

Major Issues 2000

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Office of Legislative Research
Office of Fiscal Analysis

INTRODUCTION

Every year, at the request of legislative leaders, the Office of Legislative Research (OLR) outlines some of the important issues we think you will face in the months ahead. This year OLR is issuing the report jointly with the Office of Fiscal Analysis (OFA) in order to cover the full range of issues for the 2000 session.

This report provides basic background on major issues likely to be considered during the session. It represents the professional nonpartisan views of OLR and OFA staff based on interim studies, research requests, nonconfidential discussions, and subject matter knowledge. It does not represent staff suggestions or recommendations.

Check the Major Issues online for links to background reports by nonpartisan staff on most of the issues.

(www.cga.state.ct.us/olr/2000majorissues/mi2000.htm) For additional information, contact OLR (240-8400) or OFA (240-0200).

TOP ISSUES

State Treasurer Corruption Probe. Proposals on ethics and campaign finance reform, treasurer's office organization, and pension fund investment and oversight.

Budget and Spending Cap. Reconciling deficiency appropriations, loss of anticipated savings, requests for increased funding, and spending limits.

Hospitals' Financial Health. Declining hospital revenues and the problems of John Dempsey Hospital and the UConn Medical School.

Health Coverage and Cost. HMO liability, medical savings accounts, and the cost of prescription drugs.

Children's Mental Health and Juvenile Justice Issues. Services for mentally ill children, delinquency, Long Lane School transition, and the functions of the Department of Children and Families.

Sheriffs' Reform. Whether to reform or abolish the county sheriffs and reorganize their duties.

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AGING

Long-Term Care Plan - Expansion of Home Care Program

A permanent interagency planning committee, established in 1998, is developing a statewide long-term care plan for the elderly, studying related issues, and issuing biennial reports. Although the next full report is not due until January 2001, 1999 legislation specifically required the committee, by February 2000, to develop a plan to raise the income limits for the Connecticut Home Care Program for Elders (CHCPE), which helps people stay out of nursing homes. This proposal, if passed, would replace a small one-year pilot program that ends June 30, 2000.

ConnPACE Expansion

It is likely that the legislature will once again face a number of proposals to expand the ConnPACE program, which helps low-income seniors pay for prescription drugs. The program's income limits, as of January 2000, are \$14,700 for single seniors and \$17,700 for married couples. The limits are adjusted annually for inflation.

BANKS

ATM Surcharges

For the past four years, the state

has been embroiled in a dispute over automated teller machine (ATM) surcharges. ATM surcharges are fees that banks charge other banks' depositors for using their ATMs on top of what the ATM users' own banks charge them.

The state banking commissioner interpreted Connecticut law as barring such surcharges. Fleet Bank challenged this interpretation. A commissioner's order stopped banks from imposing the surcharge until the State Supreme Court finally decided in December 1999 that the current state law does not prohibit surcharges. Banks are now free to impose the charge.

The legislature could see bills to clearly prohibit ATM surcharges (although such a prohibition would appear to cover only state-chartered, not national banks) or, alternatively, to specifically permit them. A related issue is whether to require certain disclosures at ATMs, similar to what recent federal law requires for all banks.

CHILDREN

Reorganizing Services to Children and Families

Connecticut is one of five states that combine child protection, children's mental health, and juvenile justice administration in a single agency devoted to children and families. After

examining the Department of Children and Families' (DCF) mission and management, the Program Review and Investigations Committee has accepted staff recommendations to (1) create a new Children's Secretariat to plan for, budget, and coordinate all state services to children, (2) pool available resources across state agencies to fund a community-based system of care that will provide integrated services to children and their families, (3) devolve some of DCF's abuse investigation responsibilities to these community-based organizations, (4) transfer DCF's and some of the Judicial Branch's responsibilities for juvenile delinquents to a new Juvenile Justice Authority, and (5) transfer DCF's responsibilities for children's mental health to the Department of Mental Health and Addiction Services (see also **Judiciary** and **Fiscal**).

Helping Parents of 16- and 17-Year-Olds

For several years, parents have been looking to the legislature for help in controlling older teens who run away, get into scrapes with the law, or behave in ways that wreak havoc in their homes. Parents of teens under age 16 can get help from the courts through the Family With Service Needs program. But once children turn 16, parents feel helpless as their kids can leave school and home while the parents cannot seek help

from the courts or the police. The General Assembly could see proposals to deal with these issues and problems.

