

**Sara-Ann Bourque**

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**Subject:** 2015 CCM Report of the General Assembly

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**From:** Connecticut Conference of Municipalities [<mailto:publicpolicy@ccm-ct.org>]

**Sent:** Friday, July 17, 2015 3:44 PM

**To:** Matthew W. Hart

**Subject:** 2015 CCM Report of the General Assembly

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# ***CCM'S 2015 ANNUAL REPORT ON THE GENERAL ASSEMBLY***

## ***2015 Annual Report:***

**ADOPTED FY16 STATE BUDGET, BONDING AND  
IMPLEMENTER**

.....  
**BUDGET IMPLEMENTER**

.....  
**GOVERNOR'S VETOES**

.....  
**EDUCATION & CHILDREN**

.....  
**ENVIRONMENT & ENERGY**

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.

MUNICIPAL FINANCE

LAND USE, HOUSING & COMMUNITY DEVELOPMENT

MUNICIPAL LABOR RELATIONS

MUNICIPAL LAW & ADMINISTRATION

PUBLIC HEALTH & HUMAN SERVICES

PUBLIC SAFETY

TRANSPORTATION

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, Senior Legislative Associate
  - Mike Muszynski, Senior Legislative Associate
  - Alexandra Beaudoin, Legislative Analyst
  - George Rafael, Government Relations Manager
  - Carolyn Ryan, Public Policy & Advocacy Administrative Associate
- via phone at (203) 498-3000. ...or

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.

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 a 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.

**Sales Tax on Non-Metered Parking**

(Section 135)

Effective July 1, 2015, makes non-metered motor vehicle parking in a seasonal parking lot, subject to the sales tax.

**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, canvass, 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, canvass, 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.

## GOVERNOR'S VETOES

The following bills are among those vetoed by the Governor:

### **PA 15-125 (HB 6796) - SCHOOL NURSES**

Would have required each local or regional board of education to maintain a staffing ratio in its school district of at least one school nurse or nurse practitioner for every 750 students. There was a provision that allows a local or regional board of education to apply for a one-year waiver to adhere to the staffing ratio. Along with existing requirements, each school nurse would have needed to complete the school nurse orientation program.

Governor's veto message

### **PA 15-145 (SB 1056) - EXCESS COST THRESHOLD FOR SPECIAL EDUCATION**

Would have mandated local and regional school districts to report the following to the State Department of Education (SDE): (1) total expenditures for special education of the board of education, (2) expenditures for special education as a percentage of total school district expenditures, and (3) individual expenditures for each child requiring special education who is under the jurisdiction of the board of education.

Governor's veto message

## EDUCATION & CHILDREN

### **PA 15-5 (Effective 4/22/15) SCHOOL SECURITY GRANT PROGRAM**

Extends the school security infrastructure grant program an additional year, until June 30, 2016.

### **PA 15-17 (Effective 7/1/15) LABOR AND FREE MARKET CAPITALISM CURRICULUM**

Requires the State Department of Education (SDE) to assist and encourage local and regional school boards to include in their curricula (1) the history of organized labor, the collective bargaining process, and existing legal protections in the workplace; (2) the history and economics of free-market capitalism and entrepreneurialism; and (3) the role of labor and capitalism in developing the American and world economies.

**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 15-94 (Various Effective Dates) REQUIRED CPR, SOCIAL MEDIA, AND COMPUTER TRAINING CURRICULUM**

Requires cardiopulmonary resuscitation (CPR) training (effective 7/1/15), safe uses of social media, and computer programming instructions be included in public school subject area curriculum, starting in the school year 2016-2017.

**PA 15-96 (Effective 7/1/15) OUT-OF-SCHOOL SUSPENSION AND EXPLUSION**

Among other things, prohibits local and regional school boards from using out-of school suspension, and expulsion, as forms of discipline for students in kindergarten through grade two.

**PA 15-99 (Effective 7/1/15) MINIMUM BUDGET REQUIREMENT (MBR) RELIEF**

Changes the allowable reductions in MBR by allowing districts with decreased enrollment to reduce their education funding by 50 percent of the net current expenditure per pupil (NCEP) times the difference in enrollment. Districts with 20 percent or more of their students qualifying for free and reduced price lunch (FRPL) can reduce their MBR by up to 1.5 percent. Districts with less than 20 percent of students eligible for FRPL can reduce their MBR by up to 3.0 percent.

