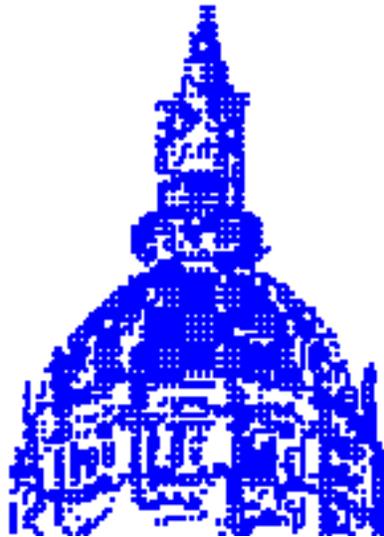


2001
ACTS AFFECTING

MUNICIPALITIES

Office of Legislative Research



Prepared for members of the
Connecticut General Assembly

by
John Rappa, Principal Analyst
2001-R-0530
August 3, 2001

NOTICE TO READERS

This report highlights 2001 public acts affecting municipalities. Readers should examine the full text of the acts that interest them. They can obtain the acts from the Connecticut State Library or the House Clerk's office. Complete analyses of all public acts passed during the regular and special sessions will be available in early fall when OLR releases its Public Act Summary book, but many analyses are now available on the OLR website.

CONTENTS

ECONOMIC DEVELOPMENT	4
EDUCATION.....	6
ELECTIONS.....	14
ENVIRONMENT AND LAND USE.....	15
FINANCE.....	17
GOVERNANCE	17
HOUSING	18
PROPERTY TAXATION.....	19
PUBIC EMPLOYEES.....	20
PUBLIC HEALTH.....	21
PUBLIC SAFETY	22
PUBLIC UTILITIES.....	23
SOCIAL SERVICES.....	23
STATE AID.....	24
TRANSPORTATION	25

ECONOMIC DEVELOPMENT

PROPERTY TAX INCENTIVES FOR PROPERTY IMPROVEMENTS

The legislature (1) standardized the schedule under which towns may abate property taxes for different types of real estate projects and personal property in a manufacturing facility, (2) reduced one of the minimum amounts a business must invest to qualify for an abatement, and (3) changed the abatement amount from a fixed rate to a ceiling. These changes take effect October 1, 2001 (PA 01-125).

CONNECTICUT COASTLINE PORT AUTHORITY

The legislature charged the Connecticut Port Authority (formerly, the Connecticut Coastline Port Authority) with promoting the economic development of all ports, harbors, and navigable tidal rivers instead of just Bridgeport, New Haven, and New London's deep water ports. This change took effect July 6, 2001 (PA 01-143).

INFORMATION TECHNOLOGY AND BROWNFIELD REMEDIATION PROJECT FINANCING

A new law allows the Connecticut Development Authority (CDA) and its subsidiaries to issue bonds on behalf of towns for information technology and brownfield remediation projects. They or the towns are liable for the bonds, which can be repaid with the project's income and revenue, including incremental property tax

revenue and payments in lieu of taxes. CDA and its subsidiaries can approve projects for this type of financing until June 30, 2005. The new law takes effect October 1, 2001 (PA 01-179).

MARKETING RETAIL AND SERVICES AREAS NEAR TRANSPORTATION FACILITIES

A new law creating a state transportation strategy board requires the economic and community development commissioner to work with towns on promoting and marketing retail sales and service areas around rail, bus, airport, and port terminals. It took effect July 2, 2001 (PA 01-5 June Special Session (JSS)).

TOURISM DISTRICT FUNDING

The legislature capped the total amount of hotel and lodging tax revenue allocated to the state's 11 tourism districts at the FY 2000-01 level for the next two fiscal years. The cap does not apply to other entities that receive a share of this revenue. The legislature also allocated a portion of the revenue for specified tourism and cultural heritage projects and programs. These changes take effect July 1, 2001 (PA 01-6, JSS).

EXTENSION FOR MACHINERY AND EQUIPMENT PROPERTY TAX EXEMPTION CLAIMS

The legislature gave pharmaceutical, medicinal chemical, and botanical product manufacturers an extra five years to receive the state reimbursed property tax exemption for machinery and equipment if they

meet specified criteria, effective July 1, 2001 (PA 01-6, JSS).

REDUCED REIMBURSEMENT FOR MACHINERY, EQUIPMENT, AND TRUCKS PROPERTY TAX EXEMPTIONS

A new law reduces, from 100% to 80%, the rate at which the state reimburses towns for revenue they lose as a result of mandatory five-year property tax exemptions for new or newly acquired machinery and equipment and specific types of trucks.

The reduced rate applies to machinery, equipment, and trucks first approved for exemptions on or after October 1, 2000. It takes effect July 1, 2001 (PA 01-6, JSS).

ELIGIBILITY OF "RELATED BUSINESSES" FOR MACHINERY AND EQUIPMENT PROPERTY TAX EXEMPTION

By law, businesses do not qualify for the machinery and equipment property tax exemption if they transfer the property to an affiliate or related business. A new law defines related business, effective July 1, 2001 (PA 01-6, JSS).

MANUFACTURING ASSISTANCE ACT BOND AUTHORIZATION

The legislature authorized \$30 million in bonds each in FY 02 and FY 03 for the Manufacturing Assistance Act, which funds industrial parks and other infrastructure. It took effect July 1, 2001 (PA 01-7, JSS).

SMALL TOWN ECONOMIC DEVELOPMENT PROGRAM

The legislature authorized \$20 million in bonds in both FY 02 and FY 03 for economic development grants up to \$500,000 per year to towns under 30,000 that do not qualify for Urban Act funds or meet distressed criteria. The authorization is effective July 1, 2001 (PA 01-7, JSS).