Mental Health Services

Many observers believe children with serious emotional disturbances are not receiving the type of care they need because of today's service environment, which features overlapping providers, multiple payers, and managed care restrictions. Several task forces are looking at ways to better coordinate and pay for the level of care that these children need, and they could recommend programmatic and budgetary changes for the legislature to consider.

COMMERCE

High Technology Infrastructure

Connecticut ranks fifth among the states for having the right mix of workers, businesses, and institutions to spur technological innovation. But the state risks losing its standing if it cannot keep up with rapid technological changes, especially in biotechnology and information technology. The legislature may see bills to insure that these and other key high technology sectors have the human and physical infrastructure they need to thrive.

Release of Funds for Adraien's Landing

Last year's act expanding the Hartford Convention Center, UConn stadium, and related projects requires the governor to submit, and the legislature to approve, a detailed master development plan before \$355 million in state bond funds can be released. Part of the governor's submission must also show that at least \$210 million in private funds have been contractually pledged to support these projects (at least \$40 million for a convention center hotel). Not only will the legislature have to approve the plan, it may have to amend the underlying law if plans proceed, as reported, to relocate the UConn stadium to East Hartford.

Leveraging Private Dollars for Urban Reinvestment

State spending limits have led legislators to devise new ways to finance economic development projects. A popular approach is to offer credits against personal and corporate income taxes for certain types of investments and expenditures, such as investing in start-up insurance companies or researching and developing new products and services. The legislature may see proposals to induce redevelopment in urban areas by offering tax credits to those who invest in privately managed

funds specializing in acquiring, remediating, and marketing abandoned or underutilized properties.

EDUCATION

Teacher Shortage

Connecticut will see teacher shortages in certain subject areas through 2003, according to a new analysis by the State Department of Education (SDE). Among them are speech and language pathologists (a shortage area in the state since 1987), special education, applied education (technology and home economics), world languages, and library media specialists. SDE also expects districts to have some difficulty in finding math, physics, chemistry, health, and reading teachers. The legislature may consider incentives to boost teacher recruitment and retention and encourage teachers to teach in poorer districts.

Teacher Training and Professional Development

Now that the state has enacted several programs to encourage early childhood education and reading in the early grades, a key issue is how to transmit the latest research to teachers so they can use it in the classroom to enhance their teaching. The legislature may look at the state's teacher preparation and professional development

programs, as well as state certification requirements, to see how teacher training can be improved.

School Accountability

Accountability for student achievement and what to do to improve failing schools will likely remain a major education issue this session. A 1999 law requires the SDE to publish an annual list of schools needing improvement and requires local boards with jurisdiction over those schools to adopt improvement plans for them. The General Assembly may be called on to reassess the criteria for determining which schools are listed as well as to provide extra resources to help those schools.

State Takeover of the Hartford Schools

Though the State Board of Education has extended state responsibility for running the Hartford school system for another two years, the legislature may want to assess the effectiveness of the state takeover. Other issues could include whether to extend the takeover period beyond five years, whether Hartford residents should serve on the State Board of Trustees for the district, and Hartford students' achievement under state control. The Program Review and Investigations Committee

studied the Hartford board of trustees and adopted recommendations to improve its operations.

UConn Medical School

Financial problems at John Dempsey Hospital and the effect of service reductions on the UConn Medical School and medical training in the state are expected to be a prime issue in 2000 (see also **Public Health**).

Educational Technology

Schools' use of technology in the classroom is the focus of interest as demands for technological literacy become more pressing and the state's economy becomes more focused on high technology companies. The General Assembly may see proposals to increase spending for computers, infrastructure, and educational software for schools; increased teacher training in how to use computers; and for a computer literacy standard for students in particular grades. There may also be proposals to enhance a computer network that links the state's public colleges, libraries, and elementary and secondary schools (see also **Commerce**).

ENVIRONMENT

Reducing Nitrogen in Long Island Sound

As required by federal law, the Department of Environmental

Protection (DEP) is nearing completion of its Total Nitrogen Discharge Limit (TMDL) analysis of Long Island Sound. Once the TMDL is set, the state will need a strategy to achieve the necessary nitrogen reductions. This session will probably bring legislation to help achieve the TMDL limits, which will likely include a discharge credit trading program proposal.