Municipalities can receive a waiver to lower the MBR even further if the Commissioner of SDE approves and the town's board of education votes to approve the reduction. Districts that score in the top 10 percent of the district performance index (DPI) are exempt from the MBR. Alliance Districts will not be allowed to reduce their MBR.

**PA 15-133 (Effective 7/1/15) ALTERNATIVE EDUCATION**

Among other things, defines "alternative education" as local or regional programs offered in non-traditional settings that addresses certain students' social, behavior and academic needs. Also, allows local and regional school boards to provide alternative education programs within existing school space, or within a designated new school; and permits two or more school boards to establish cooperative arrangements in order to provide such programs.

**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 15-141 (Effective 7/1/17) SECLUSION AND RESTRAINT IN SCHOOLS**

Among other things, requires local and regional boards of education to provide training to teachers, administrators and pupil personnel on various topics related to seclusion and restraint in schools, and to notify parents and guardians of any physical restraining or seclusion of the child within 24 hours.

**PA 15-168 (Effective 7/1/15) AGREEMENTS WITH SCHOOL RESOURCE OFFICERS**

Among other things, requires towns and cities that have sworn police officers within schools, to execute memorandums of understanding (MOUs) between the local police department, or the Division of State Police, and local and regional school boards that stipulates such officers' roles and responsibilities.

**PA 15-173 (Effective 6/2/15) COMMUNICATION REGARDING REFERENDA**

Allows regional school boards to use their member municipalities' community notification systems to notify residents of an upcoming regional school district referendum. The utilization of the systems must be agreed to by the member CEO and the document subject of approval by the municipal attorney.

**PA 15-205 (Various Effective Dates) MANDATED REPORTERS IN SCHOOLS**

Expands mandated reporter responsibilities and training for school employees, and increases the penalty for not reporting a claim of child abuse or neglect. Compliance of mandated reporter training will need to be certified with the SDE. It expands the mandated reporter law protection to high school students who are over age 18.

Also, requires each board of education to (1) update its written policy for employees, by February 1, 2016, to include the new school employee reporting requirements and (2) establish a confidential rapid response team, by January 1, 2016, to coordinate with DCF to ensure prompt reporting.

**PA 15-209 (Effective 7/1/2015) YOUTH WITH AUTISM SPECTRUM DISORDER**

Requires the SDE to provide local and regional school boards with information stipulating rights for children receiving special education services. The local and regional school boards must distribute such bill of rights to parents of the children, or the pupil themselves if they are 18 years of age or older, by mail.

**PA 15-215 (Effective 7/1/15) SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM**

Among other things, requires the SDE to provide local and regional school boards information, by October 1, 2015, regarding the application process for the supplemental nutrition assistance

program. Local and regional school boards will then be required to provide such information to parents, guardians and students about the nutrition program.

**PA 15-225 (Effective 7/1/15) CHRONIC ABSENTEEISM**

Among other things, requires the SDE, along with the Interagency Council for Ending the Achievement Gap, to develop a chronic absenteeism prevention and intervention plan for use by local and regional school boards to reduce chronic absenteeism. Such plan is required to be completed by January 1, 2016.

**PA 15-227 (Effective 7/1/15) OFFICE OF EARLY CHILDHOOD**

Among other things, (1) mandates that any preschool program created or expanded using Smart Start grants to have a classroom staffed with a teacher who holds professional certification, rather than any type of teaching certificate; (2) mandates that local and regional boards of education include the Office of Early Childhood's (OEC) preschool experience survey in kindergarten registration material; (3) grandfather certain school readiness staff into heightened staff qualifications until June 30, 2025; and (4) requires OEC to redesign the Smart Start program grants as up-front payments rather than reimbursements.

**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.

**Special Session PA 15-3 (Various Effective Dates) SCHOOL BUILDING GRANT AND CONSTRUCTION**

Among other things, establishes a school building project clearinghouse, as well as makes changes to the school building construction grant commitment requirements for municipalities. This will allow local officials greater flexibility to improve and streamline the school building construction grant process. Specifically, it allows municipalities the opportunity to submit a grant application before local funding is secured. This would be accomplished by allowing municipalities that have a referendum bonding approval process, to submit the grant application by the June 30 deadline, and allow municipalities to secure those funds by November 15. Essentially, allowing municipalities the ability to have a referendum during November elections, rather than having special elections.

