



CCM'S 2015 ANNUAL REPORT ON THE GENERAL ASSEMBLY - LAWS EFFECTIVE OCTOBER 1

2015 Annual Report:

ADOPTED FY16 STATE BUDGET, BONDING AND IMPLEMENTER

BUDGET IMPLEMENTER

EDUCATION & CHILDREN

ENVIRONMENT & ENERGY

MUNICIPAL FINANCE

LAND USE, HOUSING & COMMUNITY DEVELOPMENT

MUNICIPAL LABOR RELATIONS

MUNICIPAL LAW & ADMINISTRATION

PUBLIC HEALTH & HUMAN SERVICES

PUBLIC SAFETY

TRANSPORTATION

CCM's Annual Report on the General Assembly is designed to inform members about bills of importance to towns and cities enacted during the 2015 regular and special sessions

The descriptions provided herein are summaries only. The full text of the Public Act and other detailed information may be found by following the individual hyperlinks.

For additional information on any bills listed and the most up-to-date news on legislative issues affecting municipalities, please see CCM's Legislative Action Center.

You may also follow CCM on Facebook and Twitter for real time updates and information from the State Capitol.

ADOPTED FY16 STATE BUDGET, STATE BONDING & BUDGET IMPLEMENTER

Among other things, establishes a combined General Fund and Transportation Fund expenditures of \$19.6 billion. This equates to an increase of \$770 million (4.0%) over the FY 15 budget.

DEFERRAL OF CERTAIN ACTS

CCM - KEEPING MEMBERS INFORMED

Please contact a member of the Public Policy & Advocacy Staff for further assistance or if you have questions concerning this report or on any state-local issues:

- [Ron Thomas](#), Deputy Executive Director
- [Randy Collins](#), Advocacy Manager
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- [Alexandra Beaudoin](#), Legislative Associate
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...or via phone
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Overall, increases municipal aid by \$42.7 million (1.3%) in FY 16 versus FY 15. The budget includes an increase of \$56.5 million (2.1%) in education funding compared to the current year. Non-education funding is decreased by \$13.8 million (-3.0%).

Below is additional funding in the FY 16 budget.

- **STEAP grants will be bond-funded at \$20 million** in FY 16, the same as FY 15.
- **Urban Act grants will be bond-funded at \$50 million** in FY 16, a decrease of \$50 million from FY 15.
- **Bond funding for school construction will be \$533 million** in FY 16, an increase of \$58.8 million from FY 15.
- There is **bond funding of \$50 million for Alliance Districts** in FY 16 to improve school buildings.
- **Bond funding of \$105.5 million in FY 16 is provided for grants and revolving loans under the Clean Water Fund.**
- The **Local Bridge Fund will receive bond funding of \$10 million** in FY 16, the same as FY 15.
- The budget provides **\$20 million in bond funding in FY 16 for grants to municipalities to encourage low-impact design of green municipal infrastructure.**
- The budget provides **\$10 million in bond funding for the School Security Infrastructure Competitive Grant Program** in FY 16.
- The budget includes **\$10 million in bond funding for open space acquisition grants.**

The state budget also **changes the funding structure of the Resident State Trooper Program. Participating towns will now have to pay 85 percent of costs for the first two troopers assigned to the town and 100 percent of costs for any additional troopers.** CCM is working with DESPP to implement the most manageable mechanism for towns in designating which would be the first two troopers. Towns would also have to pay 100 percent of any overtime costs and such portion of fringe benefits directly associated with those overtime costs. These changes became effective on July 1, 2015. It is still indeterminate how these changes will be reflected in individual, municipal contracts.

Please see [CCM's in-depth budget analysis](#) for specific changes to:

- PILOT Funding
- Motor Vehicle Tax
- Municipal Revenue Sharing
- Council of Government Funding
- Regional Tax Base Sharing Program
- Municipal Spending Cap

- Other

For more information regarding the state budget, please contact [George Rafael](#) or [Ron Thomas](#) of CCM.

SPECIAL SESSION PROVISIONS

Special Session [PA 15-5](#) (Various Effective Dates)

SPECIAL SESSION NON-BUDGET RELATED PROVISIONS FOR TOWNS AND CITIES

Municipal Compliance with State's Small Business-Minority-Women Set-Aside Law (Sections 58-71)

Requires municipalities, beginning on October 1, 2015, to set-aside 25% for small businesses -- and of that portion, 25% for minority-women owned-businesses, for public works projects that exceed \$50,000. Any town or city intending to engage in these projects must state in its notice of solicitation for competitive bids, or request for proposals or qualifications for these projects, that the general or trade contractor must comply with the set-aside requirements. Along with the Department of Administrative Services, the Connecticut Commission on Human Rights and Opportunities (CHRO) will now administer portions of the new law. CHRO has been allocated \$700,000 to administer the law. CHRO is to provide assistance and training, if towns are interested.