Power Plant Air Emissions

Last year, a measure to reduce emissions from certain older power plants passed the House but later failed in committee. Since then, New York has announced that it will develop regulations to similarly reduce emissions from its older plants, and the US Environmental Protection Agency and New York's and Connecticut's attorney generals have announced their intent to sue certain coal-fired Midwestern power plants under the federal Clean Air Act. Other state clean air programs and policies may also get attention this session, including the vehicle emissions inspection program (See also **Transportation**).

Bottle Bill

Several states considered expanding their bottle bills last year to include so-called "new age" beverages (drinks like iced tea and fruit drinks). California expanded its program. This

session will probably bring a proposal to expand Connecticut's bottle bill in a similar way.

Brownfield and Environmental Tax Incentives

In recent years, there has been increasing interest nationally in "environmental tax policy." This year, Connecticut may see proposals to provide tax incentives for environmentally preferable conduct or products, as well as tax policies targeting brownfield remediation.

FISCAL

Keeping Within the Appropriations Cap

The 1999-2001 biennial budget was under the statutory spending cap by \$68.6 million in FY 00 and \$59.3 million in FY 01. Additional appropriations in this year cannot exceed \$68.6 million without a declaration of an emergency or extraordinary circumstances by the governor and a three-fifths vote by the General Assembly. Assuming additional appropriations of \$68.6 million in this fiscal year (to cover deficiencies), and recognizing the loss of the \$50 million savings from privatizing much of the state's information technology (see below), it appears the cap allows for an increase of about \$81 million in the FY 01 budget. But if the increase were made, the budget would be at

the capped amount, which could create problems in meeting deficiency needs in FY 01. The administration has indicated a desire to limit the revised FY 01 budget to \$100 million below the amount allowed by the cap.

Pension Investments and Investment Oversight Board

In response to the ongoing investigation of state pension fund investments at the Office of the State Treasurer, the legislature may consider establishing an oversight mechanism. This may include reexamining a proposal made during the 1996 session to create an investment advisory board to share the fiduciary responsibilities with the treasurer, as opposed to the treasurer's sole fiduciary authority under the present system (see also **Government Administration and Elections**).

Sales and Use Tax Applied to E-Commerce

E-commerce, the purchase of goods and services by businesses and individual consumers over the Internet, is raising important tax policy issues for state governments. Current tax law makes it difficult to enforce sales and use tax laws on most Internet purchases. As the volume of Internet transactions continues to increase, the General Assembly will likely explore policy options on how the state can minimize the erosion of

the sales and use tax base.

Education Aid to Local Governments

State funding for local education is scheduled to increase by \$70 million from \$1.57 billion in FY 00 and to \$1.64 billion in FY 01. Approximately \$42 million of the increase is scheduled in the Education Cost Sharing (ECS) grant. The other grant scheduled for a major increase is the Magnet Schools grant, with an anticipated increase of nearly \$12 million. Another major issue is the Special Education Excess Cost grant that is scheduled to increase from \$44.5 million to \$46.5 million. Local and regional school districts are seeking more assistance, as special education costs become a larger portion of local budgets.

Health Care Costs

Several health-related cost issues are likely to arise in the upcoming session (see also Insurance and Public Health).

HUSKY Program. In the past year, the legislature provided funds to extend health care benefits to parents of children enrolled in the HUSKY program starting in FY01. The implementation of this extension as well as its impact on the HUSKY program will have to be closely monitored during this session.

Pharmaceutical Coverage. The increasing cost of pharmacy benefits in several programs is another issue of concern. Pharmaceuticals currently represent the fastest growing cost in most health benefit programs. The 1999-01 biennial budget removed \$21 million annually in the Medicaid, ConnPACE and State Administered General Assistance budgets due to assumed pharmacy savings initiatives. It is unclear at this time whether the Department of Social Services (DSS) will be able to achieve these savings.

Health Insurance for Retired Teachers. Retired teachers' health coverage is funded from three sources. In order of magnitude, they are: active teacher contributions, state appropriations, and retired member payments. PA 98-155 changed the health plan offered by the Teachers' Retirement Board (TRB). These changes, effective in FY 00, were designed to control costs by introducing managed care. But due to several factors, the anticipated shift to managed care did not occur. Without plan modifications for FY 01, the TRB will be faced with a significant rate increase. The TRB is currently working with a health care consultant to procure new pharmaceutical coverage. This is important because Pharmaceuticals represent the fastest growing medical trend in

the over-65 population. The FY 01 state appropriations for retired teachers' health insurance total \$8.6 million.

