2000 ACTS AFFECTING MUNICIPALITIES

Office of Legislative Research

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NOTICE TO READERS

This report provides brief highlights of the 2000 public acts affecting municipalities. Not all provisions of the acts are included and not all the acts listed have been signed by the governor. Readers are encouraged to obtain the full text of acts that interest them from the Connecticut State Library or the House Clerk's office. Complete summaries of all public acts passed during the 2000 session will be available in early fall when OLR's Public Act Summary book is published, and some are now available on the OLR website.

ECONOMIC DEVELOPMENT

Tax Credits for Redevelopment Projects

A new law authorizes up to $500 million in business tax credits for developing new facilities in designated towns or cleaning up and redeveloping contaminated or potentially contaminated sites anywhere in the state. The economic and community development commissioner grants the credits, which can last for up to 10 years. Towns can abate or exempt the taxes on the properties if they do not qualify for tax abatements under any existing programs. (**PA 00-170**, *effective July 1, 2000*)

Brownfield Remediation

The legislature:

1. authorized the Department of Economic and Community Development (DECD) to provide funds to eligible brownfield redevelopers to buy remediation insurance and for deductible payments on such insurance;
2. specifically allowed the DECD commissioner to provide loans from the Special Contaminated Property Remediation and Insurance Fund (SCPRIF) for eligible projects that include lead and asbestos removal or abatement costs;
3. permitted DECD to set different interest rates, within limits, for SCPRIF loans to towns rather than for loans to private entities; and
4. changed the conditions triggering loan repayments.

(**PA 00-171**, *effective October 1, 2000*)

The legislature required towns to determine the value of property taken by eminent domain to take into account any evidence of its fair market value, including its environmental condition and the cost of environmental remediation, when the valuation is challenged. (**PA 00-89**, *effective October 1, 2000;* **PA 00-192** *made the act effective upon passage*)

High Technology Infrastructure

A new law creates a high-technology infrastructure fund in the Connecticut Development Authority (CDA) to provide grants, loans, extensions of credit, guarantees, equity investments, and other forms of financing for information technology projects. It also permits Connecticut Innovations, Inc. to provided financial assistance to "smart buildings," incubator facilities, or other information technology- intensive office and laboratory space. (**PA 00-178,** *effective July 1, 2000*)

Enterprise Zone Corridors

The legislature allowed bigger towns to form enterprise corridor zones by increasing, from 35,000 to 60,000, the population limit of contiguous towns that may form them. Towns must meet other statutory criteria. Businesses located in the zones qualify for tax benefits. (**PA 00-194**, *effective upon passage*)

Empowerment Zone Communities

The legislature allowed federally designated urban empowerment zone towns to issue federally tax-exempt revenue bonds to assist qualified businesses. The municipality's legislative body must adopt a resolution authorizing the bonds' issuance. The legislature also allowed towns to issue taxable bonds to pay issuance or other costs related to providing tax-exempt bond financing to enterprise zone businesses. The municipal board, officer, or agency charged with issuing the bonds must find that issuing taxable bonds is in the municipality's best interest and furthers the act's purposes. (**PA 00-122**, *effective upon passage*)

Foreign Trade Zones

A new law allows towns to adopt ordinances allowing an authority to operate a foreign trade zone. It also specifically allows port authorities to operate these zones. (**PA 00-148**, *effective October 1, 2000*)

EDUCATION

Education Programs

Educational Technology. The legislature established a statewide educational technology program that, among other things, provides:

1. grants to all school districts for improving the use of information technology in schools,
2. state technical assistance for wiring schools and providing Internet access and minimum and model technology standards for schools,
3. programs and competitive grants to train teachers to use educational technology, and
4. standards for certifying computer science teachers and for teacher competence in technology.

The new law also requires the State Board of Education (SBE), by July 1, 2001, to adopt computer technology competency standards for students in grades K-12. (**PA 00-187**, *effective July 1, 2000*)

School Readiness. On or after July 1, 2003, the education commissioner's school readiness program standards must require at least one staff member in each classroom to have (1) a credential issued by an organization

approved by the commissioner and (2) nine college credits or an associate's or bachelor's degree in early childhood education or child development from a college or university accredited by the Board of Governors of Higher Education or a regional accrediting agency.

The legislature extended for another year (through June 30, 2001) permission for towns to use school readiness grants to prepare a facility or staff for operating a school readiness program, as long as the education commissioner approves.

This act also allows state school readiness quality enhancement grants to be used to help daycare directors and administrators become credentialed and to establish a single-point-of-entry system. It requires school readiness councils in priority districts and in districts with severe-need schools, and allows councils in transitional districts, to submit capital and operating school readiness needs assessments to the education commissioner. The assessments must (1) estimate the number of three- and four-year-olds in the districts who are not enrolled in school readiness programs whose parents would likely enroll them if programs were available and (2) include a three-year plan to address any gap between the number of spaces available and the demand.

In addition, in setting day-care reimbursement rates, the act requires the social services commissioner to account for differences in cost based on successful completion of 15 hours of annual in-service training for child-care directors and administrators who are credentialed. (**PA 00-187**, *effective July 1, 2000*)

Another act exempts child day care services administered by a municipal agency or department and located in a public school building for students enrolled in that school from Public Health Department licensing and registration requirements. (***PA 00-135***, *effective upon passage*)

Interdistrict Programs. A new law allows the State Department of Education (SDE) to provide for incremental expansion of the public school choice program to priority districts required to participate in the program. (**PA 00-187**, *effective July 1, 2000*)

Another act pushes forward two reporting deadlines for the interdistrict choice program and requires that, for purposes of the state transportation grant, the count of students transported in the program be determined on September 1 each year.