## **ENVIRONMENT & ENERGY**

**PA 15-21 (Effective 5/26/15) C-PACE**

Among other things, requires municipalities participating in the Commercial Property Assessed Clean Energy (C-PACE) program

to levy a benefit assessment, if necessary, on the specified property to pay for the costs associated with energy improvements.

**PA 15-38 (Effective 6/5/15) SUSTAINABILITY OF THE NITROGEN CREDIT EXCHANGE PROGRAM**

Phases out the Department of Energy and Environmental Protection's (DEEP's) obligation to purchase all nitrogen credits created by public wastewater treatment facilities under the Nitrogen Credit Exchange Program; and beginning August 15, 2016, requires DEEP to purchase only the credits necessary to meet the nitrogen limits in the general permit.

**PA 15-66 (Effective 7/1/15) LONG ISLAND SOUND BLUE PLAN AND RESOURCE USE INVENTORY**

Requires DEEP to (1) complete an inventory of the uses of, and natural resources, in the Long Island Sound, and (2) based on such findings, to develop a plan to ensure adequate preservation of Long Island Sound.

**PA 15-89 (Effective 6/8/15) SMALL COMMUNITY WATER SYSTEMS**

Allows the Public Utility and Regulatory Authority (PURA) to investigate whether small community water systems' rates are sufficient for the system to maintain its economic viability and provide adequate service to its customers.

**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 15-105 (Effective 8/1/15) COSTS FOR THE INSTALLATION OF OVERSIZED WATER MAINS**

Prohibits DEEP from reducing the grant for a project involving, among other things, a water line extension in a municipality next to a federal Superfund site, if the municipality upgrades the minimum size of the water main needed to address the pollution for fire flow purposes.

**PA 15-107 (Effective 6/9/15) AFFORDABLE AND RELIABLE ENERGY**

Among other things, allows DEEP, in consultation with other state offices, to solicit new long-term contracts from outside energy providers for increased supply of renewable energy and to improve transportation infrastructure.

**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 15-99 (Effective 7/1/15) MINIMUM BUDGET REQUIREMENT (MBR) RELIEF**

Changes the allowable reductions in MBR. Allows districts with decreased enrollment to reduce their education funding by 50 percent of the net current expenditure per pupil (NCEP) times the difference in enrollment. Districts with 20 percent or more of their students qualifying for free and reduced price lunch (FRPL) can reduce their MBR by up to 1.5 percent. Districts with less than 20 percent of students eligible for FRPL can reduce their MBR by up to 3.0 percent.

Municipalities can receive a waiver to lower the MBR even further if the Commissioner of SDE approves and the town's board of education votes to approve the reduction. Districts that score in the top 10 percent of the district performance index (DPI) are exempt from the MBR. Alliance Districts will not be allowed to reduce their MBR.

**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**

**SA 15-4 (Effective 6/19/15) LAND USE AND DEVELOPMENT RECORDS**

Requires the State Librarian to report on the recommendations of the advisory committee on Municipal Land Use Records Retention.

**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 15-23 (Effective 6/4/15) THE WATERSHED LAND ACQUISITION PROGRAM**

Increases to 90% of fair market value, the amount of state and federal funds Open Space and Watershed Land Acquisition Grant Program grantees may use to fund projects. Additionally, allows the DEEP commissioner under certain conditions, to approve the use state and federal funds to cover 100% of the fair market value of their projects.

**PA 15-33 (Effective 6/4/15) MUNICIPAL BONDS AND THE DEPARTMENT OF AGRICULTURE.**

Extends, from 20 years to 40 years, the maximum term of municipal bonds issued in connection with a community facility loan from the U.S. Department of Agriculture.

**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 15-68 (Effective 7/1/15) NOTICE REQUIREMENTS FOR ZONING APPLICANTS**

Among other things, streamlines the process for municipal land use commissions to take in order to identify property owners abutting

land that is the subject of a public hearing related to a petition, application, request, or appeal.

**PA 15-95 (Effective 7/1/15) MUNICIPAL PLANS OF CONSERVATION AND DEVELOPMENT**

Extends, from July 1, 2015 to July 1, 2016, the deadline by which municipalities must resume complying with the statutory requirement to update their plans of conservation and development every 10 years to remain eligible for discretionary state funding. Additionally, requires that plans scheduled for adoption on or after July 1, 2015, identify the general location and extent of areas where sewer systems exist, are planned, and are to be avoided.