Natural Gas Expansion Property Tax Abatement (Section 106)

Allows towns and cities to abate up to 100% of a gas company's annual personal property taxes for purposes of fostering the expansion of natural gas infrastructure. Such local option tax abatements are allowable for up to 25 tax years.

Property Tax Exemption for Renewable Energy (Section 104)

Allows, for assessment years starting on and after October 1, 2015, for municipalities to abate up to 100% of the property taxes due for any tax year for any Class I renewable energy source subject to one of these power purchase agreements.

Right of First Refusal (Section 160)

Eliminates a provision requiring DOT, when preparing to sell excess property, to offer it first to the town where it is located before putting it out for bid or auction.

Property Taxes for Private Colleges & Hospitals (Sections 241-244)

Requires certain private universities and health care systems to pay property taxes on certain real and personal property acquired on or after October 1, 2015.

Expansion of Pesticides Ban on School and Play Grounds

(Section 445-449)

Among other things, (1) prohibits, unless in emergency situations, the use of pesticides on municipal playgrounds, and (2) requires towns and schools to provide at least 24 hours to the school community before applying pesticide on any school grounds. The provision details the particular requirements for emergency application of pesticides, as well as specific notification requirements and methods of disseminating the information.

Regional Election Monitor

(Sections 451-453)

Establishes a "regional election monitor" within each of the councils of government (COG). They will act on the secretary of the state's behalf before and during each election, primary, recanvass, and audit process. The monitors will be certified by the secretary of the state's office, but will not be state employees. Specifically, by March 1, each COG will need to contract with an individual to serve as the monitor for that planning region and enter into a memorandum of understanding (MOU) with the secretary of the state about the monitor. According to the contract's terms, the monitor must be compensated for performing any duty agreed upon with the COG and reimbursed for necessary expenses. The COGs must provide their monitor with any space, supplies, equipment, and services necessary to properly carry out the position's duties. The duties will be to (1) hold regional instructional sessions for moderators and alternate moderators; (2) communicate with registrars of voters to assist in preparing for and conducting an election, primary, recanvass, or audit; and (3) transmitting an order issued by the secretary of the state.

Reimbursement of Police Officer Training Costs

(Section 610)

Requires a municipality to be reimbursed 50% of the initial costs of certification for the Police Officer Standards and Training Council (POST) of police officers when they are hired by another law enforcement entity within two years from their initial certification. The "cost of certification" means the cost of training, equipment, uniforms, salary and fringe benefits and any cost related to the entry level requirements established by POST associated with the police officer. "Cost of certification" does not include the cost of any equipment or uniforms that were returned by such officer.

EDUCATION & CHILDREN

PA 15-59 (Effective 10/1/15) SCHOOL-BASED HEALTH CENTERS

Among other things, defines "school-based health centers" as being located in or on the grounds of a school facility of a school district, school board, Indian tribe, or tribal organization; and

providing comprehensive on-site medical and behavioral health services to children and adolescents according to state and local law.

PA 15-138 (Effective 10/1/15) FINANCIAL LITERACY EDUCATION

Requires the SDE to expand suggested subject matters of learning and to make available curriculum materials for local and regional school boards to provide students with an education on financial literacy.

PA 15-232 (Effective 10/1/15) TRAUMA-INFORMED PRACTICE TRAINING IN SCHOOLS

Requires the SDE to make materials available to local and regional boards of education to provide in-service training programs for teachers, administrators and pupil personnel who hold the initial educator, provisional educator or professional educator certificate on various topics related to drug abuse, mental health risks, teen dating violence, and other situations which may induce trauma.

ENVIRONMENT & ENERGY

PA 15-103 (Effective 10/1/15) DUTIES OF ANIMAL CONTROL OFFICERS

Extends the duties of animal control officers to include enforcing laws on domestic animals, instead of just dogs. Additionally requires municipal pounds to treat domestic animals, in the same manner they treat dogs.

PA 15-113 (Effective 10/1/15) SHARED CLEAN ENERGY FACILITY PILOT PROGRAM

Establishes a pilot program to examine two shared clean energy facilities, each in a designated service area. For the following two years, each recipient must submit a report of their findings to the General Assembly.