The act also requires SDE to make sure that interdistrict programs and activities receiving state funding are conducted to promote a diverse learning

environment. It allows the department to establish reasonable enrollment priorities for the programs so participating students are racially, ethnically, and economically diverse. (**PA 00-220**, *effective July 1, 2000*)

Extended School Building Hours Program. A new act allows using state extended school building hours grants to pay for programs held in buildings other than public schools if the board of education can demonstrate to the education commissioner that the building can adequately support the program's academic goals and there is a plan to provide adequate academic instruction. The act also eliminates several specific requirements for filing the education commissioner's annual program evaluation. (**PA 00-220**, *effective July 1, 2000*)

Family Resource Centers. Under a new law, family resource centers established on or after July 1, 2000 must be located in public elementary schools unless the education commissioner waives the requirement. Centers must also meet SDE standards for school readiness programs. (**PA 00-220**, *effective July 1, 2000*)

Identifying Successful Education Programs. Under a new law, SDE must identify methods and programs, including professional development for teachers and administrators, instructional techniques, and governance and management structures and systems, that have been successful in improving student performance in such areas as math, reading, and writing. SDE must make information about the programs available to local school districts to help them address deficiencies in schools listed as needing improvement under the 1999 school accountability act. (**PA 00 220,** *effective July 1, 2000*)

Summer and Weekend Program. The legislature established new criteria for spending plans submitted by priority districts receiving grants for summer and weekend programs for fourth and sixth graders. In deciding where to establish a summer school program, the act requires a school district to give preference to elementary and middle schools with the most students substantially deficient in reading. (**PA 00-220**, *effective July 1, 2000)*

School Employees and Child Abuse Cases

A new act extends procedures for dealing with certified school employees suspected of child abuse to all school employees holding permits or other authorizations from SBE. These include Department of Children and Families and prosecutor notice of investigations and convictions to employing school

boards and the education commissioner and job suspension requirements. It also requires prosecutors to notify the education commissioner and the person's employing school superintendent or nonpublic school supervisory agent whenever someone who holds a teaching certificate, permit, or other SBE-granted teaching authorization is convicted of injury or risk of injury to, or impairing the morals of, a minor under age 16. (**PA 00-220**, *effective July 1, 2000*)

Local School Boards

Public School Information System. Starting with pilot implementation in the 2001-02 school year, a new law requires the education commissioner to implement a standardized electronic data collection and reporting system that (1) makes it easier to comply with state and federal reporting requirements, (2) improves the exchange of information among schools and school districts, and (3) maintains the confidentiality of individual student and staff data. The initial system design must focus on student information but must also incorporate future compatibility with financial, facility, and staff data. All school districts must participate, as long as SDE provides technical assistance and trains school staff to use the new system. The new student information database is exempt from the Freedom of Information Act. (**PA 00-187**, *effective July 1, 2000*)

Crisis Response Drills. A new law allows school boards to substitute a crisis response drill every three months for one of the required monthly school fire drills. (**PA 00-187**, *effective July 1, 2000*)

Student Records Transfers. Under a new act, when a student changes school districts, his new district will have to notify his old district in writing and the old district must send his records to the new district within 10 business days of receiving the notice. Unless the student's parents authorized the records transfer in writing, the old district must send them a notice when it sends the records to the new district. (**PA 00-187**, *effective July 1, 2000*)

High School Diplomas and World War II Veterans. A new law allows boards of education to award high school diplomas to World War II veterans who did not receive them because they left high school for military service. The law covers anyone honorably discharged following at least 90 days of service (or less if discharged due to service-connected disability) between December 7, 1941 and December 31, 1946 in the U.S. Army, Navy, Marine Corps, Coast Guard, or Air Force. (***PA 00-124***, *effective May 29, 2000*)

Reporting Requirements Eliminated. The legislature eliminated requirements that local boards of education submit to SDE their in-service training programs for certified personnel and an annual count of foster children attending school in the district whose parents live elsewhere or who have no parents. It also eliminated an obsolete provision granting local school boards authority over funds received from the Johns-Manville Corporation asbestos settlement fund. (**PA 00-220**, *effective July 1, 2000*)

School Buses. A new law makes several changes to school bus laws, including (1) eliminating the prohibition on the Department of Motor Vehicle (DMV) commissioner establishing and enforcing bus seating requirements based on a minimum seating width for each child, (2) establishing penalties for violating DMV regulations governing school buses and vehicles used to transport special education students and their drivers, (3) revising the uniform bus color standard to conform to the newer federal standard, and (4) establishing a two-year retention period for school bus maintenance records. (***PA 00-169***, *effective October 1, 2000*)

Special Education

Assistive Devices. A new law allows state and local educational agencies to loan, lease, or transfer an "assistive device" used by a student with a disability to the student or his parent or guardian or to another public or private nonprofit agency that provides services to people with disabilities regardless of whether the device is declared surplus. The sale or transfer must be based on the device's depreciated value and recorded in a written agreement. Towns that receive money from loans, leases, or transfers of such devices by local or regional boards of education must make the funds available to the board in addition to other revenue the board receives. (**PA 00-220**, *effective July 1, 2000*)

Administrative Changes. A new act:

1. expands the responsibilities of surrogate parents appointed by the education commissioner to represent children who may require special education in the absence of their real parents and requires the commissioner to monitor surrogate parents' effectiveness;
2. requires parties to special education hearings to disclose additional information beforehand and allows the hearing officer to bar introduction of undisclosed material;
3. apportions responsibility between local school districts and interdistrict

magnet schools for paying costs and providing services to children requiring special education who attend magnet schools;

4. requires local school boards to pay state charter schools quarterly for the extra costs of educating special education students who live in their districts and attend charter schools;
5. incorporates certain new federal definitions and requirements into state law; and
6. requires the appropriate state agency instead of SBE to approve sheltered workshops or rehabilitation institutions that provide occupational training for children age 16 or over requiring special education.

