CCM 2020 STATE LEGISLATIVE PROGRAM
Proposals Adopted As of December 4, 2019 – General Policy

Below are legislative proposals adopted by the CCM Legislative Committee as part of CCM’s 2020 State Legislative Program, as of 12/04/19. They are grouped according to the CCM issue-area committee in which they originated.

EDUCATION

1. Provide municipalities stability and predictability in budgeting for special education by:
   a. Requiring that special education funding follows the student until such fiscal year concludes when such student changes school districts during the fiscal year,
   b. Establishing a legislative task force to examine (1) potential regional opportunities for the provision of special education services, and (2) potential opportunities to increase the involvement of Regional Education Service Centers for the provision of special education services, and
   c. Allowing a town to reduce their MBR in an amount that reflects costs associated with special education students once those students leave the district.

2. Provide regional school districts with increased predictability and stability in budgeting by requiring:
   a. Regional school districts to use a 3-5 year moving average to identify and establish operating costs, and
   b. The establishment of regional boards of finance to provide oversight to such regional boards of education. Such regional boards of finance shall have the same authorities as a local board of finance and shall be comprised of representative membership identical to the regional board of education in the regional school district in which they are located.

3. Provide municipalities predictability and stability in budgeting for education by:
   a. Requiring local governments to provide non-education related services included in board of education budgets and removing collective bargaining impediments to establishing service sharing arrangements between boards of education and local governments,
   b. Requiring boards of education to accept proposed adjustments for non-education related services made by boards of finance to board of education budgets and allowing for boards of education to establish a “contingency” line item to fund unanticipated expenditures. Such board of education shall retain line item control over the board of education budget and shall be allowed to allocate funding as they deem appropriate, and
c. Establishing a cap on the per pupil tuition endowed academies and magnet schools are allowed to charge local governments for provision of education and special education services, and establish a state funding mechanism to subsidize such tuition charged to local governments.

ENVIRONMENTAL MANAGEMENT AND ENERGY

1. Eliminate the Virtual Net Metering Credit Cap (CGS 16-244u). Such change should include the requirement that electric distribution companies allow “unassigned” VNM credits to be applied to future bills on a month-to-month basis, known as “banking,” as expressed in CGS 16-244u(c). The Legislature expanded the cap to $20 million during the 2019 session.

2. Amend and expedite the process for approving Alternative Wastewater Treatment Systems.

3. Expand and strengthen penalties for existing anti-baiting laws for bears to include:
   a. The intentional feeding of bears in residential areas.
   b. Ban efforts to promote and develop bear tourism consistent with the first amendment.
   c. Clarify a municipality’s ability to impose a fine for baiting or feeding bears by ordinance.

LAND USE, HOUSING & COMMUNITY DEVELOPMENT

1. Add reason and clarity to assessment appeal proceedings by:
   a. Prohibiting contingency fee arrangements and/or agreements.
   b. Amend CGS Section 12-117a and Section 12-119 to require persons representing property owners or lessors in certain appeals concerning real property assessments to be either attorneys, certified public accountants, or certified or provisionally licensed real estate appraisers and to prohibit them from entering into contingency fee agreements in such appeals, and
   c. Amend CGS Section 12-117a to require that within ninety days of filing an appeal, the plaintiffs shall file an appraisal of the subject property completed by a person or a firm licensed to perform appraisals in the State of Connecticut. Failure to file such an appraisal within such time period shall be grounds for dismissal of the appeal.

2. Require that CGS 47a-42 and 49-22 be amended to make evicted tenants and foreclosed property owners responsible for all costs of the removal and storage of their property and to require the landlord of such property be responsible if such tenant or owner does not comply.

In addition, require that the property of deceased tenants, as outlined in CGS 47a-11d, be the responsibility of the landlord.
MUNICIPAL LABOR RELATIONS

1. Revise the binding arbitration system to realize increased efficiencies for the benefit of employees and municipal employers by requiring binding arbitration proceedings to conclude within one year from the date at which the State Board of Mediation and Arbitration provides notice to the involved parties of pending binding arbitration proceedings.
   a. Timelines may be waived for appointing arbiters. However, the binding arbitration proceedings shall still be required to conclude within one year.

2. Allow for towns and cities to more efficiently allocate resources and enter into service sharing agreements by:
   a. Exempting the establishment of such service sharing arrangements from the definition of “change in working conditions” for purposes of collective bargaining, and
   b. Requiring coalition bargaining for employees covered by such bargaining agreements, and all municipal and board of education employees for pensions and healthcare.

3. Help prevent unreasonably contested workers’ compensation claims by:
   a. Allowing municipal employers a 45 day period to review workers’ compensation claims from the date at which the municipal employer receives notice of such claim being filed, and
   b. Allowing a municipal employer to maintain the ability to appeal a workers’ compensation claim if such claim is not denied within the 45 day period following notice that such claim has been filed.

