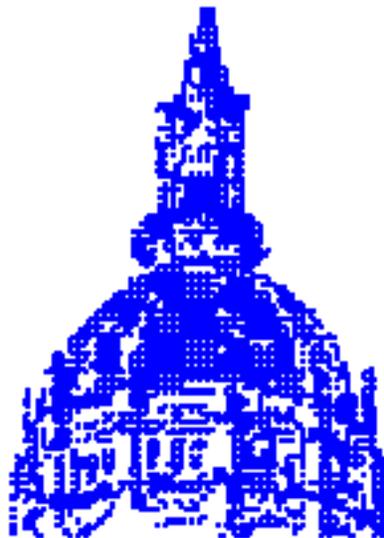


Office of Legislative Research  
Connecticut General Assembly



**Municipalities**



By:  
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## To the Reader

This report provides highlights of new laws (public acts) affecting municipalities and municipal employees enacted during the 2006 regular legislative sessions. In each summary we indicate the public act (PA) number or, if that is not yet available, the act number. The report does not cover special acts, some of which affect municipalities, and public acts that only affect a single municipality.

Not all provisions of the acts are included here. Additional information about acts affecting education can be found in OLR report 2006-R-0341. Complete summaries of all 2006 public acts passed will be available in the fall when OLR's *Public Act Summary* book is published; some are already on OLR's webpage:

<http://www.cga.state.ct.us/olr/publicactsummaries.asp>.

Readers are encouraged to obtain the full text of acts that interest them from the Connecticut State Library, the House Clerk's Office, or the General Assembly's website: <http://www.cga.state.ct.us/default.asp>.

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## **EDUCATION**

### ***Education Financing***

HB 5847 makes many changes in the laws governing education financing. Among other things, it:

1. extends the minimum expenditure requirement for municipalities receiving the Education Cost Sharing (ECS) grant through FY 07;
  2. establishes minimum ECS grants for all municipalities;
  3. increases the FY 07 allocation of priority school district funds for priority school districts and the maximum state grant for transporting students to interdistrict magnet schools outside their home districts;
  4. makes several changes to the priority school district reading program, including requiring more intensive remedial assistance for elementary school students deficient in reading skills; and
  5. increases the number of youth service bureaus eligible for state Department of Education (SDE) grants;
- (Effective upon passage for reading program and youth

service bureau provisions, July 1, 2006 for the other provisions)

### ***School Construction Grants***

sSB 636 authorizes \$785 million in state grant commitments for school construction projects, including increased grants for reauthorized projects that have changed in cost or scope by at least 10%.

Other provisions:

1. limit the number of legislative reauthorizations a project can receive for changes in scope or cost to two;
2. bar interdistrict magnet schools from receiving higher state reimbursement rates through reauthorizations;
3. halve reimbursement rates for orders on school projects costing more than \$10 million, if the change orders total more than 5% of the project's authorized cost;
4. require the SDE to approve plans and specifications for turn-key projects, under which a school district agrees to buy a completed building built by a third party; and
5. require SDE to develop a standard series of school construction contracts that districts may use as the basis for their own project

contracts and to advise school districts in carrying out school construction projects.

The act also exempts code violation and indoor air emergency projects from grant refund requirements if the buildings are put to other uses within specified periods of time and extends SDE's design-build pilot program.

Finally, the act waives certain statutory requirements for school construction projects in various school districts.

(Effective on various dates)

### ***School Food***

PA 06-63 (1) restricts the types of beverages that may be sold to students in school, (2) requires the SDE to set nutritional standards for food sold to students in schools, and (3) provides a financial incentive for local and regional school boards, charter school, endowed academy, and interdistrict magnet school governing authorities, and the regional vocational-technical school system to certify that their schools meet the SDE standards. It eliminates the existing requirement that school boards provide nutritious and low-fat drink options and extends the requirement that boards provide nutritious and low-fat food options to include the governing authorities of state charter schools, interdistrict magnet schools, and endowed academies.