Towns over 30,000 that do not otherwise meet these criteria qualify for grants up to \$500,000 from the Urban Act program in FY 02 and FY 03. The authorization is effective July 2, 2001 (PA 01-7, JSS).

BONDS FOR LOCAL AND REGIONAL ECONOMIC DEVELOPMENT

The legislature authorized \$5 million in bonds in both in FY 02 and FY 03 for grants to towns and nonprofit organizations sponsoring cultural and entertainment related projects. It also authorized \$3 million in FY 02 and \$4 million in FY 03 for matching planning grants to regional economic development organizations. The authorizations took effect July 1, 2001 (PA 01-7, JSS).

EXPANSION OF MERIDEN ENTERPRISE ZONE

The legislature required a specified parcel in Meriden to be included in its enterprise zone, effective July 1, 2001 (PA 01-9 June Special Session).

PROPERTY TAXES ON NEW POWER PLANTS

A new law allows any municipality to treat a power plant that completes construction after July 1, 1998, as though the plant were located in an enterprise zone and used for commercial or retail purposes. It took effect July 1, 2001 (PA 01-9, JSS).

URBAN ACT BONDS

The legislature authorized \$140 million in Urban Act bonds in each of FY 02 and FY 03 for the Office of Policy and Management (OPM) and \$2 million in these bonds in each of FY 02 and FY 03 for the Department of Economic and Community Development. The authorization took effect July 1, 2001 (PA 01-7, JSS).

EDUCATION

FUNDING AND GRANTS

Education Cost Sharing (ECS) Grants

A new act gives each town affected by the ECS formula cap a proportional share of \$25 million for FY 02 and of \$50 million in FY 03. The ECS cap still expires altogether starting in FY 04. The act also extends the ECS foundation of \$5,891 per “need student” for another two years, through FY 03. The act took effect July 1, 2001 (PA 01-1, JSS). Another act extends the minimum expenditure requirement for two more years, effective July 1, 2001 (PA 01-173).

Charter School Grants

A new act requires the education commissioner to establish a new grant program within available appropriations to finance physical improvements and construction debt in FYs 02 and 03 for state charter schools whose charters were renewed in the preceding fiscal year. It also allows him to use lapsing funds that exceed the \$7,000-per-student grant for (1) interdistrict cooperative grants, (2) the Open Choice program, or (3) interdistrict magnet school operating grants. The act took effect July 1, 2001 (PA 01-1, JSS).

Safe Learning Grant

The legislature established a new competitive grant program, within available appropriations, to help school districts eliminate bullying and make schools places where children can learn without fear of physical or verbal harm or intimidation. The act took effect July 1, 2001 (PA 01-1, JSS).

Priority School District Grants

A new act requires districts no longer qualifying as priority school districts to receive at least \$250,000 annually while the state phases out their priority district grants. The act also delays from FY 02 to FY 04, implementation of a two-year grant phase-in for districts that qualify for priority school district grants for the first time.

For each of the next two fiscal years, the act reduces the priority school district appropriation by \$1.62 million, increases the appropriation for early childhood

programs by \$10,500, and increases the appropriation for early reading success programs by \$1.53 million. It appropriates \$160,000 over the next two fiscal years to the State Department of Education (SDE) for the extended school hours and support program.

SDE must use its priority school district appropriation for the following grants:

Grant Program	FY 2001-02	FY 2002-03
School Readiness	\$37,419,838	\$37,426,317
Early Reading Success	18,319,897	18,328,147
Extended School Day	3,108,991	3,110,294
Priority District Summer School	2,700,000	2,700,000
Priority School District	20,725,625	20,057,500

The law took effect July 1, 2001 (PA 01-1, JSS).

Transitional School District Grants

A new act requires SDE to distribute transitional school district grants within its available appropriations instead of requiring each eligible school district to receive \$250,000 per year under the program even if it means running a deficiency.

The state budget requires the transitional school district grant appropriation to be divided equally among transitional school districts that receive less than \$250,000 in additional ECS aid because of the ECS cap phase-out. The implementing act expands this allocation to include former

transitional districts receiving phase-out grants, if they also receive less than \$250,000 in additional ECS aid because of the ECS cap phase-out. The act took effect July 1, 2001 (PA 01-1, JSS).

Education Technology Grants

A new act increases minimum education technology grants for the 113 poorest towns from \$10,000 to \$30,000 each and for the other 56 towns from \$10,000 to \$15,000 each. Remaining funds must be distributed to vocational technical and charter schools, SDE, and the 85 poorest towns. The act took effect July 1, 2001 (PA 01-1, JSS).

Basic Technology Grants

A new act transfers \$200,000 of the Department of Information Technology’s budget appropriation for CT Technology Initiatives to SDE, which must use the money to establish a competitive grant program for local school boards in FY 02 for basic technology programs to improve communications. The act took effect July 1, 2001 (PA 01-1, JSS).

Educational Technology Fund

A new act authorizes the Department of Information Technology to make grants for education in technology. It took effect July 1, 2001 (PA 01-9, JSS).

Grants For Schools In Need Of Improvement

A new act makes permanent the grants to local and regional boards of education with one or more

schools on the most recent list of schools in need of improvement. It requires districts grant spending plans to include actions necessary for the school to be accredited. The act took effect July 1, 2001 (PA 01-1, JSS).

School Readiness Grant

The education budget-implementing act makes several changes in the school readiness grant. It:

1. establishes a minimum grant of \$150,000 for priority and former priority districts while maintaining the requirement that no such district receive a grant that is lower than its previous year's grant;
2. increases, from 10% to 50%, the percentage of a priority school district's grant SDE can reallocate to other priority districts if the district fails to submit a plan by January 1 to spend its entire grant;
3. establishes a \$25,000 minimum on the amount of state school readiness grant money a town that does not contribute local funds to the program may use for early childhood education coordination, administration, and program evaluation; and
4. allows towns, for the first three years they receive a school readiness grant, to use it, with the education commissioner's approval, to prepare a facility or staff to operate a program and requires the commissioner to reduce grants for the first

three years accordingly if he approves a program that operates for less than 180 days or 450 hours per year. Authorization for these two provisions was to expire on June 30, 2001.