Department of Children and Families

Construction of the new Connecticut Juvenile Training School is well underway. A transition plan, which encompasses the phase-out of the existing Long Lane School and movement of clients and staff to the new facility, has been submitted to the Office of Policy and Management for its review. The plan will result in estimated expenditures of approximately \$5 million in FY 01. These costs are not reflected in the biennial budget (see also **Children and Judiciary**).

DCF is also in the process of developing the 2000 Program Assessment and Resource Allocation (PARA) Plan. The PARA Plan is an annual needs assessment mandated under the DCF Consent Decree. Implementation costs have historically been significant. Final details and budget figures are expected in early February 2000. Appropriations for these costs typically are excluded from the spending cap in the first year in which they occur, as they result from a court order.

Department of Mental Retardation Waiting List

Although waiting list funding of \$4.2 million in FY 00 and \$12 million in FY 01 was provided in the biennial budget and includes residential supports for approximately 425 individuals and respite grants for approximately 150 families, the demand on services is ongoing. Despite funding for new development to reduce the list, it continues to grow and by the end of FY01 there will be approximately 1,485 individuals still waiting for residential services.

Department of Mental Health and Addiction Services Special Clients

The special populations pilot project was initiated in FY 98 to serve high-risk individuals getting too old for service from the Department of Children and Families (DCF). These individuals have been diagnosed with either pervasive development disorder and/or pedophilia. The project is currently budgeted for 49 individuals in FY 00 and an additional 25 in FY 01. The intensive nature of the services required has represented a high growth area in the DMHAS budget. These costs will continue to increase as more individuals enter the program from DCF and because the budgeted per-client cost of \$125,000 has been found to be

insufficient to pay for the range and intensity of required services.

Department of Correction - Placing Prisoners Out-of-State

In late October 1999, the Department of Correction (DOC) announced an agreement with Virginia to transfer up to 500 inmates to Wallen's Ridge Prison in Big Stone Gap, VA. The agreement was prompted by a prison population that reached FY 01 estimates early in FY 00. The department determined that such a contract was necessary to manage the increasing number of offenders in its custody. The majority of those transferred are more dangerous offenders who have chronic disciplinary issues or gang affiliations. In FY 00, the cost of the out-of-state placements is expected to be approximately \$6 million, based on a rate of about \$64 per day. The annualized cost in FY 01 is projected to be \$12 million. These costs were not included in the biennial budget.

County Sheriffs - Potential Organizational Changes

The long-debated restructuring or abolition of the sheriffs system could occur or at least be set in motion during the 2000 session. The cost of fringe benefits (about \$6 million per year) for special deputy sheriffs will not be a factor in reorganization since

collective bargaining for such benefits will begin in 2000 regardless of any transfers of special deputies to other agencies. A significant fiscal factor involved will be how the agency that potentially receives a transfer of special deputies administers the function.

There appears to be some inefficiency in the current system in the range of about 10% of payroll but, on the other hand, according to one measure, the current system is up to 30% understaffed. Abolishing the high sheriffs and chief deputy sheriffs along with their administrative staffs located in the counties would save about \$1.5 million.

The future of deputy sheriffs (process servers) is uncertain. These individuals are currently "off-budget" since they generate their income independently. One proposal would be to make them state employees with the state receiving the income from process serving (see also **Judiciary**).

Information Technology (IT) Centralization/Privatization

The FY 01 budget was balanced on the assumption of \$50 million in savings from the privatization or outsourcing of most of the Executive Branch's IT operations. While the privatization effort was abandoned in June 1999, there may be a major IT centralization

proposal as an FY 01 budget adjustment. Some portion of the bottom-line IT savings will probably be claimed as the result of IT centralization, and there are likely to be significant adjustments to the IT budgets of many state agencies. This process has already begun through the creation of an additional 26 positions in the Department of Information Technology's Technical Services Revolving Fund through action of the Finance Advisory Committee in December 1999.