The act also changes the schedule for SBE's payments to the Department of Mental Health and Addiction Services for providing education services to children in DMHAS facilities that require special education. (***PA 00-48***, *effective July 1, 2000*)

School Transportation Liability. A new law allows people, including special education students, to sue school boards or towns when they are injured going to or from school in state-mandated transportation. It preserves the state's immunity from suit. (***PA 00-133***, *effective October 1, 2000*)

Computer Donations to Schools

Companies that donate new or used computers less than two years old to local boards of education or public schools may take a tax credit equal to 50% of the computers' fair market value. The maximum annual credit for any one business is $75,000 and the total of all credits cannot exceed $1 million in any fiscal year. Credits can apply to the corporation tax; premium taxes on insurance companies and HMOs; and gross earnings taxes on air carriers, railroad companies, express, telegraph, cable, and community antenna television companies, and utilities.

Credit applications must be accompanied by a written agreement between the business and the receiving board of education or school that (1) provides for the board or school to accept the computers; (2) acknowledges that they are in good working order; and (3) requires the business to install, set up, and provide staff training on the computers. (***PA 00-170***, *effective upon passage and applicable to income years starting on or after January 1, 2000*)

ELECTIONS

Four-Year Terms

A new law allows municipalities to adopt ordinances setting four-year terms for chief elected officials, local legislators, and treasurers as long as the municipal charter does not provide otherwise. It also allows them to set four-year terms for any of the officials by charter. (**PA 00-225**, *effective upon passage*)

Paper Ballots

A new act establishes the number of paper ballots that the town clerk must give to the moderator of each polling place in case a voting machine breaks down or for use by a person with disabilities. The clerk must provide (1) a number equal to at least 1% of the number of electors eligible to vote at each polling place or (2) as many as the clerk and the registrars of voters agree will protect people's voting rights. (**PA 00-79,** *effective October 1, 2000*)

Referendum Proposals and Questions

A new law allows towns to prepare and print material, other than an explanatory text, about local referendum proposals or questions as long as these do not advocate approval or disapproval. A town's legislative body must vote to do so, and its attorney must approve. (**PA 00-92**, *effective October 1, 2000*)

ENVIRONMENT AND LAND USE

Siting Fuel Cells and Other Generating Facilities

The legislature made it easier to build or modify certain electric generating facilities and eliminated the need for a Siting Council certificate for fuel cell generating facilities with a capacity of up to 10 kilowatts (the amount of electricity used by 100 100-watt light bulbs). More generally, it requires the council to approve the construction or location of any fuel cell by declaratory ruling, unless it finds that will cause substantial environmental harm. (**PA 00-93,** *effective October 1, 2000*)

Wastes

Construction and Demolition Wood Generated By Residences. The legislature expanded the types of residential waste that may be disposed of in resource recovery facilities to include construction and demolition wood that is not pressure-treated and does not contain arsenic. (**PA 00-29**, effective upon passage)

Solid Waste Odor Control. The legislature exempted certain facilities owned or operated by the Connecticut Resources Recovery Authority from the solid

waste and air permit process when installing thermal oxidizers and air pollution control equipment for odor control. A new law requires the facilities to report such changes to Department of Environmental Protection (DEP) for review and comment after they install the equipment. (**PA 00-23**, *effective upon passage*)

Campfires and Open Burning. The legislature eliminated the requirement that local fire marshals issue all burning permits. Instead, the new law requires residents who want to burn brush on their property to obtain a permit from a local open burning official. It also requires towns that want to burn solid waste at their facilities to obtain a permit from the local fire marshal.

Local open burning officials may issue permits for (1) fire training, (2) insect control, (3) natural disaster clean-up, (4) wildlife habitat and vegetation management, and (5) ecological sustainability. The act allows such burns on state property with DEP's written approval. DEP no longer needs to issue written approval for fires used to control forest fires or to reduce the risk of uncontrolled salt marsh fires. The act specifies procedures for nominating and certifying the official.

It specifically allows for campfires and bonfires to the extent they do not represent a nuisance and do not conflict with any other burning restrictions. (**PA 00-1**, *effective upon passage*)

Preservation

Unauthorized Tree Cutting. The legislature increased the penalties for harming a tree or shrub in a public area or way, eliminated the requirement that the violation be willful, and set the fine at the appraised value of the tree or shrub as determined by the local tree warden or forester or other appropriate authority. The appraisal must comply with regulations that DEP must adopt.