(Effective July 1, 2006)

### ***State Excess Cost Grants for Special Education Children***

Starting on July 1, 2006, SB 703 prohibits the state from deducting the Medicaid reimbursement local education agencies (LEAs) receive from Department of Social Services (DSS) when determining the amount of grants it provides LEAs for children receiving special education who (1) live in foster, group, or receiving homes; hospitals; state and custodial institutions; or other residential or day treatment facilities or (2) reside on state property or in permanent family residences. Under prior law, the state had to deduct these payments.

(Effective July 1, 2006)

### ***Special Education***

PA 06-18 revises state special education laws to match the recently reauthorized federal Individuals with Disabilities Education Act of 2004, which governs special education programs and procedures in states and local school districts. It also revises special education hearing and evaluation procedures, expands the Advisory Council for Special Education, updates and revises terminology, and makes technical changes.

(Effective July 1, 2006)

**School-Based Child Health Program**

(Effective July 1, 2006)

SB 703 broadens the circumstances under which expenditures for durable medical equipment are eligible for Medicaid reimbursement under the School Based Child Health program and allows the social services commissioner to require prior authorization for some of this equipment.

It also removes the requirement that diagnostic and evaluation services that children receive under the program be specified on their individualized education program (IEP). These two services typically are used to determine whether a child needs an IEP.

(Effective July 1, 2006)

**Testing Start Times**

PA 06-8 allows any state mastery examination or test mandated by the federal No Child Left Behind Act for students in grades seven through 12 to be administered before 9: 00 a.m.

(Effective July 1, 2006)

**Bullying Policies**

sHB 5563 broadens the law on bullying behavior in schools. Among other things, it expands the definition of bullying, enhances schools' obligations to tell students how to report bullying, and requires interventions for students who repeatedly bully or are bullied.

**Parental Involvement Reporting in School Profiles**

sHB 5513 requires superintendents to include information on parental involvement in the strategic school profiles they must submit to their respective boards each year. They must note whether the district has taken measures to improve parental involvement, including engaging parents in school programs and increasing support to parents working with their children at home on learning activities.

(Effective July 1, 2006)

**Minor Revisions to the Education Statutes**

sHB 5758 allows regional boards of education to create funds for (1) capital improvements and nonrecurring expenses rather than for a specific purchase or improvement and (2) payment of employee sick leave and severance benefits. It sets requirements for the operation of both funds. It also allows prospective teachers to do their student teaching in foreign countries and expands the types of qualifications needed for a temporary 90-day teaching certificate.

(Effective on various dates)

## **ECONOMIC DEVELOPMENT**

### ***Brownfields***

sHB 5685 establishes a pilot program to help municipalities identify, clean up, and redevelop brownfield sites and creates an office to run that program. It exempts parties that acquire property through a tax warrant sale from the Transfer Act and provides various regulatory and financial incentives for private developers to clean up and redevelop brownfields.

(Effective July 1, 2006)

### ***Enterprise Zone Reporting Requirements***

sHB 5438 requires municipalities and the economic and community development commissioner to evaluate enterprise zones, authorizes the legislature to remove a zone's designation if the commissioner recommends it, and makes other related changes.

(Effective July 1, 2006)

### ***Urban and Industrial Sites Reinvestment Program***

sHB 5685 sets narrow criteria under which development projects in more municipalities can qualify for Urban and Industrial Sites Reinvestment Program corporate tax credits.

(Effective July 1, 2006)

## **EMINENT DOMAIN**

### ***Office of Ombudsman for Property Rights***

HB 5846 creates an Office of Ombudsman for Property Rights whose duties include:

1. providing property owners, upon request, assistance concerning eminent domain procedures;
2. helping municipal and state agencies, when they request it;
3. identifying government actions with potential eminent domain implications;
4. mediating disputes between private property owners and public agencies concerning the use of eminent domain or relocation assistance if requested by a private property owner and, within available appropriations, hiring an independent real estate appraiser to assist in mediation; and
5. recommending changes in eminent domain laws to the legislature.

State and local agencies must comply with the office's reasonable requests for information and assistance and participate in mediation if requested to do so by the office.