Department of Public Safety - Mandated 1,248 State Troopers by July 1,2001

Increasing the number of state troopers from the current 1,000 will require up to \$5 million in additional funding in FY 01. The department is eligible to receive about \$16.9 million in federal funding for the additional police officers through FY 02. DPS is the only state agency that has a staffing level set by statute.

GENERAL LAW

Telemarketing

The federal government prohibits telemarketers from calling before 8 a.m. and after 9 p.m. It also requires them to put the name of every consumer who asks on their corporate "Do Not Call List." Some states, like Florida and Georgia, think the federal law does not go far enough and have

established state "Do Not Call Lists" consisting of the names of all residents who ask to be included. Both states prohibit telemarketers from calling anyone on the list. There may be proposals to establish a similar program in Connecticut.

GOVERNMENT ADMINISTRATION AND ELECTIONS

State Treasurer Corruption Probe

The federal investigation of the former state treasurer has prompted interest in a number of areas including the structure of the Office of the Treasurer, campaign finance reform, and ethics. Legislative leaders have asked the GAE and Finance committees to study these issues and make recommendations. The state's Ethics and Elections Enforcement commissions have already announced their proposals that include prohibiting the treasurer from soliciting campaign contributions from investment firms on behalf of any candidate, extending the post-employment restrictions with respect to the treasurer, establishing reasonable campaign contribution limits that ongoing political committees and political parties can give to candidates (their contributions are currently unlimited), lower contribution limits for lobbyists and individuals whose firms have substantial government

contracts, and expanded mandatory electronic filing of campaign finance reports (see also **Fiscal**).

Legislator Outside Employment And Conflicts Of Interest

Legislators' outside employment and the question of conflicts of interest may also be an issue. Outside employment has always presented questions for part-time legislators and the General Assembly may try to provide some clarification.

Freedom Of Information Act (FOIA) Compliance

In November, the Freedom of Information Commission released the results of its survey of towns' compliance with the FOIA's provisions on access to public records. The commission is developing an approach to address what it terms the "abysmal" 22% compliance outcome. Its initiatives will include proposals to amend the act to increase its enforcement authority, provide mediation services, develop an audit and investigation program, and develop new educational programs.

HOUSING

Affordable Housing

The Blue Ribbon Commission to Study Affordable Housing must issue a report to the legislature

by February 1, 2000. The commission may make recommendations regarding affordable housing in Connecticut, particularly the affordable housing appeals procedure.

HUMAN SERVICES

Medicaid for Workers with Disabilities

Last session, the Human Services Committee raised a bill that would have expanded eligibility for Medicaid coverage to people with disabilities who want to work but have opted not to for fear of losing their Medicaid benefits. Such an expansion would help workers who receive Social Security Disability Insurance benefits by increasing the Medicaid income limits to a level that would ensure continued coverage once they begin working, as well as continued personal care assistance. Premiums would be required from people once their earnings reach a certain level. At least 11 states have initiated such "buy-in" programs, which can be accomplished without a federal waiver. (Congress just passed its own work incentives bill.) A legislative working group has convened to study the issue and expects to recommend legislation for the 2000 session.

Medicare Part 6 Copayments

The biennial budget includes a \$54-million reduction each year in

the Department of Social Services budget to implement the virtual elimination of Medicare Part B co-payments in the Qualified Medicare Beneficiary (QMB) program. (This program serves low-income elderly and disabled people who qualify for both Medicare and Medicaid.) The federal Balanced Budget Act of 1997 enabled the legislature to limit these payments, but it prohibits Part B providers, like physicians, from billing patients for the balance. As a result, many providers have expressed grave concerns about the loss of revenue and some have decided to stop serving these patients. The legislature may want to revisit the issue to ensure continuity of care for those affected.

INSURANCE AND REAL ESTATE

Automobile Insurance - Territorial Rating and the Right to Sue

The legislature will likely consider whether territorial rating is an unfair and discriminatory insurance rating practice. It may also consider whether to limit the right of uninsured motorists, drunk drivers, and felons to sue and recover damages from law-abiding citizens.

Health Insurance - Medical Necessity Decisions and Medical Savings Accounts

The legislature may look at whether treating physicians or health maintenance organizations (HMOs) should make final judgments about the medical necessity of treatment. It is also likely to see bills on whether people should be able to establish tax-advantaged custodial accounts in conjunction with the purchase of a qualifying high-deductible health insurance plan (so-called "medical savings accounts").

