 approval for financial assistance from a town's assessor or a municipal
492 official;

493 (2) "Financial assistance" means a property tax exemption, property
494 tax credit or rental rebate for which the state of Connecticut provides
495 direct or indirect reimbursement; and

496 (3) "Program" means (A) property tax exemptions under section 12-
497 81g or subdivision (55), (59) [] or (60) [, (70), (72) or (74)] of section 12-
498 81, as amended by this act, (B) tax relief pursuant to section 12-129d or
499 12-170aa, and (C) rebates under section 12-170d.

500 Sec. 8. Subdivision (4) of subsection (d) of section 12-120b of the
501 general statutes is repealed and the following is substituted in lieu
502 thereof (*Effective July 1, 2011*):

503 (4) The secretary shall notify each claimant of the final modification
504 or denial of financial assistance as claimed, in accordance with the
505 procedure set forth in this subsection. A copy of the notice of final
506 modification or denial shall be sent concurrently to the assessor or
507 municipal official who approved such financial assistance. With
508 respect to property tax exemptions under section 12-81g or subdivision

509 (55), (59) [,] or (60) [or (70)] of section 12-81, as amended by this act,
510 and tax relief pursuant to section 12-129d or 12-170aa, the notice
511 pursuant to this subdivision shall be sent not later than one year after
512 the date claims for financial assistance for each such program are filed
513 with the secretary. For the property tax [exemptions] exemption under
514 subdivision (72) [or (74)] of section 12-81, as amended by this act, such
515 notice shall be sent not later than the date by which a final
516 modification to the payment for such program must be reflected in the
517 certification of the secretary to the Comptroller. For the program of
518 rebates under section 12-170d, such notice shall be sent not later than
519 the date by which the secretary certifies the amounts of payment to the
520 Comptroller.

521 Sec. 9. Section 27-7 of the general statutes is repealed and the
522 following is substituted in lieu thereof (*Effective July 1, 2011*):

523 The first [and second companies] company of the Governor's Horse
524 [Guards] Guard may [each] consist of one major, one captain, two first
525 lieutenants, two second lieutenants, one cornet with the rank of second
526 lieutenant, one master sergeant, one first sergeant, two staff sergeants,
527 twelve sergeants, twelve corporals, thirty-two privates first class and
528 sixty-four privates.

529 Sec. 10. Section 27-15 of the general statutes is repealed and the
530 following is substituted in lieu thereof (*Effective July 1, 2011*):

531 The Governor shall appoint the military staff that shall consist of the
532 Adjutant General, who shall be chief of staff with the rank of lieutenant
533 general; the assistant adjutant generals, one of whom shall serve as
534 deputy chief of staff as provided under subsection (c) of section 27-24;
535 the chief of staff for the Connecticut Air National Guard; an air aide-
536 de-camp with the rank of colonel, who shall be the senior aviation
537 officer of the Connecticut National Guard; a Surgeon General, who
538 shall be the senior medical officer of the National Guard; one aide-de-
539 camp with the rank of colonel from the United States Air Force
540 Reserve; one aide-de-camp with the rank of captain from the United

541 States Naval Reserve; one aide-de-camp with the rank of colonel from
542 the United States Marine Corps Reserve; one aide-de-camp with the
543 rank of colonel from the United States Army Reserve; one aide-de-
544 camp with the rank of lieutenant commander from the United States
545 Coast Guard Reserve; five aides-de-camp, two with the rank of colonel,
546 two with the rank of lieutenant colonel and one with the rank of major,
547 all of whom shall be from the National Guard; and two enlisted aides-
548 de-camp with the rank of sergeant major from the National Guard.
549 Members appointed from the armed forces of the state shall retain
550 their federal or state grades and shall remain subject to duty therein
551 and, if appointed to such staff in a rank lower than the highest grade
552 attained in federal or state service, shall serve on the staff in their
553 highest recognized grade. Any requirement of this section that any
554 member of the Governor's military staff shall be a member of, or hold
555 any rank in, the National Guard shall be inapplicable whenever the
556 National Guard is in active service with the Army, Navy or Air Force
557 of the United States and at such time the military staff of the Governor
558 may be appointed by the Governor from the organized or unorganized
559 militia, ex-members of the United States Army or Navy or the
560 Connecticut National Guard, or from civil life; and in addition to the
561 active military staff the Governor may, at said Governor's discretion,
562 appoint honorary staff members from the former National Guard or
563 naval militia then on active military duty. The Governor, at any other
564 time, may appoint honorary staff members to the Connecticut National
565 Guard without regard to affiliation who shall serve without the pay,
566 honors, privileges and benefits afforded the active staff members,
567 including, but not limited to, allowances and tuition waivers. The
568 majors commandant of the first and second companies Governor's
569 Foot Guards and the Governor's Horse [Guards] Guard shall be ex-
570 officio members of the Governor's military staff. The Governor shall
571 also appoint the immediate predecessors of such majors commandant
572 to serve as additional ex-officio members. In addition to the above-
573 named officers, the Governor shall appoint three additional staff
574 members, one of whom shall be a colonel or of equivalent naval rank

575 and two of whom shall be majors or of equivalent naval rank.