(Effective July 1, 2006)

### ***Negotiation as a Condition of Condemnation***

HB 5846 specifically requires a condemning agency to make a reasonable effort to negotiate with the property owner to buy the property before starting the taking process. It also requires the agency to provide the property owner with (1) information on the act's mediation provisions, including the ombudsman's name, address, and phone number and (2) a written statement explaining that oral representations or promises during negotiations are not binding on the agency. This information must be given to the owner as early as practicable in the negotiation process but at least 14 days before filing the eminent domain action, unless the court allows a shorter period for good cause.

(Effective July 1, 2006)

### **FINANCE**

#### ***State Assistance***

HB 5845 increases grants to municipalities by \$86.82 million to \$2,557.5 million in FY 07 from the original FY 07 appropriation of \$2,470.7 million, and increase by \$115.53 million over FY 06.

(Effective on various dates)

#### ***Pension Deficit Funding Bonds***

PA 06-79 allows regional school districts to issue pension deficit funding bonds and

changes to the requirements issuing and repaying them. It also gives municipalities more choices for investing retiree benefits reserve funds and allows them to establish trusts to manage and invest retirement system assets. The act eliminates municipal authorization to issue bonds to fund retiree benefits reserve funds and, consequently, limits this authorization to issue bonds to fund loss reserve funds to property or casualty losses.

(Effective July 1, 2006)

#### ***Reserve Funds***

PA 06-122 eliminates the annual report municipalities must prepare about reserve funds for capital and nonrecurring expenditures and instead requires treasurers to make information and data available annually to the budget-making authority and the public. It also requires the municipality to include the information and data the treasurer provides in its annual report.

(Effective October 1, 2006)

#### ***Mashantucket Pequot and Mohegan Fund***

For FY 08 and each fiscal year thereafter, HB 5846 distributes \$1.6 million of the appropriation to the Mashantucket Pequot and Mohegan Fund to municipalities that are members of the Southeastern Connecticut Council of Governments (Bozrah,

Colchester, East Lyme, Franklin, Griswold, Groton, Ledyard, Lisbon, Montville, New London, North Stonington, Norwich, Preston, Salem, Sprague, Stonington, Voluntown, and Waterford) and to distressed municipalities that are members of the Northeastern Connecticut Council of Governments or the Windham Area Council of Governments (Killingly, Putnam, and Windham.) The distribution must be proportional based on the payments each received in the previous fiscal year.

Both the distribution of one-third of the FY 08 increase and the allocation to the municipalities are in addition to the grants already paid to the municipalities from the fund, are paid before other grants from the fund, and must not be reduced proportionately if the total payable to each municipality is more than the amount appropriated for the grants that year.

(Effective July 1, 2006)

## **HOUSING**

### ***Blighted Housing***

SB 389 allows municipalities that meet certain conditions to impose a special assessment on blighted housing to cover the cost of enforcing blight, health, housing, and safety codes and regulations. Any unpaid special assessment is a lien upon the real estate against which it was

imposed, running from the date of the fine.

The bill makes certain municipal housing and health related fines, expenses, charges, and penalties that remain unpaid for 60 days after they are due a lien on the violator's property if the municipality records a violation notice on its land records within 30 days after they are imposed. The lien takes precedence over subsequently recorded transfers and encumbrances. The bill requires that a current record of all properties for which fines, expenses, charges, and penalties remain unpaid be kept in the enforcing agency's office and be available for public inspection.

It requires a municipality to notify a lienholder of any notice or order to a property owner under local or state law to dispose of the real estate or make it safe and sanitary. It also requires municipalities to make reasonable efforts to send a copy of the notice by first class mail to lienholders of the property at their current or last-known address. It allows a municipality to recover its costs in making a property sanitary in the same way it can recover its costs in making it safe or secure, including making these costs a lien on the property. It adds the municipality's costs of making a property safe, secure, or sanitary to the taxes due on the property.