The act removes the $90 cap on fines for violating tree care and preservation regulations and instead requires that the fines be reasonable. It increases, from five to 10 days, the minimum time between the posting of the notice and the removal or pruning of the tree. (**PA 00-106**, *effective October 1, 2000*)

Water Company Land Sales. Under a new law, the public health commissioner must require permanent conservation easements on the sale of certain water company lands. (**PA 00-203**, *effective July 1, 2000*)

Urban Harbors. The legislature amended the Coastal Zone Management Act to require state and municipal agencies, under certain circumstances, to promote the revitalization of inner city urban harbors and waterfronts by encouraging the

appropriate reuse of historically developed shorefronts. (**PA 00-152**, *effective October 1, 2000*)

Local and Regional Land Use Commissions

Regional Planning. The legislature allowed regional councils of governments (COG) to prepare regional plans of development and perform other planning duties and responsibilities on their own instead of through a regional planning commission. It also allowed, rather than required, regional COGs' bylaws to include provisions for organizing a regional planning commission. The legislature allowed COGs to buy real property for administrative office space. (**PA 00-54**, *effective upon passage*)

Village Districts. The legislature specified criteria for designating village districts and made substantive and procedural changes with regard to regulating developments in them. (**PA 00-145**, *effective October 1, 2000*)

Meeting Transcripts. The legislature set conditions under which courts must admit into the record of a land use appeal a transcript of a meeting at which a land use commission acted on a permit, petition, application, or request. It also required courts to admit into the appeal record a transcript of a meeting at which (1) a zoning board of appeals sustained a zoning enforcement officer's order and (2) a chief elected official upheld a citation for violating the dumping laws.

The legislature dropped the requirement that parties (other than municipalities) appealing a decision (post surety bonds to the commission that made the decision. The bonds guarantee that the parties will prosecute the appeal and comply with the court's orders. (**PA 00-108**, *effective October 1, 2000*)

Uncollected Land Use Fees and Grants to Municipalities. The legislature required DEP to list the towns that do not send it the $10 surcharge they must collect on land use applications. DEP must submit the list quarterly to the Office of Policy and Management (OPM). OPM must reduce payments to these towns from the Mashantucket Pequot and Mohegan Fund by $500 for each of the preceding four quarters that they failed to "collect" the surcharge, up to $2,000 per fiscal year.

PA 00-196 amends these provisions by: (1) requiring DEP to submit the list to OPM annually starting October 1 starting in 2001 rather than quarterly, starting in 2000, and (2) requiring OPM to certify the amount to be withheld and the comptroller to transfer the withheld money to the Environmental Quality Fund. (**PA 00-102**, *effective July 1, 2000*)

Legal Uses. The act specifies that the use, occupancy, or presence of any building or other structure cannot be deemed illegal or invalid solely because (1) the lot on which it is located is not shown on an approved subdivision plan or (2) a filed or recorded subdivision map or plan on which it is shown does not comply with state law or local law or regulation. (**PA 00-84**, *effective July 1, 2000*)

Pet Animals and Kennels

The legislature increased, from $25 to $250, the maximum fine for violating animal quarantine orders for dogs, cats, or other animals that bite or attack people. It also increased, from $25 to $250, the minimum fine for violating laws related to kennels or restraining or destroying dogs or cats and eliminated the maximum penalty of $50. (**PA 00-88**, *effective October 1, 2000*)

FINANCE

Recording Fees for Preserving Historic Documents

A new law requires town clerks to charge an additional $3 fee for recording documents, keep $1, and remit $2 to the state. The clerks must use their share to preserve and manage historic documents.

The public record administrator must use 70% of the state's share to fund an historic documents preservation and management grant program, which is open to towns. He must use the remaining 30% to administer the grant program and provide funds for preserving and managing the State Library's historic documents.

The state librarian must adopt regulations and establish a committee to advise him on developing and implementing regulations. The committee must include representatives of different size towns from different regions of the state. (**PA 00-146**, *effective July 1, 2000*)

Voluntary Municipal Revenue Sharing

The legislature allowed the chief elected officials of two or more towns, cities, and boroughs to initiate a process to agree to share real and personal property tax revenue. The agreement must be negotiated, with an opportunity for public participation, and adopted by resolution of each participating municipality's legislative body. (**PA 00-85**, *effective July 1, 2000*)

Deadline for Repaying Municipal Liability Trust Fund Loans

The legislature extended the deadline, from July 1, 2000 to June 30, 2001, by which interlocal risk management agencies must repay loans they received from the Municipal

Liability Trust Committee. (**PA 00-174**, *effective upon passage*)

Excess Cost Grants

Under a new law, town treasurers must credit state funds for special education excess costs to the local or regional board of education within 30 days after receiving documentation that the board's special education spending has exceeded its budgeted estimate for such costs. (**PA 00-220**, *effective July 1, 2000*)

GOVERNANCE

Freedom of Information

A new law sets conditions under which the public works commissioner can direct towns and other public agencies to withhold certain records regarding state facilities from members of the public who request disclosure under the Freedom of Information Act (FOIA). (**PA 00-69,** *effective upon passage*)

Another new law subjects municipal economic development agencies to the FOIA and requires the Freedom of Information Commission, by December 31, 2001, to create, publish, and provide to each town a model ordinance establishing a municipal freedom of information advisory board. (**PA 00-136**, *effective October 1, 2000, except the requirement for a model ordinance is effective July 1, 2000*)

Ethics

The legislature authorized any special districts to adopt ordinances or charter provisions establishing ethics agencies. It also extended the conflict of interest ban to elected officials of districts with ethics boards or commissions. (**PA 00-92**, *effective October 1, 2000*)

Town Clerks

A new law makes minor changes to certain town clerks' duties and removes others that are obsolete. It:

1. adds recording a partial release or assignment of a mortgage or lien to clerks' duties and establishes directions for noting a release, partial release, or assignment when public records are not in paper form;
2. eliminates payments between towns for recording vital statistics when the annual payment is less than $26;
3. requires all copies of marriage and death records that clerks provide to be certified at a cost of $5 per copy; and
4. deletes requirements that cooperative and professional associations file with the town clerk where they are located.