The act took effect July 1, 2001 (PA 01-1, JSS).

School Readiness Quality Enhancement Grants

A new act expands the ways school readiness and day care providers can spend supplemental quality enhancement grants available from the Department of Social Services (DSS) to include (1) helping program directors and administrators get training, (2) providing health consultants and information on access to speech and language therapists, (3) training in how to prevent injury and illness, and (4) complying with national safety standards. The act took effect July 1, 2001 (PA 01-1, JSS).

Accessible Playground Grant

A new act authorizes OPM to give \$1 million in matching grants and technical services to towns, school districts, or nonprofit agencies to develop universally accessible playgrounds for children of all abilities. Boundless Playgrounds, Inc. will administer the process. The act took effect July 1, 2001 (PA 01-9, JSS).

Funding for Chlamydia Testing

A \$219,000 Department of Public Health (DPH) appropriation for FY 02 for breast and cervical

cancer detection and treatment will be used instead by DPH for chlamydia education and testing in school-based health centers, community health centers, and community health vans. The act takes effect July 1, 2001 (PA 01-4, JSS).

Funding for Youth Service Bureaus

An act expands the youth service bureaus eligible for SDE grants to include bureaus that (1) are eligible in FY 01, rather than only those that were eligible in FY 00, or (2) applied by June 30, 2001, rather than only those that applied by May 15, 2000, after receiving approval for their town's matching contribution. The grants are \$14,000 each, with any excess funds distributed among bureaus that received grants of more than \$15,000 in FY 95. The act took effect July 6, 2001 (PA 01-173).

The legislature also repealed a provision of the 1999 budget act that transferred \$30,000 from SDE's appropriation for adult education and \$50,000 of its appropriation for family resource centers to its youth service bureau appropriation. The act took effect July 1, 2001 (PA 01-1, JSS).

Reimbursement For Health Services To Private School Children

For FYs 02 and 03, a new act freezes the count of children on welfare at the number on Temporary Family Assistance for FY 1996-97, which is used in determining whether a town is eligible for the 80% reimbursement of the cost of

providing mandatory health services to private school children. The act took effect July 1, 2001 (PA 01-1, JSS).

INTERDISTRICT PROGRAMS AND GRANTS

Open Choice Program

A new act makes several major changes in the public school Open Choice Program, including limiting the districts that must participate to Bridgeport, Hartford, New Haven, and New London and their surrounding areas; making participation in the program voluntary for the other 10 priority districts; and delaying the start of the voluntary program until September 2003. The act also makes several changes in regional education service centers (RESC) funding and requirements for the program. It took effect July 1, 2001 (PA 01-1, JSS).

Private School Students In Interdistrict Magnet Schools

A new act allows private school students to enroll in public, part-time interdistrict magnet school programs as long as (1) they make up no more than 5% of the magnet school's full-time-equivalent enrollment and (2) they are not counted in the \$1,200 per student state magnet school transportation grant. It took effect July 1, 2001 (PA 01-173)

Interdistrict Cooperative Grant Eligibility

A new act makes state-approved nonsectarian, nonprofit

organizations eligible for state grants for establishing and operating interdistrict cooperative programs. It also makes interdistrict magnet schools eligible for these grants if they (1) are conducted at the magnet school and (2) primarily serve children not enrolled at the school. The act took effect July 1, 2001 (PA 01-173).

Funding Formula For RESC-Run Interdistrict Magnet Schools

A new act distributes the budget appropriation for RESC-operated magnet schools as follows: (1) at least \$600,000 for each new magnet school opening in FY 02 if it enrolls more than 100 full-time-equivalent students, (2) at least \$250,000 for each school that operated under a RESC's jurisdiction for the first time or expanded to a new location in FY 01, and (3) an amount the education commissioner determines for remaining schools that operated in FY 02. It took effect July 1, 2001 (PA 01-1, JSS).

SPECIAL EDUCATION

Funding

Starting July 1, 2002, the education implementation budget act reduces local school districts' share of funding for high-cost special education students from five to four and a half times their average per-pupil expenditure for the preceding fiscal year. The state is responsible for all costs over that amount. The act took effect July 1, 2001 (PA 01-1, JSS).

Interpreters For the Deaf

Until July 1, 2003, a new act exempts interpreters who provide interpreting services in educational settings from credentialing requirements enacted in 1998. It took effect July 1, 2001 (PA 01-2, JSS).

Special Education Grant Payment Schedule

New acts delay, from February 1 to March 1, the filing deadline for districts to submit claims for special education costs for children not included in their initial December 1 filing. They also require the state to pay the balance of special education costs in May rather than April. Both took effect July 1, 2001 (PA 01-173 and PA 01-1, JSS).

SCHOOL CONSTRUCTION

Bonus for Full-Day Kindergarten and Class-Size Reduction Facilities

A new act doubles the school construction reimbursement bonus, from 5% to 10%, for any part of an elementary school building project in a priority school or priority district to be used primarily for a full-day kindergarten program or to reduce K-3 class sizes to no more than 18 students. It took effect July 1, 2001 (PA 01-1, JSS).