576 Sec. 11. Subsection (a) of section 31-71b of the general statutes is
577 repealed and the following is substituted in lieu thereof (*Effective*
578 *July 1, 2011*):

579 (a) [Each] (1) Except as provided in subdivision (2) of this
580 subsection, each employer, [by himself, his] or the agent or
581 representative of an employer, shall pay weekly all moneys due each
582 employee on a regular pay day, designated in advance by the
583 employer, in cash, by negotiable checks or, upon an employee's written
584 request, by credit to such employee's account in any bank [which] that
585 has agreed with the employer to accept such wage deposits.

586 (2) The Comptroller shall pay all wages due each state employee, as
587 defined in section 5-196, by credit to such employee's account in any
588 bank that has agreed with the Comptroller to accept such wage
589 deposits.

590 Sec. 12. Subsection (c) of section 32-601 of the general statutes is
591 repealed and the following is substituted in lieu thereof (*Effective*
592 *July 1, 2011*):

593 (c) (1) The board of directors shall annually elect one of its members
594 as vice-chairperson and shall elect other of its members as officers,
595 adopt a budget and bylaws, designate an executive committee, report
596 semiannually to the appointing authorities with respect to operations,
597 finances and achievement of its economic development objectives, be
598 accountable to and cooperate with the state whenever, pursuant to the
599 provisions of sections 32-600 to 32-611, inclusive, as amended by this
600 act, the state may audit the authority or any project of the authority, as
601 defined in section 32-600, or at any other time as the state may inquire
602 as to either, including allowing the state reasonable access to any such
603 project and to the records of the authority and exercise the powers set
604 forth in section 32-602, as amended by this act.

605 (2) The authority shall have an executive director [, who shall be a
606 member of the staff of the Office of Policy and Management and shall
607 act as project comptroller pursuant to subparagraph (A) of subdivision
608 (1) of section 32-655a. The executive director] who shall be the chief
609 administrative officer of the authority. The executive director shall not
610 be a member of the board of directors.

611 (3) Members of the board of directors shall receive no compensation
612 for the performance of their duties hereunder but shall be reimbursed
613 for all expenses reasonably incurred in the performance thereof.

614 Sec. 13. Subsection (e) of section 32-602 of the general statutes is
615 repealed and the following is substituted in lieu thereof (*Effective July*
616 *1, 2011*):

617 (e) The authority and the Secretary of the Office of Policy and
618 Management may enter into a memorandum of understanding
619 pursuant to which: (1) All administrative support and services,
620 including all staff support, necessary for the operations of the
621 authority are provided by the Office of Policy and Management, [on
622 and after July 1, 2010, and provision is made for continuity of credited
623 service in the state employee retirement system for any employees of
624 the authority hired by the Office of Policy and Management,] (2) the
625 Office of Policy and Management is authorized to administer contracts
626 and accounts of the authority, and (3) provision is made for the
627 coordination of management and operational activities at the
628 convention center facilities and the stadium facility, that may include:
629 (A) Provision for joint procurement and contracting, (B) the sharing of
630 services and resources, (C) the coordination of promotional and
631 booking activities, and (D) other arrangements designed to enhance
632 facility utilization and revenues, reduce operating costs or achieve
633 operating efficiencies. The terms and conditions of such memorandum
634 of understanding, including provisions with respect to the
635 reimbursement by the authority to the Office of Policy and
636 Management of the costs of such administrative support and services,

637 shall be as the authority and the Secretary of the Office of Policy and
638 Management determine to be appropriate.

639 Sec. 14. (NEW) (*Effective July 1, 2011*) The Office of Policy and
640 Management shall (1) develop and implement an integrated set of
641 policies governing the use of information and telecommunications
642 systems for state agencies, and (2) develop a series of comprehensive
643 standards and planning guidelines pertaining to the development,
644 acquisition, implementation, oversight and management of
645 information and telecommunication systems for state agencies.

646 Sec. 15. Subsection (g) of section 5-270 of the general statutes is
647 repealed and the following is substituted in lieu thereof (*Effective July*
648 *1, 2011*):

649 (g) "Managerial employee" means any individual in a position in
650 which the principal functions are characterized by [not fewer than
651 two] one of the following: [, provided for any position in any unit of
652 the system of higher education, one of such two functions shall be as
653 specified in subdivision (4) of this subsection:] (1) Responsibility for
654 direction of a subunit or facility of a major division of an agency or
655 assignment to an agency head's staff; (2) development, implementation
656 [and] or evaluation of goals and objectives consistent with agency
657 mission and policy; (3) participation in the formulation of agency
658 policy; or (4) a major role in the administration of collective bargaining
659 agreements or major personnel decisions, or both, including staffing,
660 hiring, firing, evaluation, promotion and training of employees.