**PA 15-119 (Effective 7/1/15) POLITICAL ACTIVITIES IN PUBLIC HOUSING**

Prohibits municipalities, and others operating public housing projects, from preventing tenants from using common facilities or community rooms for political activities.

**PA 15-131 (Effective 6/1/15) DEMOLITION LICENSURE & PERMITS**

Exempts from demolition-related licensure, permitting, and insurance requirements people who disassemble a building's nonstructural material for reuse and recycling. In doing so, requires an applicant for a demolition permit to provide a written declaration, instead of attesting on the required demolition insurance certificate, that the municipality where the demolition is taking place will be held harmless from claims arising from the negligence of the applicant.

**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.

**PA 15-93 (Effective 6/23/15) STATE HEALTHCARE POOL**

Among other things, requires the State Comptroller to offer towns and cities, municipal employees, and retirees, coverage under the state employee health insurance plan. Local governments and boards of education may be considered separate employers. The state employee health insurance plan is separate from the previously offered "partnership plan" which this act ends, effective October 1, 2015.

The act also mandates that participation in the state employee plan to be a mandatory subject matter of collective bargaining and outlines various plan renewal and withdrawal procedures.

**PA 15-196 (Effective 7/1/15) PAY EQUITY**

Prohibits employers, including towns and cities, from banning employees' ability to share information regarding employee wages.

**MUNICIPAL LAW & ADMINISTRATION**

**SA 15-14 (Effective 6/2/15) MUNICIPAL CAMPAIGN FINANCE FILINGS**

Allows the State Elections Enforcement Commission to establish a pilot program to provide assistance to up to 20 town clerks with the completion of some or all of their filing repository duties. Also, requires the Commission to study the cost-effectiveness of municipalities maintaining filing repository functions, and the capacity of municipal clerks to perform such duties.

**Special Session PA 15-4 (Various Effective Dates) EXCESSIVE FORCE BY POLICE OFFICERS**

Among other things, (1) requires additional training on deadly force, retention of records and addressing sensitivity issues; (2) requires law enforcement agencies to develop and implement a plan to recruit minority police officers; (3) defines how the death of a person

killed by a police officer is investigated and how the Chief State's Attorney will proceed with the investigation; (4) prohibits a law enforcement unit from hiring an officer who was previously dismissed from a unit for malfeasance or serious misconduct or resigned or retired during an investigation for such conduct; and (5) establishes liability for any police department where an officer prevents a citizen from photographing certain police activity.

Also, \$15 million has been included in the bond package for grants to towns and cities to assist in purchasing body cameras and data storage. Requires municipalities that purchase such cameras to develop procedures for their usage. In particular, requires municipal police departments that receive grants to (1) obtain enough body cameras in FY 17 to allow each sworn officer to have a device and (2) obtain body cameras in FY 18.

**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 15-28 (Effective 10/1/17) STATUTE OF LIMITATIONS**

Imposes a statute of limitations on the state and municipalities for bringing certain actions and claims arising out of construction-related work involving the improvement of real property. The period of time for bringing such actions and claims depends on the date the improvement is substantially completed, and the nature of the action or claim.

**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 15-131 (Effective 6/1/15) DEMOLITION LICENSURE & PERMITS**

Exempts from demolition-related licensure, permitting, and insurance requirements people who disassemble a building's nonstructural material for reuse and recycling. In doing so, requires an applicant for a demolition permit to provide a written declaration, instead of attesting on the required demolition insurance certificate, that the municipality where the demolition is taking place will be held harmless from claims arising from the negligence of the applicant.

**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 15-169 (Effective 7/01/15) MUNICIPAL REIMBURSEMENT AND REVENUE ACCOUNT**

Eliminates the current timeframes for expenditures by the Office of Policy and Management from the municipal reimbursement and revenue account for: (1) the Nutmeg Network; (2) tax incidence study; and (3) and the universal chart of accounts for municipalities. Additionally it allows funds for the universal chart of accounts to be used to reimburse expenses incurred on or after July 1, 2013.

**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.

**PA 15-173 (Effective 6/2/15) COMMUNICATION REGARDING REFERENDA**

Allows regional school boards to use their member municipalities' community notification systems to notify residents of an upcoming regional school district referendum. The utilization of the systems must be agreed to by the member CEO and the document subject of approval by the municipal attorney.