Other Changes

PA 01-173:

1. authorizes the education commissioner to approve 20 or more-year leases of

- improved buildings leased to school boards;
2. sets conditions under which he can approve school construction grant applications to buy and install portable classrooms without placing them on the annual priority list for legislative approval;
 3. allows buildings built before July 1, 1951, rather than only those built before 1950, to qualify for a 25% increase in the maximum square-footage-per-pupil limit for computing school construction grants;
 4. allows school districts to submit final plans and specifications for network wiring projects costing less than \$1 million to local officials, instead of SDE, for code approval;
 5. allows school districts to receive a regular school construction reimbursement grant for designing and building central kitchens;
 6. requires new school construction grant applications to affirm that ways to maximize natural light were considered;
 7. requires all building projects eligible for school construction grants and put out to bid on or after July 1, 2004 to include a state fire marshal approved automatic fire extinguishing system for each floor; and
 8. makes all regional school districts eligible for a 10% school construction bonus and removes an obsolete construction bonus for

secondary regional school districts.

The act took effect July 1, 2001.

School construction

The legislature authorized \$143 million in FY 02 and \$450 million in FY 03 in bonds to finance the principal portion of school construction grants-in-aid to municipalities of the authorization took effect July 1, 2001 (PA 01-7, JSS). It also appropriated \$125 million from the projected FY 01 General Fund surplus for school construction grants to towns. The appropriation took effect July 1, 2001 (PA 01-6, JSS).

SCHOOL READINESS, EARLY READING, ACCOUNTABILITY, AND OTHER EDUCATION PROGRAM CHANGES

School Readiness Program

A new act requires the state school readiness program to improve coordination between school readiness programs and child-care services and allows SDE to include pre-literacy development as part of its curriculum content standards for local school readiness programs.

It requires school readiness programs to have plans for incorporating appropriate pre-literacy practices and for teacher training in those practices. It also requires their staff professional development plans to include training (1) in developing children's pre-literacy skills and (2) designed to assure respect for racial and ethnic diversity.

The act requires a superintendent of schools and town chief executive officer to consult with either a regional or local school readiness council in developing the spending plan for a priority or former priority district's school readiness grant. It allows the district to convene a local school readiness council or establish a regional one when applying for a state school readiness grant. The act took effect July 1, 2000 (PA 01-1, JSS).

Full-Day Kindergarten And Intensive Early Reading Programs In Priority Districts

A new act imposes additional requirements on priority districts applying for funds for full-day kindergarten programs under the Early Reading Success grant program. It also requires their proposals for intensive early reading programs to incorporate the state Early Reading Success Panel's findings on (1) skills required for early reading success, (2) critical indicators for teacher intervention, and (3) the components of a high-quality early reading curriculum. The act took effect July 1, 2001 (PA 01-1, JSS).

Schools In Need Of Improvement

A new act delays, from October 1, 2001 to February 1, 2003, the date by which the education commissioner must issue a new list of elementary and middle schools in need of improvement and requires him to issue subsequent lists every three, rather than every two, years thereafter. It also delays the date when superintendents of districts

with schools on the new list must begin meeting with the commissioner to discuss how to improve school performance from January 1, 2002 to April 1, 2003, and requires the meetings to be held every three, instead of every two, years thereafter.

The act requires schools to submit their improvement plans to SDE as well as the local school board and to include criteria for measuring progress. SDE must comment on the plans before boards approve them. The act took effect July 1, 2001 (PA 01-1, JSS).

Youth Camps and School Programs

A new act allows school physicals to satisfy camp physical exam requirements. The act took effect June 6, 2001 (PA 01-94, as amended by PA 01-4, JSS).

Duties of the Commission For Educational Technology

A new act requires the commission to provide all public schools with access to a core set of on-line full text resources, just as it already must do for public libraries and college libraries. It also requires the commission to allow public schools to purchase other collections in collaboration with public libraries and college libraries to maximize their buying power. The act took effect July 1, 2001 (PA 01-173).

TEACHERS AND SCHOOL EMPLOYEES

Notice About Serious Juvenile Offenders

A new act requires the Department of Children and Families (DCF), the Judicial Department, entities with which these agencies contract, and boards of education to provide school superintendents with any educational records in their custody about a serious juvenile offender entering or returning to school from placement in a juvenile detention center, the Connecticut Juvenile Training School, or any other residential placement. The act takes effect October 1, 2001 (PA 01-176).

Criminal History Record and Reference Checks

A new act (1) reduces, from 90 to 30 days after being hired, the deadline for public school employees to undergo state and national criminal history record checks; (2) extends this requirement to workers placed in a school under a public assistance employment program, if they will have direct contact with students; and (3) requires school boards to make documented, good-faith efforts to contact an applicant's former employers for recommendations and information about a job candidate's fitness for employment before hiring him.

The act took effect July 1, 2001 (PA 01-173).

Diversity

A new act requires RESCs to support (1) regional efforts to recruit and retain minority educators and (2) data collection on school district efforts to reduce racial, ethnic, and economic isolation. It took effect July 1, 2001 (PA 01-1, JSS).

K-12 STUDENTS

Mastery Test Exemptions

A new act changes mastery test requirements for special education and bilingual students to comply with federal law and reduces the test exemption period for bilingual and English-as-a-second language students from 30 to 10 school months. It took effect July 1, 2001 (PA 01-205).

Asthma Assessments

Beginning with the 2003-2004 school year, a new act requires student health assessment to include an asthma and other chronic diseases. It also imposes monitoring and reporting requirements. The act takes effect July 1, 2002 (PA 01-4, JSS).

Remedial Instruction And Summer School Requirements

A new act limits priority school districts' duty to provide additional instruction to 4th graders to those who fail to meet the remedial standards on the reading component of the 4th grade mastery exam instead of to those who failed any part of the exam. The act also requires only the 4th graders who fail the reading part of the exam to

attend summer school. It took effect July 1, 2001 (PA 01-173).

Another act requires mandatory reading programs for priority district students who are promoted to the 4th grade despite being substantially deficient in reading in grades 1 to 3 to incorporate the state early reading success reading panel's findings. The act took effect July 1, 2001 (PA 01-1, JSS).