The act increases fines that municipalities may impose for violations of local laws, but

decreases the daily maximum fine that they may impose for housing code and tenement or lodging house safety and health code violations. It allows violations of certain local laws to be handled as infractions.

(Effective July 1, 2006 for the blight provisions, October 1, 2006 for the remaining provisions.

### ***Notification Requirement***

PA 06-48 subjects more federally subsidized multifamily housing projects to the statutory one-year notification requirement and the types of events that trigger it. The law requires the owners of these projects to notify tenants and other parties at least one year before they prepay the project's mortgage.

(Effective July 1, 2006)

### ***Affordable Housing Developments***

PA 06-97 authorizes a municipality's legislative body to adopt an ordinance exempting the first subdivision of land from its subdivision regulations if municipality or a nonprofit organization will develop the lot for affordable housing.

(Effective October 1, 2006)

## **LAND USE AND ENVIRONMENT**

### ***Plans of Conservation and Development***

The law allows municipalities and other parties to seek interim changes in the State Plan of Conservation and Development (Plan of C&D). PA 06-24 modifies how the OPM secretary can make these changes.

Under prior law, municipal planning commissions had to notify OPM of any inconsistency between their local plans of conservation and development and the state plan of C&D. The act instead requires the commissions to (1) send a copy of their plans to OPM within 60 days of their adoption and (2) include a description of any inconsistencies with the state Plan of C&D.

(Effective October 1, 2006)

### ***Notice Requirements for Planning and Zoning Commissions***

PA 06-80 changes the requirements under which planning and zoning commissions must notify the public and affected property owners about proposed changes to land use regulations. Among other things, it requires these commissions to establish a registry for directly notifying residents and nonprofit organizations about changes a

commission proposes to land use regulations and plans.

(Effective October 1, 2006)

### ***Municipal Plans of Conservation and Development***

PA 06-17 alters the process planning commissions (or combined planning and zoning commissions) must follow when amending municipal plans of conservation and development when they or individuals propose changes or revisions.

(Effective October 1, 2006)

### ***Site Plans***

PA 06-20 allows all zoning commissions operating under special acts or charters to require site plans and standardizes the requirements for reviewing and approving them.

(Effective upon passage)

### ***Land Use Applications in Watersheds***

PA 06-53 extends the requirement for notifying a water company about land use applications affecting their watersheds or aquifer protection areas to subdivision applications and maps.

By law, an applicant for a regulated activity on an inland wetland or watercourse must notify the water company of the application if it affects the company's watershed and the company has filed a map with the municipality. The act extends

the notice requirement to include the health commissioner.

(Effective October 1, 2006)

### ***Encroachment on Open Space Lands***

sHB 5447 prohibits people from encroaching or causing anyone to encroach on open space land, or any land in which a municipality (among other parties) holds a conservation easement interest without the owner's permission or other legal authorization. It authorizes anyone with a property interest in such open space land, or the attorney general, to bring an action against the violator in Superior Court for the judicial district where the land is located. It specifies the orders, awards, fines, costs, and fees the court may impose on people who encroach on open space land and imposes the same ones as apply to people who illegally remove or harm a shrub or ornamental or shade tree within the limits of a public way or public grounds without the appropriate legal permission.

(Effective October 1, 2006)

### ***Spaying, Neutering, and Vaccinating Dogs and Cats***

sHB 5795 requires the agriculture commissioner to consult with town clerks and other specified parties as he investigates and makes recommendations for legislation concerning (1) expanding the

animal population control program to include spaying, neutering, and vaccinating cats and dogs owned or adopted by low-income individuals and (2) the needs of nonprofit organizations assisting caretakers of feral cats.

(Effective upon passage)

## **MISCELLANEOUS PROVISIONS**

### ***Removing Abandoned Sunken Vessels.***

HB 5648 authorizes harbor masters and other specified parties to remove a “derelict vessel” at the expense of its owner, operator, or agent. It also eliminates the criminal penalty for causing or permitting a vessel to be broken or altered so that it cannot remain afloat, grounding it, or leaving any part of it in a river or harbor.

