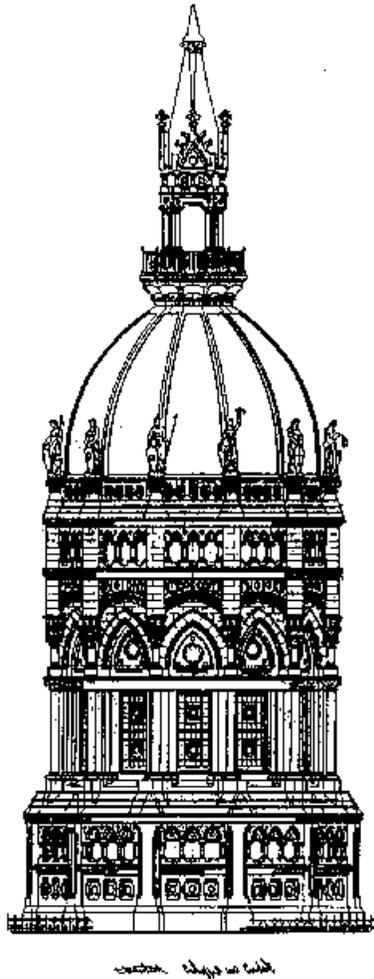


# STATE MANDATES ON MUNICIPALITIES: ACTIONS IN 2010



a report by the  
**CONNECTICUT ADVISORY COMMISSION ON  
INTERGOVERNMENTAL RELATIONS**

*[www.ct.gov/opm/acir](http://www.ct.gov/opm/acir)*

October 2010

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## ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

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October, 2010

To the Leaders of the Connecticut General Assembly:

In accordance with Connecticut General Statutes § 2-32c, enclosed herewith is a listing of each state mandate on municipalities enacted by the General Assembly since the 2009 report.

The statutory definition of mandate utilized in this listing includes actions that require a local government to create, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues. Specifically excluded are legislation enacted to comply with federal mandates and state actions that are necessary to comply with court orders.

The list of bills was developed by ACIR staff with the cooperation and assistance of the Office of Legislative Research, the Office of Fiscal Analysis, the Connecticut Conference of Municipalities and the Connecticut Association of Boards of Education. We believe that collectively we have identified all relevant legislation, but we welcome input on any additional mandates. We have identified six bills that we believe will have a moderate impact on municipalities. We have also identified fourteen bills which likely can be absorbed without additional appropriation but which have minimal fiscal impact. We have included an additional five bills which have the impact of a mandate, but which are directed at all entities, not specifically at municipalities.

This year, as in the recent past, the Connecticut General Assembly continued to review existing mandates and eliminate or reduce them whenever possible. As a result, we have included a section to the ACIR report that identifies these "unmandating" actions and have identified three bills that contain mandate reductions.

In addition to the listing of the bills as required in the statute, we have provided several additional pieces of information to assist the General Assembly.

**Mandate Description** - A short explanation of those portions of the bill which meet the mandate definition.

Committee(s) Reviewing Bill - A listing, beginning with the Committee of Cognizance, of all committees which considered the bill.

OFA Fiscal Impact Statement - We have included the statements, if any, used by the OFA to characterize the municipal fiscal impact of the mandate.

There is one final caveat that we urge legislators to consider in reviewing new mandates both in general and in each specific case. Each mandate contains its own set of issues and problems for local officials. In some cases, the costs are large and/or the requirements are very significant in and of themselves. In other cases, however, the single issue may involve relatively little money or relatively little time, but when combined with many other requirements placed on the same people (and system), there is a cumulative effect that has a substantial impact. This cumulative effect is often a significant hidden burden on municipalities and municipal officials.

The Commission urges the General Assembly to consider the impact of state mandates on local governments as being directly connected to the relationship between the State and its cities and towns. Each mandate that is unfunded or only partially funded is a direct addition to the burden of the property tax, as well as a reduction in local discretionary authority. State mandates represent decisions on local priorities being made in Hartford and, to the extent they are unfunded or underfunded, made by a state body which is separate from the local body that will have to raise the necessary funds. Similar consideration should be also be given to enacting mandates that are funded at the onset, but whose funding may subsequently be reduced or discontinued in future years.

If there are any questions regarding the enclosed report, the ACIR will provide additional information as requested.