Parents and Medicine on School Grounds

A new act allows parents or guardians to administer medications to their children on school grounds. It took effect July 1, 2001 (PA 01-4, JSS).

LOCAL SCHOOL BOARDS

Policies on Recommending Psychotropic Drugs

A new act requires local and regional school boards to adopt and implement policies prohibiting school personnel from recommending that a child use psychotropic drugs. It takes effect October 1, 2001 (PA 01-124).

High School Graduation and the Connecticut Academic Performance Test

A new act requires local and regional school boards, by September 1, 2002, to (1) specify the basic skills students in the Class 2006 and thereafter need to graduate from high school and (2) include a process for assessing students in those skills. It takes effect October 1, 2001 (PA 01-166).

Dental Hygienists and Preschool Programs

A new act allows dental hygienists with at least two years experience to work without a dentist's supervision in preschools operated by local boards of education and Head Start programs. It took effect July 1, 2001 (PA 01-2, JSS).

Regional School District Expenses

A new act requires (1) "net expenses" each regional school district member town must pay after the district's budget is approved to include estimated capital expenditures and (2) each town's share of the district's capital outlay to include costs for school building projects eligible for state school construction grants. It took effect July 1, 2001 (PA 01-173).

ELECTIONS

VOTING RIGHTS OF CONVICTED FELONS

A new law enables felons on probation to vote and run for public office, except those released from prison after an elections-related felony conviction cannot get their rights back until they are discharged from parole or probation. It takes effect January 1, 2002 (PA 01-11).

STATEWIDE CENTRALIZED VOTER REGISTRATION SYSTEM

The legislature required the secretary of the state to pay up to \$700,000 of the annual costs incurred in FY's 02 and 03 to implement the statewide centralized voter registration system from the agency's commercial recording account, effective July 1, 2001 (PA 01-9, JSS).

ENVIRONMENT AND LAND USE

MEDIATION FOR LAND USE APPEALS

A new law specifies procedures allowing parties in a land use dispute to resolve it through mediation instead of litigation. It takes effect October 1, 2001 (PA 01-47).

DOG FUND REIMBURSEMENTS TO TOWNS

The state treasurer replaces the agriculture commissioner as the administrator of the dog fund and must return to towns, on a pro rata basis, all the funds in the account when it exceeds \$5,000. This change takes effect October 1, 2001, (PA 01-62).

TOWN CLERK LIABILITY FOR CERTAIN LICENSE FORMS

A new law requires town clerks to send the Department of Environmental Protection (DEP) commissioner an affidavit annually attesting to the accuracy of their annual report to him on fish and

game licenses. This requirement replaces a prior law that made clerks responsible for the face value of all license forms the commissioner gave to them. It takes effect October 1, 2001 (PA 01-79).

ANIMAL POPULATION CONTROL PROGRAM

A new law substitutes a voucher system for the one reimbursing veterinarians who sterilize and vaccinate impounded, quarantined, and stray dogs and cats. It takes effect October 1, 2001 (PA 01-87).

TIME TO APPEAL NOTICES OF ZONING DECISIONS

The legislature shortened, from two years to one, the time period to file certain land-use appeals because of improper notification. This change takes effect October 1, 2001 (PA 01-110).

RECORDING FINAL ORDERS ON LAND RECORDS AND CONSERVATION EASEMENTS

A new act requires certain Department of Environmental Protection (DEP) orders, certificates, and permits to be filed on the land records, effective October 1, 2001 (PA 01-118).

ENERGY EFFICIENT ROADWAY LIGHTS

A new law imposes road lighting requirements on towns that are similar to those for state roads, but allows chief elected officials to waive the requirements. It takes effect October 1, 2001 (PA 01-134).

DEP NATURAL RESOURCES PROGRAMS

Among other things, a new act allows the state fire warden to pay fire companies rather than fire fighters individually for helping to fight forest fires, effective October 1, 2001 (PA 01-150).

RESIDENCES FOR CHILDREN WITH DISABILITIES

A new law requires zoning regulations to treat as single-family homes state-licensed homes for up to six mentally or physically disabled children and their staff. It allows residents of the host towns, with their legislative bodies' approval, to petition the DCF to revoke the license for violations of applicable statutes or regulations. The act imposes minimum distance requirements between homes. It takes effect July 1, 2001 (PA 01-161).

REDUCING NITROGEN IN LONG ISLAND SOUND

A new act requires the DEP to issue a general permit limiting the total amount of nitrogen municipal sewage treatment plants can discharge into Long Island Sound. Among other things, the act authorizes DEP to create a Nitrogen Credit Advisory Board, which must annually propose the value of equivalent nitrogen credits. Towns can challenge the proposed values under an arbitration process the act provides. The act took effect July 1, 2001 (PA 01-180).

RIGHTS OF WATER COMPANY CONSUMERS

A new law requires the Department of Public Health (DPH) to notify local health directors when it seeks to impose civil penalties on water utilities for violating water quality laws and regulations. It requires the utility to notify the health director when it appeals a penalty and entitles directors to participate in administrative proceedings and judicial appeals regarding these violations. The law takes effect October 1, 2001 (PA 01-185).

PLANS OF CONSERVATION AND DEVELOPMENT

The legislature made several changes to the process for adopting or amending local plans of conservation and development. It also allowed towns to use local capital improvement project grants to cover the cost of preparing or revising a plan if the legislative body endorsed it within 180 days after the commission adopted it. Towns can use the grants for this purpose only once during a 10-year period. These changes took effect July 1, 2001 and apply to plans and plan amendments adopted after this date (PA 01-197).

WATER DIVERSIONS

A new act requires companies, municipalities, and other entities that withdraw substantial amounts of water from wells or surface waters to provide the DEP with information about their water diversions. It took effect July 11, 2001 (PA 01-202).