(Effective upon passage)

### ***Validation of Marriages, Vital Records, and Youth Camps***

Among other things, sSB 317 requires that the Department of Public Health (DPH) and the state or local fire marshal certify that each dwelling unit, building, and structure of a youth camp as presenting no health or fire hazard. The act also updates the law on validating marriages.

(Effective upon passage for the marriage validation provision, October 1, 2006 for the other provisions)

### ***Municipal Purchase of State Land***

sHB 5814 allows a municipality that buys state land to make agreements concerning property taxes on it, including whether it will be tax-exempt, subject to payments in lieu of taxes, or have its taxes fixed

(Effective July 1, 2006)

## **MUNICIPAL EMPLOYEES**

### ***Municipal Retiree Health Insurance Benefits***

SB 16 bars municipalities, housing authorities, and other municipal subdivisions from eliminating or diminishing group health insurance benefits to municipal retirees in violation of a union contract. It applies to municipalities that arrange for health insurance on their own or through the state-sponsored Municipal Employee Health Insurance Program.

(Effective upon passage)

### ***Self Insured Governmental Health Plans***

sSB 554 makes a number of substantive and technical revisions to the insurance statutes. Among other things, it requires a managed care organization or health insurer to provide information regarding a self-insured governmental health plan under which an appeal is made within five business days of

receiving a request and to notify the plan sponsor that it must send a copy of the policy or contract.

(Effective upon passage for the governmental health plan provision)

### ***Social Security Offsets under the Workers' Compensation Act***

sSB 25 eliminates the requirement that workers' compensation wage replacement benefits be reduced by an amount equal to any Social Security retirement benefits to which the injured worker is entitled.

(Effective upon passage)

### ***Construction Safety on Public Building Projects***

sHB 5034 requires all state or municipal contracts of \$100,000 or more for constructing or repairing a public building receiving any state financing to require that the contractor prove that all its employees performing manual labor or telecommunications work have completed safety training. Manual laborers must complete a 10-hour construction safety course conducted in accordance with federal Occupational Safety and Health Administration (OSHA) Training Institute standards. Telecommunications workers must complete 10 hours in federal OSHA telecommunications safety

training. Proof of course or training completion must be submitted to the labor commissioner within 30 days after the contract is awarded.

The act requires the Labor Department to remove from the construction worksite any manual laborer who does not have proof of course completion, unless he provides proof within 15 days after he was found in noncompliance. The act requires the commissioner to accept an OSHA Training Institute student course completion card or other such proof that he deems appropriate. Course completion cards are valid for five years.

The act applies to contracts entered into on or after July 1, 2007.

(Effective October 1, 2006)

### ***Eligibility Requirements for Unemployment Compensation Claimants with a Disability***

sHB 5647 exempts an unemployed person with a disability from having to look for full-time work if he meets certain requirements. In determining whether a person has satisfied these requirements, the administrator must consider his work history, efforts to find work, the hours he is medically permitted to work, and his availability during such hours for suitable work considering his impairment.

(Effective October 1, 2006)

### ***Insurance Coverage for Breast Cancer Screening***

SB 422 changes when specified health insurance policies must provide coverage for a comprehensive ultrasound screening of an entire breast or breasts for a woman.

(Effective October 1, 2006)

### ***Paying for Health Care Services Rendered to Residents with an Elevated Blood Alcohol Content***

sSB 425 prohibits specific health insurance policies from denying coverage for health care services rendered to treat any injury that is alleged to have occurred or occurs when an insured person has a blood alcohol content level of 0.08% or more or is under the influence of an intoxicating liquor, drug, or both. The act applies to individual and group health insurance policies delivered, issued, amended, renewed, or continued on or after October 1, 2006.

(Effective October 1, 2006)

### ***Co-payments for Imaging Services***

sHB 5372 limits the co-payments that can be imposed on a person for all magnetic resonance imaging (MRI), computed axial tomography (CAT scan), and positron emission tomography (PET scan) services performed in-network. It limits

the co-payments for MRIs and CAT scans to no more than (1) \$ 375 for all such services annually and (2) \$ 75 for each one. It limits the co-payments for PET scans to no more than (1) \$ 400 for all such scans annually and (2) \$ 100 for each one.