Sincerely yours,

W. David LeVasseur  
Chairman

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## **State Mandate Definition Connecticut General Statutes**

Sec. 2-32b(a)(2). (a) As used in this section:

(1) "Local government" means any political subdivision of the state having power to make appropriations or to levy taxes, including any town, city or borough, consolidated town and city or consolidated town and borough, any village, any school, sewer, fire, water or lighting district, metropolitan district, any municipal district, any beach or improvement association, and any other district or association created by any special act or pursuant to chapter 105, or any other municipal corporation having the power to issue bonds;

(2) "State mandate" means any constitutional, statutory or executive action that requires a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues, excluding any order issued by a state court and any legislation necessary to comply with a federal mandate;

(3) "Local government organization and structure mandate" means a state mandate concerning such matters as: (A) The form of local government and the adoption and revision of statutes on the organization of local government; (B) the establishment of districts, councils of governments, or other forms and structures for interlocal cooperation and coordination; (C) the holding of local elections; (D) the designation of public officers, and their duties, powers and responsibilities and (E) the prescription of administrative practices and procedures for local governing bodies;

(4) "Due process mandate" means a state mandate concerning such matters as: (A) The administration of justice; (B) notification and conduct of public hearings; (C) procedures for administrative and judicial review of actions taken by local governing bodies and (D) protection of the public from malfeasance, misfeasance, or nonfeasance by local government officials;

(5) "Benefit spillover" means the process of accrual of social or other benefits from a governmental service to jurisdictions adjacent to or beyond the jurisdiction providing the service;

(6) "Service mandate" means a state mandate as to creation or expansion of governmental services or delivery standards therefor and those applicable to services having substantial benefit spillover and consequently being wider than local concern. For purposes of this section, applicable services include but are not limited to elementary and secondary education, community colleges, public health, hospitals, public assistance, air pollution control, water pollution control

and solid waste treatment and disposal. A state mandate that expands the duties of a public official by requiring the provision of additional services is a "service mandate" rather than a "local government organization and structure mandate";

(7) "Interlocal equity mandate" means a state mandate requiring local governments to act so as to benefit other local governments or to refrain from acting to avoid injury to, or conflict with neighboring jurisdictions, including such matters as land use regulations, tax assessment procedures for equalization purposes and environmental standards;

(8) "Tax exemption mandate" means a state mandate that exempts privately owned property or other specified items from the local tax base;

(9) "Personnel mandate" means a state mandate concerning or affecting local government: (A) Salaries and wages; (B) employee qualifications and training except when any civil service commission, professional licensing board, or personnel board or agency established by state law sets and administers standards relative to merit-based recruitment or candidates for employment or conducts and grades examinations and rates candidates in order of their relative excellence for purposes of making appointments or promotions to positions in the competitive division of the classified service of the public employer served by such commission, board or agency; (C) hours, location of employment, and other working conditions and (D) fringe benefits including insurance, health, medical care, retirement and other benefits.

## **PUBLIC ACTS INCLUDED IN LISTING**

**PUBLIC  
ACT NO.  
PAGE**

**BILL  
NO.**

### **MANDATES**

10-37	HB 5282	An Act Concerning Firefighters, Police Officers and Workers' Compensation Claims Pertaining to Certain Diseases.	1
10-87	HB 5120	An Act Concerning Private and Municipal Recycling, Zoning Ordinances and Solid Waste Collection Contracts.	1
10-92	HB 5446	An Act Concerning Mass Gatherings.	2
10-111	SB 438	An Act Concerning Education Reform in Connecticut.	2
10-175	HB 5425	An Act Concerning Special Education.	3
09-6	SB 2053	(September Special Session) An Act Implementing the Provisions of the Budget Concerning Education, Authorizing State Grant Commitments for School Building Projects, and Making Changes to the Statutes Concerning School Building Projects and Other Education Statutes.	3

### **MINIMAL MANDATES**

10-83	HB 5033	An Act Providing a Partial Refund of the Sales Tax Imposed on the Sale of School Buses Equipped by the Manufacturer with Seat Safety Belts.	5
10-85	HB 5117	An Act Concerning Conservation and Preservation Restrictions Held by the State.	5
10-91	HB 5315	An Act Concerning Education and the Reduction of Domestic Violence.	6
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10-104	HB 5027	An Act Establishing the University of Connecticut Health Network and Connecticut Bioscience Initiative.	7
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10-117	SB 428	An Act Concerning Revisions to Public Health Related Statutes and the Establishment of the Health Information Technology Exchange of Connecticut.	7
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10-1	SB 501	(June Special Session) An Act Concerning the Real Estate Conveyance Tax, The Conveyance of Certain Parcels of State Land, Adjustments to Certain Programs Implemented Through the Department of Social Services, A Report on Tax Credits, Juvenile Justice, Absentee Voting by Members of the Military, Revisions to Various Task Forces, Commissions and Councils, And Amendments and Minor and Technical Changes to Certain Special and Public Acts of the 2010 Regular Session.	9
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**MANDATES NOT SPECIFICALLY DIRECTED AT  
MUNICIPALITIES**