TRANSFER ACT CHANGES

A new law exempts property acquired by government agencies from the Transfer Act. It also requires towns to pay the state some of the increased property tax revenue on that was cleaned up and then transferred under the act. The act takes effect October 1, 2001 (PA 01-204).

NUISANCE WILDLIFE CONTROL OFFICERS

The legislature required municipal officers who control and handle animals to obtain state nuisance wildlife control licenses, effective October 1, 2001 (PA 01-204).

CLEAN WATER FUND

The legislature authorized \$40 million in state general obligation bonds in each of FY 02 and 03 for Clean Water Fund grants. It also authorized \$81 million in revenue bonds in FY 02 for low interest loans to towns for clean water projects and \$158 million for this purpose in FY 03. The authorizations took effect July 1, 2001 (PA 01-7, JSS).

STATE FUNDS FOR PROPERTY ACQUISITIONS

The legislature authorized \$19 million in bonds in FY 02 and \$15 million in FY 03 for grants and loans to towns for acquiring land for parks, recreational and water quality improvements, water mains, and water pollution control facilities. The authorization took effect July 1, 2001 (SA 01-2, JSS).

FINANCE

FEES FOR THE HISTORIC DOCUMENTS PRESERVATION ACCOUNT

A new act requires town clerks to give the money they collect to preserve and manage state and local historic documents to the state librarian instead of the state treasurer, effective October 1, 2001 (PA 01-79).

FISCAL DISPARITIES

A new law establishes a process to identify towns with (1) high mill rates, (2) low per-capita grand lists, (3) low median household incomes, and (4) declining populations and help them reduce these disparities. It took effect July 1, 2001 (PA 01-158).

PROPERTY TAX COLLECTION

A new act increases, from \$5 to \$25, the amount of property taxes due that towns' legislative bodies can waive. It specifies that they can waive the tax before its due date, which reflects current practice. It takes effect October 1, 2001 and applies to assessment years beginning on or after that date (PA 01-178).

GOVERNANCE

SURETY REQUIREMENTS

A new act prohibits municipal contracts for constructing, altering or repairing state or municipal buildings or public work projects that require the purchase of a bond

from a specific surety, agent, broker, or producer. It also prohibits contracting officers from requiring a bond from a specific surety, agent, broker, or producer. By law, the surety must be satisfactory to the officer awarding the contract. The act takes effect October 1, 2001 (PA 01-21).

SOCIAL SECURITY NUMBERS AND LAND RECORDS DOCUMENTS

A new law allows anyone whose Social Security number is on a document that is to be recorded on a town's land records to remove or obliterate it before the document is recorded. It takes effect October 1, 2001 (PA 01-38).

RECORDING ASSIGNMENT OF MORTGAGE

A new law requires that whenever a mortgage assignment or other transfer of an interest in a mortgage is recorded on the land records, the town clerk must enter the property owner's name in the grantor index for the transaction. It takes effect October 1, 2001 (PA 01-74).

PRIVATIZED PUBLIC RECORDS

A new law imposes freedom of information requirements on an individual, business, or organization's records and files that are part of a government contract worth more than \$2.5 million. It does not apply to entities that merely provide goods and services to an agency and have no responsibility to administer or

manage its program. It takes effect October 1, 2001 (PA 01-169).

JOINT MUNICIPAL FUNCTIONS

A new law gives towns blanket authority to perform jointly any function they can perform individually. At least two participating towns must sign an agreement, which must require their legislative bodies to review it at least once every five years and specify a process by which towns can end the agreement. It takes effect July 1, 2001 (PA 01-117).

HOUSING

RENT RECEIVER

The law allows towns to appoint a person or committee to deal with landlords whose property is declared a nuisance. A new law allows, rather than requires, the person or committee to ask the Superior Court to place the rent in receivership, which is used to eliminate the nuisance. It also lets towns decide whether to pay for remedying or removing the nuisance. It takes effect October 1, 2001 (PA 01-128).

ASSISTED LIVING

A new law doubles, from two to four, the number of federally funded elderly housing developments where the economic and community development commissioner can establish assisted living demonstration programs. It took effect July 1, 2001 (PA 01-2 JSS).

Another new law removed the June 8, 2001 deadline by which assisted living demonstration projects in affordable housing could

accept applications. (The program allows up to 300 subsidized dwelling units in five locations in the state. The five locations have been approved but they are not yet operating). The law took effect July 1, 2001 (PA 01-2 JSS).

FLEXIBLE HOUSING PROGRAM

The legislature created a new program under which the economic and community development commissioner can provide funding for a wide range of affordable housing projects, including those proposed by towns and their housing authorities. The commissioner can tap existing bond authorizations to fund projects under the new program. It took effect July 1, 2001 (PA 01-7, JSS).

BONDS FOR HOUSING

The legislature authorized \$10 million in bonds in FY 03 for a many different types of housing projects and programs, effective July 1, 2001 (SA 01-2, JSS).

URBAN HOMEOWNERSHIP PROGRAM

The legislature allowed towns that participate in the Connecticut Housing Finance Authority's Urban Rehabilitation Homeownership Program to defer for five years the increase in the tax assessment on properties that were improved under that program. This provision took July 1, 2001 (PA 01-9, JSS).

REIMBURSING BUILDING RELOCATION COSTS

A new law sets conditions under which towns and other developers can use state demolition funds to move a building instead of demolishing it. It took effect July 1, 2001 (PA 01-9, JSS).

PROPERTY TAXATION

UNIFORM APPEAL PROCEDURE PROPERTY TAX EXEMPTIONS

A new law creates a single, uniform procedure through which people and businesses can appeal OPM's decisions regarding their eligibility for benefits under several state-funded, locally administered property tax exemption and relief programs. It took effect July 1, 2001 (PA 01-6, JSS).