These limits apply so long as the physician ordering the imaging service is not the same physician performing it or in the same practice group as him. They do not apply to high deductible health plans designed to be compatible with federally-qualified health savings accounts.

The act applies to health insurers, HMOs, hospital service corporations, medical service corporations, and fraternal benefit societies providing group or individual coverage for such imaging services.

(Effective October 1, 2006)

## **MUNICIPAL UTILITIES**

### ***Electric Utility Taxation***

sHB 5845 modifies how the gross earnings tax is calculated for municipal electric utilities. Currently, these utilities pay a tax of 4% on their gross receipts from their residential customers and 5% on those from nonresidential customers. The act instead requires the utilities to pay a tax of 6.8% of their gross receipts from transmitting power to residential customers and 8.5% on their nonresidential transmission revenues. Under

the act, the municipal utilities' revenues from generating power are not subject to the tax. These rates already apply to electric companies.

(Effective July 1, 2006)

### ***Regulation of Distribution Water Main Installations***

HB 5720 specifically excludes new distribution water main installations from DPH review and approval if they met specified criteria. It requires municipal and other water companies to report to DPH annually on the number and location of such installations. Reporting must be in an electronic format prescribed by DPH.

Current law prohibits the construction or expansion of a water supply system owned or used by a water company or the use of a new additional water supply source until plans for them have been submitted to and approved by DPH. Under this act, no prior review or approval is required for distribution water main installations if they are constructed according to sound engineering standards and all applicable laws and regulations.

(Effective October 1, 2006)

### ***Water Quality Standards***

PA 06-53 authorizes DPH to adopt regulations that incorporate by reference the provisions of the federal National Primary Drinking Water regulations if they (1) are

consistent with other regulations adopted by the state and (2) explicitly incorporate any future amendments to the federal regulations.

(Effective October 1, 2006)

### ***Water Authorities***

The act repeals a law passed last session (PA 05-5, June Special Session) allowing any municipality with a population greater than 100,000 to create, by ordinance, a water authority and transfer all or part of its water supply to the authority.

(Effective upon passage)

### **PROPERTY TAXATION**

#### ***Manufacturing Machinery and Equipment Exemption***

PA 06-83 exempts all manufacturing machinery and equipment (MME) from property taxes and reimburses municipalities for the revenue loss after a five-year phase-in. It does so by simultaneously phasing out the current, limited exemption and phasing in the new one, under which the state must reimburse municipalities for the entire revenue loss.

(Effective July 1, 2006. The phase-in of new exemptions and state payments apply to assessment years starting on or after October 1, 2006)

HB 5845 extends the existing and new MME exemption to equipment used in recycling acquired on or after July 1, 1996.

(Effective July 1, 2006. The provision adding recycling equipment applies to assessment years starting on or after October 1, 2006. The administrative changes apply to income years starting on or after January 1, 2006.)

### ***Property Tax Relief for Certain Elderly Homeowners***

sHB 5093 allows municipalities to freeze the property taxes on homes owned by certain elderly people and specifies how they may do so. To be eligible, the homeowner or his spouse must be age 70 or older and have lived in the state at least one year. Homeowners must meet the same income limits as apply to the existing “circuit breaker” program, which currently gives qualified homeowners age 65 or over a tax credit against the property taxes on their homes. Those income limits are currently \$27,700 annually for individuals and \$ 33,900 for married couples, adjusted annually for inflation. Under the act, people whose taxes are frozen can still qualify for other property tax relief programs.

The act allows the municipality to impose asset limits for eligibility and to put a lien on the property. It does not provide state reimbursement for lost revenue to a town that chooses to offer this optional tax freeze.

(Effective October 1, 2006)

### ***Open Space Land Tax Abatement***

PA 06-128 sets conditions under which municipalities, including boroughs and special taxing districts, may abate property taxes on open space land. This abatement is separate from the property tax benefit available to open space land owners under the 490 program.