10-63	SB 50	An Act Concerning Oral Chemotherapy Treatments.	12
10-65	SB 141	An Act Requiring Disclosure of Offsets in Group Long-Term Disability Insurance Policies.	12
10-68	SB 167	An Act Concerning Indemnification of Certain Police Officers.	12
10-74	SB 382	An Act Requiring Biodiesel Blended Heating Oil and Lowering the Sulfur Content of Heating Oil Sold in the State.	13
10-144	HB 5497	An Act Concerning the Recommendations of the Speaker of the House of Representatives' Task Force on Domestic Violence.	13

**NEW STATE MANDATE REDUCTIONS**

10-1	SB 501	(June Special Session) An Act Concerning the Real Estate Conveyance Tax, the Conveyance of Certain Parcels of State Land, Adjustments to Certain Programs Implemented Through the Department of Social Services, a Report on Tax Credits, Juvenile Justice, Absentee Voting by Members of the Military, Revisions to Various Task Forces, Commissions and Councils, and Amendments and Minor and Technical Changes to Certain Special and Public Acts of the 2010 Regular Session.	15
10-151	HB 5490	An Act Concerning the Minimum Budget Requirement and Various Education Grants.	15
10-171	HB 5255	An Act Concerning Municipal Mandate Relief.	16

## **NEW STATE MANDATES**

**PA 10-37 (HB 5282)**      An Act Concerning Firefighters, Police Officers and Workers' Compensation Claims Pertaining to Certain Diseases.

### **Mandate Description**

The bill requires that, for the purpose of adjudication of claims for payment of benefits under the provisions of chapter 568 of the general statutes, a uniformed member of a paid municipal or volunteer fire department, a regular member of a paid municipal police department or constable, as defined in section 31-294i of the general statutes or a member of a volunteer ambulance service shall be eligible for such benefits for any disease arising out of and in the course of employment, including, but not limited to, hepatitis, meningococcal meningitis, tuberculosis, Kahler's Disease, non-Hodgkin's lymphoma, and prostate or testicular cancer that results in death or temporary or permanent total or partial disability.

### **Committee(s) Reviewing Bill**

Labor and Public Employees – Committee of Cognizance  
Public Safety and Security

### **Summary of OFA Municipal Fiscal Impact Statement (as relates to the mandate portion of the bill)**

OFA did not see any fiscal impact on municipalities. However, ACIR believes that this bill could result in a cost.

**PA 10-87 (HB 5120)**      An Act Concerning Private and Municipal Recycling, Zoning Ordinances and Solid Waste Collection Contracts.

### **Mandate Description**

The bill requires that, no later than July 1, 2011, each municipality providing municipal curbside or backyard collection of solid waste also provide curbside or backyard collection of designated recyclable items. This provision does not apply to municipalities recycling a greater percentage of its solid waste than the state-wide average.

### **Committee(s) Reviewing Bill**

Environment – Committee of Cognizance  
Planning and Development

### **Summary of OFA Municipal Fiscal Impact Statement (as relates to the mandate portion of the bill)**

Municipal Impact – It is anticipated less than five municipalities will incur a cost.

**PA 10-92 (HB 5446)**      An Act Concerning Mass Gatherings.

**Mandate Description**

The bill eliminates a provision that had indemnified a municipality that had granted a license for a mass gathering from any liability or causes of action which might arise by reason of granting the license, and from any cost incurred in cleaning up any waste material produced or left by the assembly.

**Committee(s) Reviewing Bill**

Public Health – Committee of Cognizance  
Planning and Development

**Summary of OFA Municipal Fiscal Impact Statement (as relates to the mandate portion of the bill)**

Potential Impact – It eliminates provisions that mitigate municipal liability for causes of action that might arise from granting mass assembly licenses, thereby potentially increasing costs to municipalities.

**PA 10-111 (SB 438)**      An Act Concerning Education Reform in Connecticut.

**Mandate Description**

The bill requires a board of education for a school district with a dropout rate of eight per cent or greater in the previous school year to establish an online credit recovery program and to designate an online learning coordinator to administer and coordinate the program. It also requires, beginning with the school year commencing July 1, 2011, that each local and regional board of education provide an advanced placement course program. It also expands the state-wide public school information system to require additional information and requires the superintendent of each local or regional board of education to continuously evaluate each teacher, using multiple indicators of student academic growth. It requires a school district to conduct two flexible parent-teacher conferences for each school year and amends 10-221a to increase, beginning in 2018, the number of credits students must complete before graduating from high school and to require students be provided remedial services to enable them to achieve the higher standard. It also amends 10-223e to require the school board of a school designated a failing school due to a failure to

make adequate yearly progress in mathematics and reading must establish a school governance council.