FARM MACHINERY EXEMPTION

A new act increases from \$100,000 to \$200,000 the value of farm machinery that towns can exempt, effective July 1, 2001 (PA 01-6, JSS).

COMPUTER-ASSISTED MASS APPRAISAL GRANTS

The legislature made towns that did not revalue property between January 1, 1987 and December 31, 1996 eligible for grants for developing computer-assisted mass appraisal systems. It also specified that towns could receive these grants and the additional 10% grant

only once. The act took effect July 1, 2001 (PA 01-7, JSS).

INTERLOCAL AGREEMENT REVALUATION GRANTS

A new act eliminates state grants to towns that jointly revalue property under an interlocal agreement. It took effect July 1, 2001 (PA 01-9, JSS).

ASSESSMENT OF ELECTRIC PLANTS

A new act accelerates the rate at which electric companies must compensate towns out of the systems benefit charge for property taxes they lose as a direct result of electric restructuring. It requires companies to pay this compensation and their regular tax assessment in two installments. The act also accelerates the schedule by which the OPM must do this. It took effect June 20, 2001 (PA 01-125).

PUBLIC EMPLOYEES

HEALTH PLANS FOR MUNICIPAL EMPLOYEES

A new law allows the state comptroller to arrange for and procure an alternative health plan benefit for municipal employees, effective July 1, 2001 (PA 01-30).

WORKERS' COMPENSATION CLAIMANTS

The legislature increased, from 15 cents to 34.5 cents (the federal mileage reimbursement rate), the amount per mile employers must reimburse workers' compensation

recipients when they use their own vehicles to go to and from medical appointments, effective October 1, 2001 (PA 01-33).

The legislature also required employers, their workers' compensation insurers, or any other entity acting on behalf of the employer or insurer to pay pharmacists directly for prescriptions related to employees' work-related injuries. It also required employers that provide workers' compensation medical benefits through a managed care plan to identify all participating pharmacies. These changes take effect January 1, 2002 (PA 01-85).

WILLFUL MISCONDUCT AND THE UNEMPLOYMENT COMPENSATION

By law, employees fired for willful misconduct cannot get unemployment compensation. Previously, a claimant fired for willful misconduct based on absence could be denied benefits if he was absent "without notice" on three separate instances within 18 months. This act requires instead that such absences be either without good cause or without notice to the employer that the employee could reasonably have provided under the circumstances. It takes effect October 1, 2001 (PA 01-37).

SECOND INJURY FUND ASSESSMENT DISPUTES

A new law allows towns, other employers, and private insurance carriers or interlocal risk management agencies acting on behalf of employers, to appeal the

state treasurer's decisions about Second Injury Fund assessments to Superior Court. It also allows the attorney general, at the treasurer's request, to get an injunction requiring these entities to comply with the fund's reporting requirements. The law takes effect October 1, 2001 (PA 01-40).

RETIREMENT FUNDS

The legislature raised by 20% the monthly benefits from the Policemen and Firemen Survivors' Benefit Fund. The fund pays benefits to the surviving spouses and eligible dependents of municipal police officers and firefighters.

It also made the following changes to the Municipal Employees' Retirement Fund B (MERF):

1. reduced the vesting period from 10 to five continuous years;
2. increased the monthly MERF benefit beginning January 1, 2002, for employees eligible to receive Social Security;
3. allowed employees who take voluntary retirement to begin receiving a cost of living adjustment (COLA) on the first July 1 after their retirement instead of after turning age 65;
4. changed the COLA percentage and formula for those retiring on or after January 1, 2002 and gives a temporary COLA to those who retire before that date and are not 65 years old; and
5. allowed municipalities to pay employee contributions on a pre-tax basis beginning January 1, 2002.

The legislature also allowed towns to participate, by contract, in the state's deferred compensation program under terms and conditions the comptroller sets.

These changes take effect October 1, 2001 (PA 01-80).

BREASTFEEDING IN THE WORKPLACE

A new law allows employees to express breast milk or breastfeed at their workplace during their meal or break period. It requires employers to make reasonable efforts to provide a private room or other location close to the work area (other than a toilet stall) for this purpose. The act also prohibits employers from discriminating against employees who choose to express milk or breastfeed at work. It takes effect October 1, 2001 (PA 01-182).

PUBLIC HEALTH

VITAL RECORDS

A new law makes a number of substantive and technical changes in the statutes on vital records, affecting both the Department of Public Health (DPH) and local registrars of vital statistics, effective October 1, 2001. Among other things, it: (1) specifies that vital records include fetal death certificates in addition to birth, marriage, and death certificates and makes the necessary conforming changes; (2) allows DPH and local registrars to transmit and register vital records electronically and defines terms to address vital records in both electronic and paper format; (3) makes a number of

changes concerning birth certificates addressing access, confidentiality, data usage, copies, paternity acknowledgements, name changes, and adoption; and (4) allows certain people to access Social Security numbers on marriage licenses and death certificates. The law takes effect October 1, 2001 (PA 01-163).

PUBLIC HEALTH GRANTS

The legislature authorized \$2.5 million in bonds in FY 02 and \$1 million in FY 03 for grants for improving school based health clinics, among other specified facilities. It took effect July 1, 2001 (SA 01-2, JSS).

PUBLIC SAFETY

MANDATORY MINIMUM SENTENCES

A new law sets conditions under which judges can impose less than the law's mandatory minimum sentence on some drug felons. It applies to:

1. manufacture or sale of drugs and related crimes by a person who is not drug-dependent;
2. manufacture or sale of drugs within 1,500 feet of elementary or high schools, public housing, or day care centers;
3. use, possession, or delivery of drug paraphernalia within 1,500 feet of a school by a non-student; and
4. drug possession within 1,500 feet of a school.

The law takes effect July 1, 2001 (PA 01-99).