(Effective October 1, 2006 and applicable to assessment years beginning on or after that date)

### ***Revaluation***

sSB 668 reorganizes the revaluation statutes, making many substantive and technical changes, some of which reflect current practice and terminology. It retains the five-year revaluation requirement, but modifies how assessors gather or verify property data when conducting a revaluation. The act changes the penalty for failing to implement a scheduled revaluation and the procedures under which it can be waived.

The act changes some of the procedures and requirements for implementing, deferring, or postponing a revaluation. Lastly, it consolidates the statutes for phasing in a revaluation, authorizes a new phase-in method, limits the maximum phase-in period to five years, and requires local legislative bodies to approve the phase-in method.

(October 1, 2006 for the revaluation, phase-in, and postponement provisions, which apply to assessment years beginning on or after that date)

### ***Revaluation Phase-in***

HB 5093 repeals provisions that allow municipalities to phase-in the effects of their property revaluations over as many as three years and allows them to adopt a phase-in for up to five years, using one of two implementation options.

The act requires the municipality's legislative body to select the implementation option and allows the municipality to phase in part, rather than all, of the assessment increase. The act specifies the administrative requirements for adopting a phase in.

(Effective October 1, 2006, and applicable to assessment years beginning on or after October 1, 2006. HB 5820 makes the act applicable to assessment years beginning on or after October 1, 2005.)

### ***Tax Collectors***

PA 06-88 allows the OPM secretary to revoke, suspend, or deny a tax collector state certification or recertification and makes changes regarding the committee that recommends tax collectors for certification and its process for developing certification standards.

(Effective July 1, 2006)

### ***Personal Property Owned by Telecommunications Companies***

HB 5605 allows tax collectors to impose the same 1.5% monthly interest penalty on delinquent telecommunications property taxes as on all other delinquent property taxes.

(Effective upon passage and applicable to assessment years starting on or after October 1, 2006)

### ***Property Tax Exemption for Certain Veterans***

SB 169 explicitly makes reserve components and National Guard members who have performed duty under Title 32 of the US Code part of the armed forces definition. In doing so, it makes these veterans eligible for property tax exemptions and other benefits. The act also requires any state agency or municipality that provides veterans' benefits to submit annually to the Department of Veterans' Affairs who in return must compile and annually report to the Military Department such information.

(Effective October 1, 2006)

## **PUBLIC SAFETY**

### ***Local Surcharge on Vehicle Tickets***

PA 06-108 adds a \$10 surcharge on specified motor vehicle violations and requires the state to remit the revenue to the municipalities where the violations occurred. The surcharge applies to anyone who pays a fine or forfeiture for any of 35 motor vehicle violations, including: (1) speeding, (2) driving under the influence, (3) making an illegal turn, (4) failing to stop for a school bus (for a first offense), and (5) failing to stop at a stop sign.

(Effective July 1, 2006)

### ***Model Guidelines for Volunteer Emergency Personnel***

PA 06-22 requires the state fire administrator to develop model guidelines by January 1, 2007, that municipalities with paid or emergency personnel may use to enter into agreements allowing people to serve as volunteer emergency personnel during their personal time. He must do so by January 1, 2007. Currently, labor contracts for firefighters in several municipalities bar or restrict covered employees from serving as volunteer firefighters in other municipalities.

(Effective upon passage)

## ***Emergency Medical Services (EMS)***

The act grants certain primary service area responders (PSAR) intervenor status in DPH hearings on the need for new or expanded EMS service in their area and establishes an expedited process for certain PSARs to add ambulances to their fleets.

The act permits a licensed or certified volunteer municipal ambulance service that is a PSAR to add one emergency vehicle every three years without having to go through the otherwise required public hearing on the request. The limit applies to the provider's entire fleet regardless of the number of town it serves.

It requires an ambulance, rescue, or management service to, within six months after the date DPH approves its request for new or expanded services (1) acquire the resources, equipment, and other material it needs to comply with the terms of approval and (2) operate in the area identified in its application. Failure to do either within six months voids the approval, which DPH must rescind.