Property/Casualty Insurance - Rate Deregulation

The General Assembly may look at whether commercial property and casualty insurance rates should be totally deregulated.

Real Estate Transaction Fees

Some Connecticut real estate brokerage firms have begun to charge residential buyers and sellers administrative fees in addition to the negotiated commission. The legislature may address whether the additional fees are permissible.

Real Estate Property Condition Disclosure Report

To give buyers of residential real estate notice about recently installed sewers, the General Assembly may consider adding

sewer assessments that have been or will soon be levied to the Uniform Property Condition Disclosure Report.

JUDICIARY

Sheriffs' Reform

The legislature is likely to consider reforming the sheriffs system. Proposals include a constitutional amendment to abolish high sheriffs, transferring special deputy sheriffs (who provide prisoner transportation and courtroom security) to a state agency or the Judicial Branch, and allowing deputy sheriffs to continue serving legal papers either under an agency or as independent contractors. The Program Review Committee is currently studying the topic (see also Fiscal).

Juvenile Justice

Legislative recommendations will be coming out of the Program Review Committee study and the Critical Response Team (a group formed by PA 99-26, the new juvenile training school law). The Senate has also formed a working group to review juvenile justice and propose changes, which could involve changes to the current system or removing Long Lane and delinquency from DCF's jurisdiction (see also **Children** and **Fiscal**).

Sex Offenders

There may be more changes and adjustments to Megan's Law concerning registration of sex offenders. And as a recent series in the *Hartford Courant* shows, there is still interest in what to do with serious repeat sex criminals, whether it is treatment or civil commitment.

Hate Crimes

The General Assembly will likely consider hate crimes legislation this year. Proposals include tougher penalties, a new misdemeanor hate crime, a diversion program for first-time offenders, a post-conviction education program as a condition of sentencing for repeat offenders, enforcement training for police, annual state competitive grants to assist police training and awareness, creating a hate crimes unit within the State Police, a statewide advisory commission to coordinate efforts and promote awareness, and adding hate crimes awareness to school citizenship curricula.

LABOR AND PUBLIC EMPLOYEES

Paid Family Leave

The U.S. Labor Department is modifying federal regulations to allow states to pay unemployment compensation benefits to parents who take leaves of absence under a Family

and Medical Leave Act to care for a newborn or newly adopted child. The Labor and Public Employees Committee chairmen have established a task force to study the issue. The General Assembly will likely be asked to consider legislation allowing paid parental leave.

Job Training

The General Assembly enacted PA 99-195 last session to implement the federal Workforce Investment Act of 1998 (WIA). The new law requires the Connecticut Employment and Training Commission to present the legislature with the WIA state plan for its approval.

Restrictive Employment Covenants

The Law Revision Commission is currently studying restrictive employment covenants between employers and employees. These agreements limit, for a specified time, where and at what an employee may work if he no longer works for his employer. The commission has asked for a report before the 2000 session begins. The General Assembly will likely be asked to consider a bill to place some restrictions on these agreements.

PLANNING AND DEVELOPMENT

Sprawl/Smart Growth

States have begun to address the

consequences of unplanned development or sprawl, which is often blamed for the loss of open space, traffic congestion, and the economic decline of cities and their surrounding suburbs. Oregon and Vermont have adopted comprehensive measures addressing a series of inter-related problems to encourage what proponents call "smart growth." But these measures also raise issues about local versus state control of land use and the degree to which government, rather than markets, shape development. The legislature may see bills on these issues.

Property Tax Reform

The legislature may again see bills dealing with property tax issues. Some legislators believe that high property taxes in the cities discourage property owners from improving their properties. One way they have suggested to remove the disincentive is to allow cities to tax buildings at a lower rate than the land they sit on, a practice used in several Pennsylvania cities. The Planning and Development Committee may resurrect a 1999 bill allowing Connecticut cities to do the same.

The legislature may also look again at authorizing regional asset districts, a mechanism that uses state or regionally imposed taxes to support museums, stadiums, and similar facilities that benefit

people throughout a region.