PA 15-114 (Effective 10/1/15) MUNICIPAL SEWERAGE SYSTEM BONDS

Among other things, increases the maximum term for municipal general obligation sewer bonds, from 30 to 40 years.

PA 15-135 (Effective 10/1/15) ELECTRIC RATE TRANSPARENCY

Requires PURA to hold two public hearings in United Illuminated service areas, and three public hearings in Eversource Energy service areas when matters related to electric rates arise, in an effort to increase transparency.

PA 15-186 (Effective 10/1/2015) TELECOMMUNICATION TOWERS PUBLIC INFORMATION MEETINGS

Allows municipalities the option to hold a public information meeting in regards to matters related to telecommunication towers. Municipalities that decided to hold these meetings must

notify the public through a newspaper posting fifteen days before the meeting is held, and assume costs associated with notification.

MUNICIPAL FINANCE

[PA 15-57](#) (Effective 10/1/15) **TAX INCREMENT FINANCING DISTRICTS**

Allows municipalities to establish a tax increment finance (TIF) district to fund economic development projects in areas that meet certain criteria, and establishes the process required for the creation such TIF districts.

[PA 15-114](#) (Effective 10/1/15) **MUNICIPAL SEWERAGE SYSTEM BONDS**

Among other things, increases the maximum term for municipal general obligation sewer bonds, from 30 to 40 years.

[PA 15-156](#) (Effective 10/1/15) **MUNICIPAL TAX COLLECTION STATUTES**

Makes several changes to municipal tax collection statutes by, among other things, (1) allowing municipalities and district health departments to withhold or revoke a business license or permit for delinquent water, sewer, or sanitation charges; and (2) specifying that state and municipal tax liens against a delinquent taxpayer have priority over a claim against the taxpayer by a third party who redeems a property following a tax sale.

LAND USE, HOUSING & COMMUNITY DEVELOPMENT

[PA 15-22](#) (Effective 10/1/15) **FARMLAND RESTORATION AND VACANT LANDS PROGRAMS**

Among other things the bill increases the maximum reimbursement to the lesser of \$20,000 or 90% of a plan's cost under the program for management or restoration plans for certain state or municipal lands.

[PA 15-57](#) (Effective 10/1/15) **TAX INCREMENT FINANCING DISTRICTS**

Allows municipalities to establish a tax increment finance (TIF) district to fund economic development projects in areas that meet certain criteria, and establishes the process required for the creation such TIF districts.

[PA 15-147](#) (Effective 10/1/15) **DISCONTINUANCE OF ROADS & HIGHWAYS**

Among other things, requires municipal CEOs to notify abutting property owners of proposals and final action to discontinue all or part of a highway or private way, or land dedicated for such use. It allows a property owner aggrieved because he or she did

not receive the required meeting notice to apply to the Superior Court for relief within 120 days after the discontinuance notice is recorded on the land records.

PA 15-151 (Effective 10/1/15) UNUSED GRANT AWARDS FROM DECD

Requires the Department of Economic and Community Development (DECD) to include the date by which unused funds must be returned, or an additional application to apply the unused funding for another purpose, in any agreement for grant funding.

PA 15-153 (Effective 10/1/15) RESIDENCE MOBILITY COUNSELING FOR SUBSIDIZED HOUSING

Requires the Department of Housing (DOH) to provide counseling to assist families in relocating to areas with increased economic opportunities.

PA 15-155 (Effective 10/1/15) REGIONAL ECONOMIC DEVELOPMENT DISTRICTS

Increases the number of regional economic development districts that can be established in the state, from 8 to 9, and eliminates the requirement that each district meet certain economic distress criteria established by federal regulations.

MUNICIPAL LABOR RELATIONS

PA 15-86 (Effective 10/1/15) EMPLOYERS' FAILURE TO PAY WAGES

Among other things, mandates the award of double damages, including court costs and attorney's fees, if it is determined that an employer has failed to pay an employee's wages, accrued fringe benefits, or arbitration award, unless the employer can establish a good-faith belief that their underpayments were legal.

MUNICIPAL LAW & ADMINISTRATION

PA 15-6 (Effective 10/1/15) EMPLOYEE ONLINE PRIVACY

Among other things, prohibits employers from requiring access to employees' (or job applicants) personal online accounts such as e-mail, social media, or amazon; and bans employers from retaliation or discipline for the denial of access to such accounts. However, the act outlines specific exemptions from such prohibition or ban such as access via employer provided electronic devices. Such prohibitions also do not apply to state or local law enforcement agencies conducting a pre-employment investigation of law enforcement personnel.