BLIGHT ORDINANCES

A new law allows towns to make and enforce standards for determining property neglect and imposes fines from \$10 to \$100 a day for violating these standards. It takes effect October 1, 2001 (PA 01-128).

GUN CONTROL

The legislature (1) created a single gun permit system by abolishing the local permit to carry handguns and made other changes to the gun laws, (2) required the Department of Public Safety (DPS) to establish a firearms evidence databank to store ballistic data that can be used by DPS and qualified local police departments to search for matching gun fingerprints, and (3) tightened the controls over people possessing guns in family violence situations.

The legislature also expanded the definition of assault weapons to include semiautomatic firearms with certain characteristics, banning any made after September 12, 1994 with those characteristics. With exceptions, it also bans .50-caliber armor-piercing and incendiary bullets.

These changes take effect October 1, 2001 (PA 01-130).

USE OF FLASHING WHITE HEAD LAMPS

A new law allows any vehicle operated by a volunteer emergency medical technician or member of a volunteer fire department or company to use flashing white headlamps on the way to a medical emergency or fire scene. The vehicle

operator must get written authorization from the town's chief law enforcement officer and may use the headlamps only in the town or "from a personal residence or place of employment" if located in an adjoining town. The authorization may be revoked for violation. It takes effect October 1, 2001 (PA 01-192).

FAILURE TO YIELD TO EMERGENCY VEHICLES

A new law increases, from \$50 to \$200, the maximum fine for willfully or negligently obstructing or impeding an emergency vehicle responding to an emergency. (The possible prison term, which the act does not change, is a maximum of seven days.) It takes effect October 1, 2001 (PA 01-192).

DUTY TO STOP FOR STOPPED SCHOOL BUSES

The legislature expressly required emergency vehicles to stop at least 10 feet from a school bus displaying flashing red signal lights and to remain there until the lights are turned off, effective October 1, 2001 (PA 01-192).

PUBLIC UTILITIES

MUNICIPAL UTILITIES SERVICE AREAS

A new law allows towns operating electric or gas utilities to establish separate corporations solely for providing electric, gas, or water service in their service territory so long as that territory does not encroach on other utilities'

service areas. It takes effect October 1, 2001 (PA 01-112).

ELECTRIC FORECAST OF LOADS AND RESOURCES

This act requires all municipal utilities, not just those that generate power, to provide forecasts to the Connecticut Siting Council on electric supply for 20-year periods. It takes effect October 1, 2001 (PA 01-144).

WATER PLANNING COUNCIL

The legislature established a water planning council to address issues involving water companies, water resources, and the future of the state's drinking water supply. The council must study specific issues in consultation with towns, water companies, environmental and agricultural groups, and other water users. The law creating the council takes effect October 1, 2001 (PA 01-177).

ELECTRIC POWER SUPPLIERS

A new law allows electric power suppliers to use biomass gasification facilities as a renewable energy source, from which they must obtain part of their power. It takes effect October 1, 2001 (PA 01-204).

SOCIAL SERVICES

AUDIT OF TOWN GENERAL ASSISTANCE PROGRAMS

A new law gives the Department of Social Services (DSS) commissioner discretion to audit

town general assistance programs. It took effect July 1, 2001 (PA 01-2, JSS).

BONDS FOR FACILITIES

The legislature authorized \$3.5 million in bonds in FY 02 for grants for neighborhood facilities, child day care projects, elderly centers, shelters, multipurpose human resource centers, and food distribution facilities. The authorization took effect July 1, 2001 (SA 01-2, JSS).

NEIGHBORHOOD ASSISTANCE ACT

A new law gives towns an extra 15 days to submit their annual lists of eligible programs to the revenue services commissioner. It requires towns that send their lists late to explain why and show that they held the required public hearing on the list and that their legislative bodies approved the lists by July 1. The act took effect July 1, 2001 (PA 01-6, JSS).

STATE AID

PILOT PAYMENTS

Notices

A new act requires OPM secretary to use registered or certified mail to notify towns about payment in lieu of taxes (PILOT) property reevaluations. It reduces, from two weeks to 10 days, the time within which towns must appeal his reevaluation decisions to Superior Court. It took effect July 1, 2001 (PA 01-6, JSS).

ADJUSTMENT CUTOFF

A new law moves the cutoff date for including adjustments based on reevaluations in PILOT payments. Under prior law, adjustments based on reevaluations made before September 1 had to be included in the September 30 grant payment. The new law moves the cutoff date back one month and requires the September 30 payment to reflect only adjustments made up to August 1. Subsequent adjustments must be held over until the next payment. It took effect July 1, 2001 (PA 01-6, JSS).

LOCAL CAPITAL IMPROVEMENTS GRANTS

The legislature provided \$30 million in local capital improvement project grants in each of FY 02 and FY 03 for grants-in-aid to municipalities. This took effect July 1, 2001 (PA 01-7, JSS).

REBATES TO PARI-MUTUEL FACILITIES WITH OPERATING LOSSES

By law, towns where pari-mutuel facilities, jai alai frontons, and off-track betting and simulcasting facilities are located receive from .25% to 2.1% of the amounts wagered at the facilities, depending on the facility type, its location, and the town's population. A new law allows these towns' legislative bodies to direct the Special Revenue Division's executive director to credit or rebate all or part of its revenue from these payments to the pari-mutuel facility, if he determines the facility's licensee incurs a loss from operating it. The credit or rebate

amount cannot exceed the operating loss. The act took effect July 1, 2001 (PA 01-9, JSS).

TRANSPORTATION

TRANSPORTATION STRATEGY BOARD

A new law creates a 15-member board to develop a transportation strategy. Toward that end, it also divides the state into five transportation investment areas responsible for developing a corridor plan for the board's approval. Many towns are included in more than one area. The law took effect July 1, 2001 (PA 01-5, JSS).

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