(**PA 00-92**, *effective upon passage*)

Community Action Boards And Violence-Free Zones

The legislature removed term limits for members of community action agency boards who represent a neighborhood's poor residents and its business, labor, and community groups.

It also allowed community action agencies in the 17 towns with enterprise zones to designate violence-free zones under federal law to address youth problems and needs. (**PA 00-158,** *effective upon passage*)

HOUSING

Affordable Housing Land Use Appeals Procedure

The legislature made many changes to the affordable housing land use appeals procedure. It:

1. changed one of the factors DECD has to consider when it annually identifies the towns where developers can use the procedure,
2. increased the percent of units developers must agree to make affordable in order to use the procedure and lengthened the time during which they must remain affordable,
3. imposed new conditions limiting the amount of rent developers can charge for the affordable units,
4. gave land use commissions more tools to assess proposed affordable housing developments,
5. changed several procedural requirements for acting on an application after the developer modifies and resubmits it to the commission that initially acted on it,
6. specified that towns must prove to the court that the evidence in the record is sufficient to support their decision rejecting a proposed development for the reasons the statutes specify,
7. extended the statutory zoning enforcement powers to projects that were approved under the procedure,
8. changed the time period and conditions under which towns can obtain a moratorium on affordable housing appeals, and
9. allowed towns to grant property tax credits to residential owners who agree to sell or rent their properties only to low- and moderate-income people.

(**PA 00-206**, *effective October 1, 2000*)

Public Housing

The legislature required public housing authorities operating state-funded projects to adopt

certain practices and procedures with respect to their tenants. Starting October 1, 2000, they must give tenants written leases, encourage them to participate in state-funded housing programs that the authorities operate, and help tenants become involved in managing their projects. (**PA 00-173,** *effective October 1, 2000*)

PROPERTY TAXATION

New Abatements and Exemptions

School Buses. A new act allows towns to abate up to 100% of the property taxes due on new school buses. (**PA 00-192**, *effective July 1, 2000*)

Citizenship Classes. A new law sets conditions under which municipalities can abate up to 100% of the annual property taxes due on real or personal property belonging to a nonstock corporation that provides U.S. citizenship classes. (**PA 00-130**, *effective October 1, 2000 and applicable to assessment years beginning on that date*)

Vehicles Owned By Parents Of Disabled Child. A new law allows towns to exempt vehicles owned by the parents of a person with disabilities that have been equipped for that person's use. Prior law allowed them to do this only if the person owned the vehicle himself. The new law also eliminates a requirement that an exempt vehicle be retrofitted with special equipment after manufacture and instead requires only that it have the equipment. (**PA 00-214**, *effective October 1, 2000*)

Surviving Spouses of Policemen and Firefighters. The legislature allowed municipalities to adopt ordinances abating the property taxes on the principal residence of a surviving spouse of a police officer or fire fighter killed in the line of duty. (**PA 00-215,** *effective upon passage*)

Nonprofit nursing homes. The legislature exempted state-licensed nursing homes, rest homes, or residential care homes operated by nonprofit organizations. The provision does not affect (1) for assessment years starting on or after October 1, 2000, the taxability of any property that was taxable on the preceding year's net grand list as adjusted by the board of assessment appeals or (2) any time-limited, written agreement with a municipality concerning the property's taxability that exists on July 1, 2000. (***PA 00-229***, *effective upon passage and applicable to assessment years beginning October 1, 1998*)

Veterans. A new law requires towns to increase veterans' property tax exemptions after revaluation in proportion to increases in their net taxable grand lists instead of their total grand lists. It thus precludes big increases in the exemptions

attributable solely to the addition of a large tax-exempt property to a town's grand list. (**PA 00-229**, *effective upon passage and applicable to assessment years beginning October 1, 1998*)

Redevelopment Projects. A new law provides business tax credits for investments in new facilities in designated towns or in projects to clean up and redevelop contaminated or potentially contaminated sites anywhere in the state. It also allows towns to abate or exempt the taxes on properties receiving these investments if they do not qualify for benefits under any other statute. (**PA 00-170,** *effective July 1, 2000*)

Enterprise Zones. A new law bars towns from assessing real property improvements in enterprise zones while they are being built. (**PA 00-194**, *effective upon passage*)

Administration

Utility Property. A new law advances the date by which towns must be reimbursed for part of any losses in the value of electric generating plants due to electric industry restructuring. Prior law required tax assessors to certify the loss in value to the OPM secretary by June 15 of the year after the assessment year in which the loss occurred. The new law instead requires them to certify this by the June 15 following the assessment date. (**PA 00-215**, *effective upon passage*)

Forms and Applications. The legislature required local assessors rather than the OPM secretary to provide certain property tax-related forms, and transferred from OPM to local assessors the authority to extend deadlines for applying for certain property tax exemptions.

It also eliminated a requirement that owners of new commercial trucks, truck tractors, tractors and semitrailers, and vehicles used in combination with them that are eligible for five-year property tax exemptions file annual exemption applications. Instead, it required owners to file new applications only when they modify the vehicle or register it in another town. (**PA 00-215**, *effective upon passage and applicable to assessment October 1, 2000*)

PUBLIC EMPLOYEES

Minimum Wage Increase

This act increases the minimum wage by 55¢ over two years, from $6.15 to $6.40 an hour beginning January 1, 2001 and to $6.70 beginning January 1, 2002. By law, which the act does not change, whenever the federal minimum wage increases, the state minimum increases to that level, plus 0.5%. (**PA 00-144**, *effective October 1, 2000*)

Martin Luther King Day

The legislature required all towns to include a provision in each collective bargaining agreement that is executed after April 26, 2000 stating that the town's nonessential town offices will be closed on Martin Luther King Day.