**Committee(s) Reviewing Bill**

Education – Committee of Cognizance  
Appropriations

**Summary of OFA Municipal Fiscal Impact Statement (as relates to the mandate portion of the bill)**

This is a mandate on local and regional school districts.

**PA 10-175 (HB 5425)** An Act Concerning Special Education.

**Mandate Description**

The bill requires that, on and after July 1, 2012, a local or regional board of education that is responsible for providing special education and related services to a child must provide applied behavior analysis services for autism spectrum disorder if the individualized education plan or plan pursuant to Section 504 of the Rehabilitation Act of 1973 requires such services.

**Committee(s) Reviewing Bill**

Education – Committee of Cognizance  
Appropriations

**Summary of OFA Municipal Fiscal Impact Statement (as relates to the mandate portion of the bill)**

State Mandate - Potential Cost

**PA 09-6 (September Special Session) (SB 2053)** An Act Implementing the Provisions of the Budget Concerning Education, Authorizing State Grant Commitments for School Building Projects, and Making Changes to the Statutes Concerning School Building Projects and Other Education Statutes.

**Mandate Description**

The bill requires each town receiving an ECS grant to budget no less no less for education in FY 10 and FY 11 than had been budgeted in 2009.

**Committee(s) Reviewing Bill**

Emergency Certification

**Summary of OFA Municipal Fiscal Impact Statement (as relates to the mandate portion of the bill)**

OFA did not see any fiscal impact on municipalities and said this section made “procedural and technical changes that are not anticipated to result in a fiscal impact.” However, ACIR believes that this bill could result in a cost to municipalities that might otherwise be able to implement budget savings.

## **MINIMAL MANDATES**

**PA 10-83 (HB 5033)** An Act Providing a Partial Refund of the Sales Tax Imposed on the Sale of School Buses Equipped by the Manufacturer with Seat Safety Belts.

### **Mandate Description**

The bill requires a school district that chooses to participate in a program offsetting a portion of the sales tax for the purchase of school buses equipped with 3-point lap/shoulder seat safety belts to provide written notice concerning the availability and proper use of such seat belts to a parent or legal guardian of each student who will be transported on such school bus and to instruct such students on the proper use, fastening and unfastening of such seat belts.

### **Committee(s) Reviewing Bill**

Transportation – Committee of Cognizance  
Appropriations

### **Summary of OFA Municipal Fiscal Impact Statement (as relates to the mandate portion of the bill)**

State Mandate - Cost.

**PA 10-85 (HB 5117)** An Act Concerning Conservation and Preservation Restrictions Held by the State.

### **Mandate Description**

The bill requires a municipality to record a restriction in the land records when it acquires property with the intent to place a conservation restriction, preservation restriction or other restriction on the use of the property, or when it permanently protects any municipal property by dedicating it as a park or open space.

### **Committee(s) Reviewing Bill**

Environment – Committee of Cognizance  
Planning and Development  
Judiciary

### **Summary of OFA Municipal Fiscal Impact Statement (as relates to the mandate portion of the bill)**

OFA did not see any fiscal impact on municipalities. However, ACIR believes that this bill could result in a minimal workload increase and cost.

**PA 10-91 (HB 5315)** An Act Concerning Education and the Reduction of Domestic Violence.

**Mandate Description**

The bill requires each board of education to include information about teen dating violence and domestic violence in the in-service training program for its teachers, administrators and pupil personnel who hold the initial educator, provisional educator or professional educator certificate.

**Committee(s) Reviewing Bill**

Education – Committee of Cognizance

**Summary of OFA Municipal Fiscal Impact Statement (as relates to the mandate portion of the bill)**

OFA did not see any fiscal impact on municipalities. However, ACIR believes that this bill could result in a minimal workload increase and cost.

**PA 10-98 (SB 107)** An Act Establishing a Bradley Development Zone.

**Mandate Description**

The bill amends Subdivisions 59 and 60 of Sec. 12-81 of the General Statutes to add an airport development zone to the list of areas for which tax exemption is available.

**Committee(s) Reviewing Bill**

Commerce – Committee of Cognizance  
Transportation  
Finance, Revenue and Bonding

**Summary of OFA Municipal Fiscal Impact Statement (as relates to the mandate portion of the bill)**

Revenue Impact – Eligible facilities are eligible for property tax exemption for which the state only reimburses up to 50%. If the appropriation is insufficient to reimburse that amount, payments to all municipalities are reduced on a pro rata basis. To the extent that such financial incentives result in economic development that otherwise would not have occurred, the revenue loss could be offset by additional tax revenue from the creation of new or expansion of existing business.