**PA 15-224 (Various Effective Dates) STATE ELECTIONS & REGISTRAR OF VOTERS**

Among other things: (1) requires each registrar to complete a certification program conducted through the Secretary of the State's office within a certain period of time once elected or appointed as registrar; (2) includes provisions for the investigation and possible removal of a registrar if they do not act in accordance of their duties; (3) requires the reporting of particular elections data; (4) changes the post-election audits process; and (5) changes deadline for mail in voter registration.

**PA 15-229 (Various Effective Dates) MUNICIPAL RESERVE FUNDS**

Allows for the use of municipal reserve funds to be used for costs associated with a property tax revaluation, if approved by local legislative body.

**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 15-198 (Various Effective Dates) SUBSTANCE ABUSE AND OPIOID PREVENTION**

Among other things: (1) requires particular health care providers to undergo training on prescribing controlled substance and pain management as part of their continuing education; (2) requires any health care provider prescribing more than 72 hour supply of a controlled substance to review the Prescription Monitoring Program (PMP) prior to prescribing; (3) allows pharmacies to dispense an opioid antagonist (such as Narcan); and (4) amends the current membership of the Connecticut Alcohol and Drug Policy Council.

**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.

**PA 15-226 (Effective 7/1/15) EXPANDED INSURANCE COVERAGE FOR MENTAL OR NERVOUS CONDITIONS**

Among other things, mandates the expansion of health insurance coverage related to mental and nervous conditions to include (1) services and/or treatments related to substance use disorders and clinical stabilization without preauthorization; (2) services provided by advanced practice registered nurses for mental and nervous conditions; and (3) programs to improve health outcomes for mothers, children, and families.

**PA 15-242 (Various Effective Dates) PUBLIC HEALTH AND EMS ISSUES**

Among other things: (1) allows certain EMS primary service area responders (PSARs) to apply, on a short form application, to

change the address of their principal or branch locations within the primary service area, without necessarily going through the standard hearing process; (2) adds licensed or certified EMS providers to the list of mandated elder abuse reporters; (3) makes changes to the EMS call volume reports; and (4) allows DPH to conduct EMS vehicle inspections.

## **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.

### **Special Session PA 15-4 (Various Effective Dates) EXCESSIVE FORCE BY POLICE OFFICERS**

Among other things, (1) requires additional training on deadly force, retention of records and addressing sensitivity issues; (2) requires law enforcement agencies to develop and implement a plan to recruit minority police officers; (3) defines how the death of a person killed by a police officer is investigated and how the Chief State's Attorney will proceed with the investigation; (4) prohibits a law enforcement unit from hiring an officer who was previously dismissed from a unit for malfeasance or serious misconduct or resigned or retired during an investigation for such conduct; and (5) establishes liability for any police department where an officer prevents a citizen from photographing certain police activity.

Also, \$15 million has been included in the bond package for grants to towns and cities to assist in purchasing body cameras and data storage. Requires municipalities that purchase such cameras to develop procedures for their usage. In particular, requires municipal police departments that receive grants to (1) obtain enough body cameras in FY 17 to allow each sworn officer to have a device and (2) obtain body cameras in FY 18.

### **PA 15-5 (Effective 4/22/15) SCHOOL SECURITY GRANT PROGRAM**

Extends the school security infrastructure grant program an additional year, until June 30, 2016.

### **SA 15-19 (Effective 6/3/15) HUMANE TREATMENT OF ANIMALS IN MUNICIPAL SHELTERS TASK FORCE**

Extends the task force's operations and deadline by which their report is required to be submitted to the General Assembly until February 1, 2016.

### **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 15-128 (Effective 7/1/15) ACTIVE VOLUNTEER FIREFIGHTERS**

Allows active volunteer firefighters who are state employees to be eligible for state paid sick leave benefits, and may require (if requested by employee's appointing authority) a written statement from the chief of the volunteer fire department that such state employee was injured during a fire call, and specifying the date, time and nature of the injury.

**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.

### PA 15-41 (Effective 7/1/15) BICYCLE SAFETY

Amends laws pertaining to bicycle operation and bikeways by requiring DOT, when updating design standards for roads, to include, where appropriate, standards from the Urban Bikeway and Urban Street design guides, and consider implementing a minimum standard lane width if it would allow the addition of a bicycle lane.

## 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)*

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