The legislature required towns that did not close all nonessential offices in observance of Martin Luther King Day on January 17, 2000 to close them on the holiday in the future. These towns must reopen all collective bargaining agreements exclusively to negotiate compensation or benefits exchange, if any, for Martin Luther King Day. The holiday must be observed on the same date that the state observes it.

The legislature established mediation and binding arbitration processes that towns and their unions must use if they fail to agree on the compensation and benefits issue by specified dates. (**PA 00-98**, *effective upon passage*)

Retirement

Deferred Retirement Option Plans. This act allows the Retirement Commission to establish a deferred retirement option plan. Participants in the Municipal Employees' Retirement Fund (MERF) who are eligible for retirement may participate in the plan if their town adopts it. A town may adopt the plan if a majority of its legislative body votes to do so. (PA 00-192 specifies that the Retirement Commission must prescribe the adoption procedure.) (**PA 00-73**, *effective July 1, 2000*)

Municipal Employees Retirement Fund Membership. A new law sets conditions under which regional emergency telecommunications centers (RETCs) and tourism district employees can participate in MERF. (**PA 00-162**, *effective October 1, 2000*)

Attaching Government Pension Payments. A new law permits:

1. the state to recover incarceration costs from a prisoner's state, federal, or municipal pension, other than individual retirement accounts and Keogh plans, and
2. crime victims to collect court-awarded damages from one of these benefit plans when the pension-holder or a beneficiary committed a crime that damaged them.

(**PA 00-113**, *effective October 1, 2000*)

Teachers

Notice of Teacher Contract Arbitration Hearings. A new law requires arbitrators to notify a school district's fiscal authority

when and where arbitration hearings will be held in the school district by registered mail, return receipt requested, instead of just by regular mail. (**PA 00-220**, *effective July 1, 2000*)

Teacher Retirement Benefits. Under a new law, for benefits effective on or after January 1, 2001, the Teacher's Retirement Board (TRB) may refund the balance of a member's retirement contributions in a lump sum to the deceased member's or coparticipant's estate if the last survivor (member or coparticipant) dies shortly after retirement without using up his full contribution plus credited interest.

The law makes other changes concerning:

1. amounts paid to members while they are on sabbatical,
2. readjusted disability benefits under a coparticipant option, and
3. deadline extensions for requesting optional recalculation of disability retirement benefits.

(**PA 00- 187**, *effective July 1, 2000*)

Retired Teachers' Health Insurance. The legislature established a 25% premium co-share for members receiving health benefits under the TRB plan and eliminated the relationship between the subsidy for municipal plan coverage and the TRB plan premium. A new law also makes certain retired teachers eligible for an additional $110 per month subsidy paid on the member's behalf to the local board of education to subsidize health insurance costs. (**PA 00-187**, *effective July 1, 2000*)

Teacher's Retirement Board. Under a new law, TRB must credit interest earned on contributions to a member's account based on the balance as of the previous June 30 instead of compounding interest on June 30 every year. Interest must be assessed on any mandatory contributions on salary the local school board pays but does not remit to TRB before the close of the school year.

The law makes changes regarding sending members' contributions to TRB, imposes the 9% annual interest penalty on overdue funds sooner, lengthens by one day the time TRB has to mail retirement checks, and requires members who become eligible for retirement benefits beginning January 1, 2001 to identify a financial institution for TRB to transmit payments electronically. (**PA 00-187**, *effective July 1, 2000*)

Other Retirement Provisions. A new law allows employees of the Children's Center to participate in MERF. (**PA 00-187**, *effective July 1, 2000*)

Wage Payments For Certified Employees. A new law confirms existing practice by allowing school boards and unions to agree to wage payment schedules for certified employees that differ from the statutory requirement that all wages be fully paid within eight days of the end of the preceding pay period. (***PA 00-65***, *effective upon passage*)

Benefits For Survivors Of Municipal Employees

A new law requires the state comptroller to obtain a group hospitalization and medical and surgical insurance plan for surviving spouses and dependent children of municipal employees who die from a work-related injury after October 1, 2000 and not from an illness or natural cause if they are not otherwise eligible for such insurance. (**PA 00-197**, *effective October 1, 2000*)

PUBLIC HEALTH

Emergency Medical Services

The legislature made a number of changes in the state's emergency medical services (EMS) system, including requiring each municipality to establish a local EMS plan, requiring the Office of Emergency Medical Services to develop model local EMS plans, and allowing any municipality to petition the DPH commissioner to remove a primary service responder not meeting certain performance standards. (**PA 00-151**, *effective July 1, 2000*)

Paramedicine

The legislature restricted licensed paramedics' scope of practice to those activities authorized in DPH regulations governing emergency medicine. (**PA 00-47**, *effective October 1, 2000*)

Public Water Systems

The legislature broadened and specified the DPH commissioner's authority to adopt regulations governing the operation of public water supply facilities and the qualifications, certification, and training of water treatment plant operators. DHP must adopt implementing regulations by February 1, 2001.