**PA 10-104 (HB 5027)** An Act Establishing the University of Connecticut Health Network and Connecticut Bioscience Initiative.

**Mandate Description**

The bill amends Subdivision (a)(2) of Sec. 32-41s of the General Statutes to add Hartford and specific blocks, block groups and/or census tracts of Bristol, Farmington and New Britain to the list of areas for which tax exemption is available.

**Committee(s) Reviewing Bill**

Higher Education and Employment Advancement – Committee Of Cognizance  
Finance, Revenue and Bonding

**Summary of OFA Municipal Fiscal Impact Statement (as relates to the mandate portion of the bill)**

OFA reported that there is no municipal impact, but noted that this could result in *“a revenue loss to the state and municipalities. The degree of the impact is dependent upon the business activity that could occur as a result of the benefits. Current financial incentives include a corporate business tax credit, property tax abatement, and real estate conveyance tax exemptions.”*

**PA 10-112 (HB 5030)** An Act Concerning the Forfeiture of Money and Property Related to Child Sexual Exploitation and Human Trafficking, The Possession of Child Pornography and The Siting of Residential Sexual Offender Treatment Facilities.

**Mandate Description**

The bill requires any police basic training program to also include a course on sexual assault investigation.

**Committee(s) Reviewing Bill**

Judiciary – Committee of Cognizance  
Public Safety and Security

**Summary of OFA Municipal Fiscal Impact Statement (as relates to the mandate portion of the bill)**

OFA did not see any fiscal impact on municipalities. However, ACIR believes that this bill could result in a minimal workload increase and cost.

**PA 10-117 (SB 428)** An Act Concerning Revisions to Public Health Related Statutes and the Establishment of the Health Information Technology Exchange of Connecticut.

**Mandate Description**

The bill requires that a physician nominated to be Director of Health on or after 10/1/2010 also have a degree in public health from an accredited school, college, university or institution.

**Committee(s) Reviewing Bill**

Public Health – Committee of Cognizance  
Appropriations

**Summary of OFA Municipal Fiscal Impact Statement (as relates to the mandate portion of the bill)**

OFA did not see any fiscal impact on municipalities. However, ACIR believes that this bill could result in a minimal cost.

**PA 10-163 (HB 5004)** An Act Concerning Transparency in Health Insurance Claims Data.

**Mandate Description**

Subsection (f) requires that, if a town, city, borough, school district, taxing district or fire district employing more than fifty employees has received health insurance claims information in accordance with this section and then receives a subpoena or other similar demand related to such information, it must notify the insurer, health care center, hospital service corporation, medical service corporation or other entity that disclosed such information.

**Committee(s) Reviewing Bill**

Insurance and Real Estate – Committee of Cognizance  
Judiciary  
Government Administration and Elections

**Summary of OFA Municipal Fiscal Impact Statement (as relates to the mandate portion of the bill)**

OFA did not see any fiscal impact on municipalities. However, ACIR believes that this bill could result in a minimal workload increase and cost.

**PA 10-182 (HB 5387)** An Act Concerning the Removal of Snow and Ice from Motor Vehicles.

**Mandate Description**

The bill requires motorists, beginning 12/31/2013, to remove accumulated snow and ice from vehicles so that it is not a threat to people or property and establishes fines for violations. The

requirement will also apply to drivers of municipal vehicles and police enforcement will add to existing duties.

**Committee(s) Reviewing Bill**

Transportation – Committee of Cognizance  
Public Safety and Security  
Judiciary

**Summary of OFA Municipal Fiscal Impact Statement (as relates to the mandate portion of the bill)**

OFA did not see any fiscal impact on municipalities. However, ACIR believes that this bill could result in a minimal workload increase and cost.

**PA 10-1 (June Special Session) (SB 501)** An Act Concerning the Real Estate Conveyance Tax, The Conveyance of Certain Parcels of State Land, Adjustments to Certain Programs Implemented Through the Department of Social Services, A Report on Tax Credits, Juvenile Justice, Absentee Voting by Members of the Military, Revisions to Various Task Forces, Commissions and Councils, And Amendments and Minor and Technical Changes to Certain Special and Public Acts of the 2010 Regular Session.

**Mandate Description**

The bill requires registrars of voters to extend the session to examine the qualifications of electors as provided for by this section from 12:00 pm to 5:00 pm on the last week day before a general election. Note that this public act also includes mandate reductions, as described on page 15.