PUBLIC HEALTH

Financial Health of Hospitals

Growing numbers of hospitals are experiencing declining financial health. Factors such as reduced federal reimbursements for Medicare due to the Balanced Budget Act, inadequate Medicaid payments, and managed care discounts are cited by hospitals as reasons for this financial crisis. The problems of the John Dempsey Hospital of the University of Connecticut Health Center have received serious attention in recent weeks. The legislature passed a hospital loan program in 1999 (see also Education).

HMO Liability

The legislature passed a comprehensive managed care reform act in 1999 (PA 99-284). But the issue of HMO liability (i.e. whether an HMO can be sued) was not addressed in the legislation. Two states, Georgia and California, enacted laws in 1999, joining Texas as states allowing enrollees to sue their health plans. The U.S. House of Representatives passed legislation including the right to sue health plans in 1999, but the Senate version of the same bill does not include any new right to sue. This issue probably remains alive for the states, including Connecticut.

Mental-Health - Outpatient Commitment

The issue of using court-ordered commitment as a means of treating people with severe mental illnesses in outpatient, community-based settings is emerging. Outpatient civil commitment brings with it many responsibilities for state and local mental health systems. Proponents say such laws assure treatment for those who are unable or unwilling to receive treatment. Others view civil commitment as a violation of civil liberties. New York's passage of "Kendra's Law" has given this issue greater visibility. Connecticut may consider such an approach as it faces the dilemma of protecting the rights of the mentally ill as well as the safety of the general public.

Community Care for People With Disabilities

The U.S. Supreme Court's recent decision in *Olmstead v. L.C. et. al.* potentially poses significant issues for the states. The decision basically affirmed the right of people with mental disabilities to live in community-based settings rather than in state hospitals or institutions. But by balancing that right against the availability of state resources, the Court left open the question of how far (and fast) states must go to accommodate demand for community placements. Connecticut can be

expected to respond to this decision.

PUBLIC SAFETY

Police Shootings

A spate of highly publicized shootings of civilians and the investigation of them has triggered much public concern. The governor's law enforcement council has reviewed the issue and made several recommendations. The legislature may consider proposals on training, police policies, and investigation methods and procedures. There may also be proposals for a civilian review board.

Police Training

Past attempts to include cultural diversity training in the police-training curriculum were unsuccessful. This issue may reemerge in 2000.

Internet Gambling

Internet gambling has been growing at a rapid rate. There may be proposals addressing jurisdictional, regulatory, and tax issues.

Firearms

The "turn in thy neighbor" provision in 1999's major gun legislation continues to generate some opposition and national interest. There may be legislation

to modify or eliminate it.

Several towns have sued the gun industry, accusing it of negligently flooding the market with guns, many of which end up in the hands of criminals. But some police departments, including some in Connecticut, trade in their old police guns for price breaks on new guns from manufacturers, which then resell them on the open market. There could be proposals to end or restrict the trade-in practice.

Firefighters

Some news reports suggest that the Worcester firefighter deaths might have been prevented if the department had had thermal imaging cameras, which allow users to see in the dark. There may be proposals for the legislature to fund their purchase for Connecticut departments.

TRANSPORTATION

Motor Vehicle Emissions Inspection Program

The current emissions inspection contract will expire in about two years, but the Department of Motor Vehicles intends to issue an RFP for a new contract in December 2000. The Program Review Committee is reviewing the effectiveness of the current program, and there has been some discussion whether the future program should be changed significantly—for

example, by exempting new vehicles for as much as four years. If the legislature intends to modify the program by statute, the General Assembly will need to consider them in the coming session (see also **Environment**).

The Future Of Bradley International Airport

Bradley Airport is having its busiest and most profitable year, but there are proposals to turn over its direct operation and marketing to private entities with strong ties to the business community. The issue of the best way to manage Bradley airport's future is likely to be a subject of debate in the coming session.

The New Haven Harbor Crossing Initiative

Planning for improvements to the 1-95 crossing of New Haven Harbor are reaching their conclusion, and the Department of Transportation must provide the legislature with its recommended plan for the bridge crossing project by December 31st. This expensive plan will have far-reaching effects on the New Haven area and will be closely reviewed by the Transportation Committee.

Traffic Safety Issues

While not major issues individually, the Transportation Committee will probably be asked

to consider legislation across a broad range of traffic safety issues, including drunk driving, seat belts on school buses, lowering speeding fines, graduated licensing for teen drivers, and use of cellular telephones while driving.