PA 15-26 (Effective 10/1/15) LIABILITY FOR POLICE DOGS

Creates a rebuttable presumption that a member of a law enforcement officer's household -- where the officer keeps a dog

assigned to him or her by the town -- is not the "keeper" of the dog. Therefore, in cases against the action of a dog, placing the burden of proof on the plaintiff to demonstrate that such household member did have exclusive control over the dog.

PA 15-56 (Effective 10/1/15) PROTECTING INTERNS FROM DISCRIMINATION AND HARASSMENT

Among other things, establishes the definition of an "intern" and protects them from discrimination and sexually harassment, similar to the protections afforded to paid employees.

PA 15-67 (Effective 10/1/15) WRONGFUL DEATH CLAIMS RELATING TO CHEMICAL EXPOSURE

Extends the time for bringing wrongful death lawsuits in cases involving exposure to hazardous chemicals. Also, allows such lawsuits to be brought two years after the injury is discovered or, should have been discovered.

PA 15-85 (Effective 10/1/15) COURT OPERATIONS

Among other things, (1) eliminates the requirement, in certain claims, that a municipality file a statement with the court indicating that it will pay any final judgment against one of its employees; and (2) gives the court authority to return cases appealing certain municipal decisions to the municipal official, board, or commission that made the decision for further proceedings, rather than outright modifying the local decision.

PA 15-147 (Effective 10/1/15) DISCONTINUANCE OF ROADS & HIGHWAYS

Among other things, requires municipal CEOs to notify abutting property owners of proposals and final action to discontinue all or part of a highway or private way, or land dedicated for such use. It allows a property owner aggrieved because he or she did not receive the required meeting notice to apply to the Superior Court for relief within 120 days after the discontinuance notice is recorded on the land records.

PA 15-156 (Effective 10/1/15) MUNICIPAL TAX COLLECTION STATUTES

Makes several changes to municipal tax collection statutes by, among other things, (1) allowing municipalities and district health departments to withhold or revoke a business license or permit for delinquent water, sewer, or sanitation charges; and (2) specifying that state and municipal tax liens against a delinquent taxpayer have priority over a claim against the taxpayer by a third party who redeems a property following a tax sale.

PA 15-164 (Effective 10/1/15) DISCLOSURE OF ARREST RECORDS UNDER FOIA

Increases law enforcement agencies' disclosure obligations under the Freedom of Information Act (FOIA) for records relating to a person's arrest by disclosing the "record of the arrest" to include (1) in the blotter information, the individuals race, (2) the official arrest warrant application or if not arrested through

warrant, the official arrest or incident report. If a court seals the affidavits or report, the unsealed information must be disclosed along with a report that summarizes the circumstances that led to the arrest.

These changes were a result of the Connecticut Supreme Court's ruling in *Commissioner of Public Safety v. Freedom of Information Commission*.

PA 15-170 (Effective 10/1/15) INTERTOWN CAPITAL EQUIPMENT PURCHASE INCENTIVE PROGRAM

Increases the maximum grant OPM can provide under the Intertown Capital Equipment Purchase Incentive Program for municipalities to jointly acquire vehicles or capital equipment, from 50% of the total acquisition costs of such equipment or vehicles to 80% - and/or from \$250,000 to \$375,000 - whichever is less.

PUBLIC HEALTH & HUMAN SERVICES

PA 15-110 (Effective 10/1/15) PAYMENT TO AMBULANCE SERVICES

Requires ambulance services to make a good faith effort to determine whether a person has health insurance before attempting to collect payment from the person for services provided. If the ambulance service determines that the person is insured, the company is prohibited from trying to collect payment, other than a coinsurance, copayment, or deductible, from the person for covered medical services, before receiving notice from the insurer that it is not paying for the services. If the insurer has not paid for the service or provided notice that it declines to do so within 60 days after receiving the bill, the ambulance service may attempt to collect payment from the person.

PA 15-148 (Effective 10/1/15) PUBLIC POOLS

Clarifies the definition of "public pools", as well the fees for public pool plan reviews and inspections by the Department of Public Health (DPH).