**Committee(s) Reviewing Bill**

Emergency Certification

**Summary of OFA Municipal Fiscal Impact Statement (as relates to the mandate portion of the bill)**

OFA stated, “As this still falls under regular business hours, there is no anticipated impact to the municipalities”, but ACIR believes that this bill could result in a minimal workload increase and cost.

**PA 09-144 (SB 951)** An Act Concerning Neighborhood Protection.

**Mandate Description**

The bill requires a municipality to have a system for a person to register a one-to-four family dwelling acquired by foreclosure if that property is vacant at the time of foreclosure or is vacated within 120 days after foreclosure.

**Committee(s) Reviewing Bill**

Banks – Committee of Cognizance  
Planning and Development  
Judiciary

**Summary of OFA Municipal Fiscal Impact Statement (as relates to the mandate portion of the bill)**

OFA did not see any fiscal impact on municipalities. However, ACIR believes that this bill could result in a minimal workload increase and cost.

**PA 09-171 (SB 966)** An Act Prohibiting Blocking the Box.

**Mandate Description**

The bill requires a municipality that designates that a specific intersection cannot be entered unless there is sufficient space to accommodate the vehicle on the other side must mark that intersection as specified in this section.

**Committee(s) Reviewing Bill**

Judiciary – Committee of Cognizance  
Planning and Development  
Transportation

**Summary of OFA Municipal Fiscal Impact Statement (as relates to the mandate portion of the bill)**

OFA did not see any fiscal impact on municipalities. However, ACIR believes that this bill could result in a minimal workload increase and cost.

**PA 09-231 (HB 6585)** An Act Concerning Regionalism.

**Mandate Description**

The bill requires that if two or more municipalities enter into an agreement to promote regional economic development and to share the property tax revenues generated, the agreement must include a number of terms specified in this section and a copy of the agreement must be sent to OPM.

**Committee(s) Reviewing Bill**

Planning and Development – Committee of Cognizance  
Finance, Revenue and Bonding

**Summary of OFA Municipal Fiscal Impact Statement (as relates to the mandate portion of the bill)**

OFA identified a revenue impact to certain municipalities who are eligible to enter into such an agreement and choose to share property tax revenue with their partner municipality. The revenue impact is dependent on the stipulations of the agreement and the location and extent of new economic development in the participating municipalities. ACIR believes that this bill could also result in a minimal workload increase and cost.

**PA 09-236 (SB 379)**      An Act Establishing a Land Value Taxation Pilot Program.

**Mandate Description**

The bill requires that the municipality chosen on the basis of its application to be the pilot municipality for the land value taxation pilot program established by this act will be obligated to prepare a plan as specified by this act.

**Committee(s) Reviewing Bill**

Planning and Development – Committee of Cognizance  
Finance, Revenue and Bonding

**Summary of OFA Municipal Fiscal Impact Statement (as relates to the mandate portion of the bill)**

OFA did not see any fiscal impact on municipalities. However, ACIR believes that this bill could result in a minimal workload increase and cost.

## **MANDATES NOT SPECIFICALLY DIRECTED AT MUNICIPALITIES**

**PA 10-63 (SB 50)**                      An Act Concerning Oral Chemotherapy Treatments.

**Mandate Description**

This bill amends Sec. 38a-542 of the General Statutes to requires group policies to provide coverage for orally administered anticancer medications on a basis that is no less favorable than intravenously administered anticancer medications.

**Committee(s) Reviewing Bill**

Insurance and Real Estate – Committee of Cognizance  
Appropriations

**Summary of OFA Municipal Fiscal Impact Statement (as relates to the mandate portion of the bill)**

State Mandate - Cost

**PA 10-65 (SB 141)**                      An Act Requiring Disclosure of Offsets in Group Long-Term Disability Insurance Policies.

**Mandate Description**

This bill amends Sec. 38a-519 of the General Statutes to restrict the inclusion of offsets in group long-term disability policies and doing so can increase the cost of such policies. This act also requires a policyholder, such as a municipality, to provide specific information to each individual eligible for such benefits.

**Committee(s) Reviewing Bill**

Insurance and Real Estate – Committee of Cognizance

**Summary of OFA Municipal Fiscal Impact Statement (as relates to the mandate portion of the bill)**

OFA did not see any fiscal impact on municipalities. However, ACIR believes that this bill could result in a minimal cost.

**PA 10-68 (SB 167)**                      An Act Concerning Indemnification of Certain Police Officers.

**Mandate Description**

This bill amends Sec. 53-39a of the General Statutes to enable a police officer who is charged for a crime allegedly committed in the line of duty to not only be able to recover defense-related attorney's

fees and costs from his or her employer if found not guilty or charges are dropped, but to also recover attorneys' fees and costs of enforcing the indemnification provision against the employer.