661 Sec. 16. Section 29-4 of the general statutes is repealed and the
662 following is substituted in lieu thereof (*Effective July 1, 2011*):

663 On and after January 1, 2006, the Commissioner of Public Safety
664 shall appoint and maintain a minimum of one thousand two hundred
665 forty-eight sworn state police personnel to efficiently maintain the
666 operation of the division. On or after June 6, 1990, the commissioner
667 shall appoint from among such personnel not more than three

668 lieutenant colonels who shall be in the unclassified service as provided
669 in section 5-198. Any permanent employee in the classified service who
670 accepts appointment to the position of lieutenant colonel in the
671 unclassified service may return to the classified service at such
672 employee's former rank. [The position of major in the classified service
673 shall be abolished on July 1, 1999, but any existing position of major in
674 the classified service may continue until termination of service.] The
675 commissioner shall appoint not more than [seven] twelve majors who
676 shall be in the [unclassified] classified service. [as provided in section
677 5-198.] The position of major in the unclassified service shall be
678 abolished on July 1, 2011. Any permanent employee in the classified
679 service who accepts appointment to the position of major in the
680 unclassified service prior to July 1, 2011, may return to the classified
681 service at such permanent employee's former rank. The commissioner,
682 subject to the provisions of chapter 67, shall appoint such numbers of
683 captains, lieutenants, sergeants, detectives and corporals as the
684 commissioner deems necessary to officer efficiently the state police
685 force. The commissioner may appoint a Deputy State Fire Marshal
686 who shall be in the unclassified service as provided in section 5-198.
687 Any permanent employee in the classified service who accepts
688 appointment to the position of Deputy State Fire Marshal in the
689 unclassified service may return to the classified service at such
690 employee's former rank, class or grade, whichever is applicable. The
691 commissioner shall establish such divisions as the commissioner
692 deems necessary for effective operation of the state police force and
693 consistent with budgetary allotments, a Criminal Intelligence Division
694 and a state-wide organized crime investigative task force to be
695 engaged throughout the state for the purpose of preventing and
696 detecting any violation of the criminal law. The head of the Criminal
697 Intelligence Division shall be of the rank of sergeant or above. The
698 head of the state-wide organized crime investigative task force shall be
699 a police officer. Salaries of the members of the Division of State Police
700 within the Department of Public Safety shall be fixed by the
701 Commissioner of Administrative Services as provided in section 4-40.

702 State police personnel may be promoted, demoted, suspended or
 703 removed by the commissioner, but no final dismissal from the service
 704 shall be ordered until a hearing has been had before said commissioner
 705 on charges preferred against such officer. Each state police officer shall,
 706 before entering upon such officer's duties, be sworn to the faithful
 707 performance of such duties. The Commissioner of Public Safety shall
 708 designate an adequate patrol force for motor patrol work exclusively.

709 Sec. 17. Subdivision (74) of section 12-81 and sections 12-94b, 12-94c,
 710 12-94f and 12-94g of the general statutes are repealed. (*Effective July 1,*
 711 *2011, and applicable to assessment years commencing on or after October 1,*
 712 *2011)*

713 Sec. 18. Sections 15-155, 15-155d, 15-155e and 31-283a of the general
 714 statutes are repealed. (*Effective July 1, 2011)*

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2011</i>	7-127d(a)
Sec. 2	<i>July 1, 2011</i>	7-127e
Sec. 3	<i>July 1, 2011</i>	12-63
Sec. 4	<i>July 1, 2011</i>	12-81(72)
Sec. 5	<i>July 1, 2011</i>	12-81k
Sec. 6	<i>July 1, 2011</i>	12-94e
Sec. 7	<i>July 1, 2011</i>	12-120b(a)
Sec. 8	<i>July 1, 2011</i>	12-120b(d)(4)
Sec. 9	<i>July 1, 2011</i>	27-7
Sec. 10	<i>July 1, 2011</i>	27-15
Sec. 11	<i>July 1, 2011</i>	31-71b(a)
Sec. 12	<i>July 1, 2011</i>	32-601(c)
Sec. 13	<i>July 1, 2011</i>	32-602(e)
Sec. 14	<i>July 1, 2011</i>	New section
Sec. 15	<i>July 1, 2011</i>	5-270(g)
Sec. 16	<i>July 1, 2011</i>	29-4
Sec. 17	<i>July 1, 2011, and applicable to assessment years commencing on or after October 1, 2011</i>	Repealer section

Sec. 18	July 1, 2011	Repealer section
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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.]