PA 15-223 (Effective 10/1/15) EMERGENCY MEDICAL SERVICES

Makes changes to the emergency medical service by, among other things: (1) establishes a hierarchy for determining which EMS provider is responsible for making patient care decisions at the scene of an emergency call, giving decision-making authority to the provider holding the highest classification of licensure or certification (however, these provisions do not limit the authority of the fire officer-in-charge to control and direct emergency activities at the scene); (2) establishes a \$100 per day civil penalty for an EMS organization's failure to report particular data to DPH; (3) allows the DPH commissioner to adopt regulations

on the EMS data collection system; and (4) allows particular out-of-state certifications and course work to qualify for particular EMS certifications within the State.

PUBLIC SAFETY

SA 15-2 (Effective 10/1/15) SEXUAL OFFENDER REGISTRATION STUDY

Convenes a study to, among other things, identify the housing opportunities and obstacles of sexual offender registrants.

PA 15-20 (Effective 10/1/15) LOCAL EMERGENCY PLANS OF OPERATION

Changes the requirement that municipalities submit local emergency operation plans annually, to every two years.

PA 15-83 (Effective 10/1/15) MUNICIPAL ORDINANCE ENFORCEMENT

Prevents local police officers from pursuing an individual outside of the municipal boundaries of the municipality, if the individual is alleged to have only violated a municipal ordinance.

PA 15-110 (Effective 10/1/15) PAYMENT TO AMBULANCE SERVICES

Requires ambulance services to make a good faith effort to determine whether a person has health insurance before attempting to collect payment from the person for services provided. If the ambulance service determines that the person is insured, the company is prohibited from trying to collect payment, other than a coinsurance, copayment, or deductible, from the person for covered medical services, before receiving notice from the insurer that it is not paying for the services. If the insurer has not paid for the service or provided notice that it declines to do so within 60 days after receiving the bill, the ambulance service may attempt to collect payment from the person.

PA 15-161 (Effective 10/1/15) LAW ENFORCEMENT NOTIFICATION TO DAY CARE CENTERS

Requires each law enforcement agency to notify licensed day care centers when there are conditions of fire, criminal act or natural disasters that could impact the safety of the children at the center. Each day care center is responsible for providing appropriate contact information to the law enforcement agency.

PA 15-204 (Effective 10/1/15) BOW AND ARROW HUNTING ON SUNDAYS

Allows for Sunday deer hunting on private land in deer management zones designated by DEEP with only private landowner's written permission, proper DESPP permitting, and not within 40 yards of a clearly marked hiking trail.

PA 15-207 (Effective 10/1/15) EVIDENCE IN SEXUAL ASSAULT CASES

Among other things, requires sexual assault evidence collected from a person who chooses to remain anonymous to be held for at least five years, instead of 60 days, and sets a five-day deadline for the law enforcement agency to notify the Division of Scientific Services about a victim who reports a sexual assault to the police after the collection of the evidence.

PA 15-211 (Effective 10/1/15) ANIMAL CONTROL OFFICERS

Among other things, increases the penalty for assaulting a state or municipal animal control officer to a Class C felony. Currently, there is no specific crime for these crimes other than general assault provisions.

TRANSPORTATION

PA 15-42 (Effective 10/1/15) VARIOUS MOTOR VEHICLES PROVISIONS

Regulates the use of a "wheel locking device" and requires that 10% of the \$50 fee charged for removing wheel-locking devices be remitted to local police departments.

PA 15-186 (Effective 10/1/2015) TELECOMMUNICATION TOWERS PUBLIC INFORMATION MEETINGS

Allows municipalities the option to hold a public information meeting in regards to matters related to telecommunication towers. Municipalities who decided to hold these meetings must notify the public through a newspaper posting 15 days before the meeting is held, and assume costs associated with notification.

EFFECTIVE DATE OF CERTAIN PUBLIC ACTS MAY BE DEFERRED

Per the Connecticut General Statutes, if a town or city has problems with the costs imposed by any 2015 Public Act, it should be aware of one possibility for deferring implementation of such legislation.

Public Acts that are state mandates and require municipal appropriations for FY 2015-2016 shall not take effect for a given municipality until FY 2016-2017 if the municipality's fiscal year begins less than five months following the date of passage of the legislation. (Section 2-32a of the Connecticut General Statutes).

Below is a text of Section 2-32a of the Connecticut General Statutes:

Sec. 2-32a Effective Date of Public Acts

Imposing Municipal Duty

No public act which imposes a state mandate on any political subdivision of this state which requires the appropriation of funds for the budget of such political subdivision in order to comply with the provisions of such act shall be effective as to such political subdivision earlier than the first fiscal year of such political subdivision beginning after five months following the date of passage of such act. (1993, P.A. 93-434)