**Committee(s) Reviewing Bill**

Labor and Public Employees – Committee of Cognizance  
Planning and Development  
Appropriations  
Judiciary

**Summary of OFA Municipal Fiscal Impact Statement (as relates to the mandate portion of the bill)**

State Mandate - Cost

**PA 10-74 (SB 382)**      An Act Requiring Biodiesel Blended Heating Oil and Lowering the Sulfur Content of Heating Oil Sold in the State.

**Mandate Description**

This bill amends Sec. 16a-21a of the General Statutes and adds a new, as yet uncodified section reducing the maximum allowable sulfur content in heating oil and establishing biodiesel blending requirements for such oil. The requirements do not go into effect until Massachusetts, New York and Rhode Island each adopt similar requirements.

**Committee(s) Reviewing Bill**

Environment – Committee of Cognizance  
Appropriations

**Summary of OFA Municipal Fiscal Impact Statement (as relates to the mandate portion of the bill)**

State Mandate - Potential Cost

**PA 10-144 (HB 5497)**      An Act Concerning the Recommendations of the Speaker of the House of Representatives' Task Force on Domestic Violence.

**Mandate Description**

This bill requires an employer of three or more people to permit an employee who is a victim of family violence to take up to 12 days of unpaid leave to seek medical care or psychological or other counseling for physical or psychological injury or disability for the victim, to obtain services from a victim services organization on behalf of the victim, to relocate due to such family violence, or to

participate in any civil or criminal proceeding related to or resulting from such family violence.

**Committee(s) Reviewing Bill**

Judiciary – Committee of Cognizance  
Appropriations

**Summary of OFA Municipal Fiscal Impact Statement (as relates to the mandate portion of the bill)**

OFA did not see any fiscal impact on municipalities. However, ACIR believes that this bill could result in a minimal workload increase and cost.

## **NEW 2010 STATE MANDATE REDUCTIONS**

**Pa 10-1 June Special Session (SB No. 501)** An Act Concerning the Real Estate Conveyance Tax, the Conveyance of Certain Parcels of State Land, Adjustments to Certain Programs Implemented Through the Department of Social Services, a Report on Tax Credits, Juvenile Justice, Absentee Voting by Members of the Military, Revisions to Various Task Forces, Commissions and Councils, and Amendments and Minor and Technical Changes to Certain Special and Public Acts of the 2010 Regular Session.

### **Mandate Reduction Description**

This bill amends Sec. 9-140b of the General Statutes to enable a municipal clerk to send and receive an application for absentee ballot by electronic means if requested by the applicant. It also amends Sec. 9-153e and 9-153f to enable a municipal clerk to send an absentee ballot by electronic means if requested by an applicant who is living, or expects to be living or traveling before and on election day, outside the territorial limits of the several states of the United States and the District of Columbia or an applicant who is a member of the armed forces or the member's spouse or dependent if living where such member is stationed. Note that this public act also includes a mandate, as described on page 8.

**Committee(s) Reviewing Bill**  
Emergency Certification

**PA 10-151 (HB 5490)** An Act Concerning the Minimum Budget Requirement and Various Education Grants.

### **Mandate Reduction Description**

This bill amends Sec. 10-262i of the General Statutes to allow towns whose school districts had fewer students enrolled in the 2009-10 school year than in 2008-09 to reduce their minimum budgeted education appropriations for FY 10 to reflect the drop in enrollment, without being penalized in their state aid.

**Committee(s) Reviewing Bill**  
Education – Committee of Cognizance  
Appropriations

**PA 10-171 (HB 5255)**      An Act Concerning Municipal Mandate Relief.

**Mandate Reduction Description**

This bill removes the requirement in Sec. 1-225 of the General Statutes for a municipality to post the minutes of meetings on its website. It also eliminates the previous requirement in Sec. 47a-42 for a municipality to transport to a storage facility the possessions and personal property of evicted tenants and eliminates the requirement in Sec. 49-22 for a municipality to transport to a storage facility the possessions and personal property of people ejected from their property upon foreclosure.

**Committee(s) Reviewing Bill**

Planning and Development – Committee of Cognizance  
Finance, Revenue and Bonding

## Appendix A

### MANDATE LEGISLATION LISTED BY LEGISLATIVE COMMITTEE

#### **Banks Committee**

PA 09-144 (SB 951) An Act Concerning Neighborhood Protection.

#### **Commerce Committee**

PA 10-98 (SB 107) An Act Establishing a Bradley Development Zone.