The legislature also required DPH to adopt regulations requiring water companies to report elevated copper levels in public drinking water and made minor and technical changes. (**PA 00-90**, *effective upon passage*)

Local and District Health Department Funding

The legislature increased funding to local and district health departments as follows:

Type of Health Department	Prior Per Capita Subsidy	New Per Capita Subsidy
Health District -Town Over 5,000 population	$1.79	$1.99
-Town Under 5,000 population	$2.09	$2.32
Full-Time Local Health Departments	$1.02	$1.13
Part-Time Local Health Departments	$0.53	$0.59

(**PA 00-216**, *effective July 1, 2000*)

Pediatric Asthma Pilot Program

A new law directs DPH, in consultation with the Department of Social Services, to establish a pilot program in two towns for early identification and treatment of pediatric asthma. The program is subject to available appropriations. The grants are for identifying, screening, and refering children with asthma for treatment.

DPH must evaluate the pilot program and report to the Public Health, Human Services, and Appropriations committees by October 1, 2001. (**PA 00-216**, *effective July 1, 2000*)

Environmentally Safe Housing

The act allows DPH to establish a program to promote environmentally safe housing for children and families utilizing education, medical screening, and appropriate and cost-effective repairs. Eligible program costs for the entity running the program include expenses of providing lead-safety education, interim measures, window repair or replacement or other remediation of dwellings, administration and management expenses, planning and start-up costs, and other necessary and reasonable costs. (**PA 00-216**, *effective July 1, 2000*)

PUBLIC SAFETY

Hate Crimes

A new law requires police departments to include training on bigotry and bias crimes in basic or review training programs they conduct. (This requirement also applies to the State Police and the Police Officer Standards and Training Council.) (**PA 00-72**, *effective July 1, 2001*)

Searching for Runaway Youth

The legislature authorized police to look for a 16- or 17-year old whose parent or guardian reports he has run away. Police can tell the parents where the youth is, if it would not physically or emotionally jeopardize him. If the police keep

a youth in custody, they cannot place him in a cell designed for adults and they can release him at any time. (***PA 00-177***, *effective July 1, 2001*)

Fire Department Apparatus Safety Inspections

A new law requires the Department of Motor Vehicles, within available appropriations, to establish an annual safety inspection program for fire department apparatus and adopt implementing regulations. (**PA 00-202**, *effective October 1, 2000*)

Connecticut Police Corps Program

A new law allows the Police Officer Standards and Training Council to (1) recruit, select, and appoint probationary candidates and (2) provide recruit training for Connecticut Police Corps Program participants in accordance with the federal Police Corps Act. (**PA 00-51**, *effective upon passage*)

PUBLIC UTILITIES

Regional Water Authorities

A new law allows regional water authorities to function as electric suppliers or electric aggregators under the laws opening the electric market to competition. It also makes minor changes to towns' ability to participate in the electric market. (**PA 00-53**, *effective October 1, 2000*)

STATE AID

Budget Revisions

The legislature increased grants to towns by $67 million to $2,128.3 million in FY 01. The revised budget also provides $46.7 million in additional assistance to towns from FY 00 surplus. (Please refer to the Office of Fiscal Analysis' Highlights of the Revised FY 01 Budget for additional information on these and other major budget changes.) (**SA 00-16**, *effective July 1, 2000*)

Environmental Programs

Bonds for DEP Infrastructure Programs. Last year the legislature authorized $10 million in bonding for financial assistance to municipalities for various environmental infrastructure purposes and for a grant program to clean up contaminated soil and remove leaking underground storage tanks (LUST). This year's bond act increases the authorization by $2 million and specifies that at least $4 million, rather than $2 million, of the total funding must go for LUST grants.

The act increases, from $5 million to $15 million, the bond authorization for grants to towns

for improvements to incinerators and landfills, and specifies that the funds can be used for bulky waste landfills. (**PA 00-167**, *effective July 1, 2000*)

Open Space. The legislature established a new matching grant program to help municipalities and nonprofit land organizations acquire open space land, which must meet the criteria and use limits of the existing protected open space and watershed land acquisition program and remain permanently preserved under a conservation easement. (**PA 00-203**, *effective July 1, 2000*)

Education Funding and Grants School Improvement Grants. The legislature established a new grant for schools listed by the education commissioner as needing improvement under the 1999 school accountability act. Districts must use the grants to pay for (1) implementing required school improvement plans for those schools, (2) partnerships between the schools and local public libraries, and (3) actions needed for the schools to be accredited by the New England Association of Schools and Colleges. Districts must submit spending plans for the education commissioner's approval.

(**PA 00-187**, *as amended by PA 00-193 and PA 00-192, effective July 1, 2000*)

Reading Partnership Programs. As part of the new school improvement grant program, districts receiving grants for schools on the education commissioner's 1999 list of schools needing improvement must earmark 10% for partnership programs between those schools and local public libraries. (**PA 00-187**, *effective July 1, 2000*)

Video Surveillance Devices. A new law specifically allows priority school districts to use state school improvement grants to install video surveillance devices. Districts were already allowed to use the grants to install security equipment. (**PA 00-220**, *effective July 1, 2000*)

School Readiness Grants. A new act allows former priority school districts to receive school readiness grants after they no longer qualify as priority districts.

Starting in FY 2001-02, the act also extends grant eligibility to transitional districts. Under the act, former priority districts will be eligible for a share of the 93% of the school readiness appropriation allocated to priority districts, and priority schools located in transitional districts will not be eligible for any share of the 6.5% allocated to priority schools. The act allocates no specific percentage to transitional district grants.