The act specifies that EMS management services organizations, which provide personnel to EMS providers, may not own or lease ambulance or other emergency vehicles. It explicitly subjects them to DPH disciplinary action if they violate DPH regulations or fail to maintain required standards.

The act also requires all ambulance services to secure and keep medical control by a sponsor hospital for all their EMS personnel, whether they or a management service employs them.

(Effective upon passage)

### ***Emergency Response Information***

The act changes the information public safety answering points are required to report. Instead of reporting the calls they receive for EMS services and the 9-1-1 calls they receive involving medical services, it requires them to report all calls they receive through the 9-1-1 system for services. And, instead of reporting the time that elapsed between answering a call and dispatching services or relaying it to another public or private safety agency, they must report the elapsed time until they transfer or terminate a call. Finally, the act removes the requirement that they report this information quarterly to DPH.

(Effective October 1, 2006)

### ***Urban Violence and Cooperative Crime Control Task Force***

HB 5846 replaces the Statewide Cooperative Crime Control Task Force in the Department of Public Safety (DPS) with the State Urban Violence and Cooperative Crime

Control Task Force. It requires the new task force to conduct and coordinate investigations of violent crimes and other criminal activity that local authorities lack ability to contain.

The act requires that task force investigations and deployments be made pursuant to agreements between the municipal chief elected official or police chief and under the direction of the DPS commissioner or his designee.

To use the task force, a municipality must petition the DPS commissioner. Participating municipalities must assign local resources and personnel to the extent of their ability.

Each municipality is responsible for paying the compensation of its personnel temporarily assigned to the task force and must pay their salaries while they are on task force duty.

(Effective July 1, 2006)

### ***Defibrillators at Public Golf Courses***

SB 317 requires all public golf courses with at least nine holes and a course length of at least 2,750 yards to provide and maintain at least one automatic external defibrillator at a central location on the premises.

(Effective October 1, 2006)

## **TRANSPORTATION**

### ***Infrastructure Investments***

Among other things, HB 5844:

1. authorizes \$1 billion in new Special Tax Obligation bonds for strategic transportation projects and initiatives;
2. authorizes the State Bond Commission to issue up to \$1.3 billion in bonds that would be secured through future federal transportation revenues;
3. permits bonds previously authorized under the Urban Action Program to be used for transit-oriented development projects and defines “transit-oriented development”;
4. authorizes the Department of Economic and Community Development and the Connecticut Development Authority to make grants or loans to support transit-oriented development projects and encourage the development and use of port and rail freight facilities and services;
5. requires DOT to study (a) building a fuel cell power station to generate power for the New Haven Line, (b) the mobility needs of residents and businesses in eastern Connecticut, and (c) implementing commuter rail service between New London and Worcester, Massachusetts; and
6. requires the OPM secretary to perform a regional “build out” analysis and make

recommendations on performing one for the entire state.  
(Effective July 1, 2006)

***Vehicle Dealers and Repairers/Disposal of DOT Land***

In municipalities with populations of less than 20,000, sHB 5664 requires that applicants for a motor vehicle dealer or repairer license obtain police approval of the location where they want to operate the business. An applicant must obtain this approval from the municipality’s police chief if there is an organized police force or, if there is no organized police force, the commander of the state police barracks closest to the proposed location. The act also modifies how the Department of Transportation can dispose of certain nonconforming parcels of land it has acquired.

(Effective upon passage)

***Motor Vehicles***

Among other things, sSB 328 modifies when a person with a commercial drivers license is subject to license disqualification for committing serious traffic violations or refusing to take an alcohol or drug test (By law, a person must hold a CDL to drive a school bus, large truck, or certain other vehicles.) It also broadens the motor vehicles commissioner’s authority to give any school board or organization

that provides public transportation, including transporting school children, a report that shows the people who have drivers' licenses with endorsements for transporting passengers whose license or endorsement he has withdrawn, suspended, or revoked.

(Effective on various dates)

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