#### **Education Committee**

PA 10-91 (HB 5315) An Act Concerning Education and the Reduction of Domestic Violence.

PA 10-111 (SB 438) An Act Concerning Education Reform in Connecticut.

PA 10-151 (HB 5490) An Act Concerning the Minimum Budget Requirement and Various Education Grants.

PA 10-175 (HB 5425) An Act Concerning Special Education.

#### **Emergency Certification**

PA 10-1 (SB 501) June Special Session An Act Concerning the Real Estate Conveyance Tax, the Conveyance of Certain Parcels of State Land, adjustments to Certain Programs Implemented Through the Department of Social Services, a Report on Tax Credits, Juvenile Justice, Absentee Voting by Members of the Military, Revisions to Various Task Forces, Commissions and Councils, and Amendments and Minor and Technical Changes to Certain Special and Public Acts of the 2010 Regular Session.

PA 09-6 (SB 2053) (September Special Session) An Act Implementing the Provisions of the Budget Concerning Education, Authorizing State Grant Commitments for School Building Projects, and Making Changes to the Statutes Concerning School Building Projects and Other Education Statutes.

### **Environment Committee**

PA 10-74 (SB 382) An Act Requiring Biodiesel Blended Heating Oil and Lowering the Sulfur Content of Heating Oil Sold in the State.

PA 10-85 (HB 5117) An Act Concerning Conservation and Preservation Restrictions Held by the State.

PA 10-87 (HB 5120) An Act Concerning Private and Municipal Recycling, Zoning Ordinances and Solid Waste Collection Contracts.

### **Higher Education and Employment Advancement Committee**

PA 10-104 (HB 5027) An Act Establishing the University of Connecticut Health Network and Connecticut Bioscience Initiative.

### **Insurance and Real Estate Committee**

PA 10-63 (SB 50) An Act Concerning Oral Chemotherapy Treatments.

PA 10-65 (SB 141) An Act Requiring Disclosure of Offsets in Group Long-Term Disability Insurance Policies.

PA 10-163 (HB 5004) An Act Concerning Transparency in Health Insurance Claims Data.

### **Judiciary Committee**

PA 10-112 (HB 5030) An Act Concerning the Forfeiture of Money and Property Related to Child Sexual Exploitation and Human Trafficking, The Possession of Child Pornography and The Siting of Residential Sexual Offender Treatment Facilities.

PA 10-144 (HB 5497) An Act Concerning the Recommendations of the Speaker of the House of Representatives' Task Force on Domestic Violence.

PA 09-171 (SB 966) An Act Prohibiting Blocking the Box.

### **Labor and Public Employees Committee**

PA 10-37 (HB 5282) **An Act Concerning Firefighters, Police Officers and Workers' Compensation Claims Pertaining to Certain Diseases.**

PA 10-68 (SB 167) An Act Concerning Indemnification of Certain Police Officers.

### **Planning and Development Committee**

PA 10-171 (HB 5255) An Act Concerning Municipal Mandate Relief.

PA 09-231 (HB 6585) An Act Concerning Regionalism.

PA 09-236 (SB 379) An Act Establishing a Land Value Taxation Pilot Program.

### **Public Health Committee**

PA 10-92 (HB 5446) An Act Concerning Mass Gatherings.

PA 10-117 (SB 428) An Act Concerning Revisions to Public Health Related Statutes and the Establishment of the Health Information Technology Exchange of Connecticut.

### **Transportation Committee**

PA 10-83 (HB 5033) An Act Providing a Partial Refund of the Sales Tax Imposed on the Sale of School Buses Equipped by the Manufacturer with Seat Safety Belts.

PA 10-182 (HB 5387) An Act Concerning the Removal of Snow and Ice from Motor Vehicles.

## Appendix B

Sec. 2-32c. **Submission to General Assembly of list of state mandates.** Not more than ninety days after adjournment of any regular or special session of the General Assembly or September first immediately following adjournment of a regular session, whichever is sooner, the Connecticut Advisory Commission on Intergovernmental Relations, established pursuant to section 2-79a, shall submit to the speaker of the House of Representatives, the president pro tempore of the Senate, the majority leader of the House of Representatives, the majority leader of the Senate, the minority leader of the House of Representatives and the minority leader of the Senate a report which lists each state mandate enacted during said regular or special session of the General Assembly. Within five days of receipt of the report, the speaker and the president pro tempore shall submit the report to the Secretary of the Office of Policy and Management and refer each state mandate to the joint standing committee or select committee of the General Assembly having cognizance of the subject matter of the mandate. The secretary shall provide notice of the report to the chief elected official of each municipality.