The act also changes the kindergarten enrollment data

used to distribute money to priority and former priority school districts to smooth out fluctuations in year-to-year grants. But no district can receive a lower grant than it did the year before.

The act allows the education commissioner to provide grants above $100,000 to nonpriority districts with more than one priority school.

(**PA 00-187**, *effective July 1, 2000*)

Education Cost Sharing (ECS) Grants. A new act:

1. increases the maximum ECS regional school district bonus from $25 to $100 per pupil;
2. starting with FY 1999-00, requires towns to spend all of any increase in ECS aid they receive on education; and
3. requires towns to adjust their minimum expenditure requirements for FY 2000-01 only for falling enrollment.

(**PA 00-187**, effective July 1, 2000)

School Construction Grants. A new law allows the education commissioner to approve roof replacement projects without placing them on the legislatively approved school construction priority list. It allows districts to receive proportional grants for replacing roofs between 15 and 20 years old even when the roof was improperly designed or constructed. It also limits the scope of SDE's school construction audits that are not finished within five years of project completion, bars SDE from making any adjustment to a district's school construction grant because an audit finds that a project change order was not bid publicly, and clarifies the eligibility standards for renovation projects. (**PA 00-220**, *effective July 1, 2000*)

Accountability Appropriation. The legislature transferred $2.2 million of SDE's appropriation from the FY 1999-00 surplus from school construction to school accountability grants. (**PA 00-192**, *effective upon passage*)

Public School Choice Program. The legislature increased the maximum state transportation grant for students participating in the interdistrict public school choice program by $100 per student, from a statewide average of $2,000 per student to a statewide average of $2,100. It also required choice students to be counted for purposes of the state mastery exams as residents of the districts where they attend school. (**PA 00-187**, *effective July 1, 2000*)

Youth Service Bureaus. The legislature expanded the youth service bureaus eligible for SDE grants to include those that (1) were eligible for such grants in

FY 1999-00 or (2) applied for a grant by May 15, 2000 after receiving approval of their town's matching contribution. (**PA 00-187**, *effective upon passage*)

State Charter Schools. The legislature increased the annual, per-student grant for students attending state charter schools from 110.3% of the ECS foundation amount, or $6,500, to a flat $7,000. (**PA 00-187**, *effective July 1, 2000*)

Lighthouse Schools. A new law makes permanent the competitive grant program for lighthouse school development in Bridgeport, Hartford, and New Haven permanent. It also limits the grant for any one school to $100,000 in any year. But it allows SDE to give a lower grant to a school for up to two additional years. SDE must set the lower grant amounts according to what is reasonably needed to implement a lighthouse school program at a school. (**PA 00-187**, *effective July 1, 2000*)

High School Projects. The legislature established a new competitive grant program for high school projects involving computers, engineering, math, physics, science, or technical construction. School districts must apply on behalf of their high schools. (**PA 00-193**, *effective July 1, 2000*)

Interdistrict Magnet Schools. The legislature allocated one-time supplemental grants to each regional educational service center (RESC) operating interdistrict magnet schools as follows:

1. $750,000 for each such school operating under a RESC's jurisdiction for the first time or expanding to a new location in FY 2000-01,
2. $325,000 for each such school continuing to operate under a RESC's jurisdiction in FY 2000-01, and
3. $118,750 for related support services provided by RESCs.

The same act also carries over up to $37,500 of SDE's FY 1999-00 other expense appropriation for a grant to the Aspirations for Higher Precollegiate Learning Program in New Haven. (**PA 00-187 and PA 00-192**, *effective July 1, 2000*)

Another act increased, to 90% of the ECS foundation amount, the maximum per-pupil state grant for each student at an interdistrict magnet school that serves two towns and was established before January 1, 1993. (**PA 00-220**, *effective July 1, 2000*)

Regional Educational Service Center Funding. The legislature adopted a formula to fund the six RESCs instead of setting fixed amounts. RECSs

must now receive at least as much as they did in FY 1998-99. Those that receive more must have their grants proportionately reduced.

The new law also requires each RESC to spend at least 6.25% of its state aid annually to help local and regional boards of education to implement educational goals and objectives identified by the SBE. (**PA 00-220**, *effective July 1, 2000*)

TRANSPORTATION

Elderly Transportation Services Grant Program

The legislature required municipalities to apply for elderly transportation services grants through the designated regional planning organizations or transit districts rather than directly to the Department of Transportation (DOT). It required municipalities and these organizations to collaborate on designing the service. It also authorized the transportation commissioner to approve or disapprove the service delivery method. (**PA 00-148**, *effective October 1, 2000*)

Minimum Sight Line Requirements at Rail-Highway Grade Crossings

The legislature adopted by reference nationally recognized rail-highway at-grade crossings, eliminated consideration of structures as obstructions under the law, and made property owners instead of railroads responsible for costs of removing sight-line obstructions. (**PA 00-148**, *effective upon passage*)

Grade Crossing Advance Warning Signs and Markings

The legislature revised and extended statutory responsibility for placing, inspecting, and maintaining advance warning signs and markings for at-grade crossings, including codifying certain municipal responsibilities contained in DOT agreements with towns in 1989 and making several related changes. (**PA 00-148**, *effective upon passage*)

Mass Transportation

Subject to available appropriations, the legislature authorized the DOT commissioner to (1) expand mass transportation systems, such as bus and rail services, in places he finds appropriate and (2) conduct a comprehensive analysis of the Metro North Rail Operating Agreement and report his findings and recommendations to the Transportation Committee by February 1, 2001. (**PA 00-129**, *effective October 1, 2000*)