4. Increase the thresholds that trigger the prevailing wage mandate for remodeling, refinishing, refurbishing, rehabilitation, alteration or repair of any public works project from $100,000 to $500,000.

MUNICIPAL LAW, LIABILITY AND INSURANCE

1. Reduce municipal liability through:
   a. Limit the scope of the “reckless disregard” exception to municipal immunity statute found in CGS §52-557n(b)(8). Recent Supreme Court decision in Williams v. Housing Auth. of the City of Bridgeport, et al. broadened the scope of reckless disregard. This would be accomplished through either:
      1. Deleting “under all the relevant circumstances” from the end of 52-557n(b)(8), or
      2. Add the following sentence to the end of 52-557n(b): “For purposes of this subsection, a person acts with reckless disregard when he is aware of and consciously disregards a substantial and unjustifiable risk that an act or omission will harm an identifiable person or property.” This would tie the statute into the “identifiable person/imminent harm” exception for negligent acts by a municipal official.
b. Enact an “assumption of risk” defense to limit liability in municipal recreational areas, including, but not limited to, bike, skateboard, dog and water parks. Such “assumption of risk” was created for ski areas and can be modeled for similar municipal provisions.

2. Amend CGS 8-2 to remove the word “advertising” from the type of signs that a municipal zoning commissions may regulate. As a result of a recent State Supreme Court decision in *Kuchta v. Arisian*, zoning commissions, under that statute, cannot regulate signs that merely express a personal opinion because the statute specifically references advertising signs.

3. Provide towns and cities the authority to collect fees from for-profit companies filing requests for local information that they will then sell (*commonly referred to as “data mining”*). Prior to the information being provided, entities must affirmatively assert whether or not such data will be used for profit. Such fees shall be based on the municipality’s assessment of actual costs for the data retrieval. Exemptions from such collection fees shall be provided to media outlets using such information to inform the public. The authority of a municipality to collect, at local option, such fees under these circumstances shall not impede or interfere with the decisions of the Freedom of Information Commission.

4. Allow municipalities that are self-insured the right of full recovery under current subrogation law against a tortfeasor and reduce the subrogation thresholds, consistent with the Workers’ Compensation Act.

**PUBLIC HEALTH AND HUMAN SERVICES**

1. Enhance efforts to combat the State’s opioid epidemic by designating a state ombudsman for drug abuse and control policy tasked with coordinating efforts to enhance and examine sustainable funding streams to support substance abuse prevention, education and recovery efforts.

**PUBLIC SAFETY**

1. Develop a sustainable funding stream to support the annual operational expenses of Connecticut Regional Fire Schools by establishing a surcharge on homeowner, renters and/or business insurance premiums. In recent years, the funding levels for these schools has been highly unstable.
   a. In addition, evaluate the amount of regional fire schools and consider reorganizing them based on DEMHS regions.

2. Maintain the current state reimbursement program for the purchase of police body cameras. The current program provides a 50% reimbursement for the purchase and storage costs associated with body cameras. To provide a sustainable funding stream to continue the program, the State should explore continuation of the program through additional utilization of federal (i.e. JAG funds) or funding from the asset forfeiture program.
3. Allow (a) career/paid fire departments to be reimbursed by another career/paid department, and (b) volunteer fire departments to be reimbursed by another career/paid department, for the initial recruit training costs of a firefighter, who has been employed with the department for less than two years, and decides to transfer to another department. This would be similar to the reimbursement that is allowed for police officer training. This would not include the costs of any equipment or uniforms the officer returns, as well would not affect any agreement between a police officer, collective bargaining unit, or department currently in existence.

TAXES AND FINANCE

1. Allow municipalities the option to establish and assess user fees for public services provided to properties qualifying for a tax exemption under CGS 12-81 and not reimbursed by existing PILOT programs.

2. Allow any town or city to establish a Stormwater Authority to offset costs of implementing the current MS4 General Permit.

3. Enact legislation to identify motor vehicles that are owned by Connecticut residents and illegally registered out-of-state and implement policies to limit opportunities that allow for these out-of-state registrations.

4. MERS: Provide municipalities enrolled in MERS with the ability to create new tiers similar to the way the State has created new tiers for SERS. These new tiers would:
   a. Exclude overtime from retirement benefit calculations;
   b. Increase the retirement age to 62;
   c. Limit cost-of-living increases to between 0 and 4%; and
   d. Allow municipally negotiated employee contributions.

TRANSPORTATION AND INFRASTRUCTURE

1. Support efforts to develop and implement a bi-partisan plan to address identified transportation infrastructure needs and enhance all areas of the existing transportation network in order to promote economic growth throughout the state. This plan must identify and allocate appropriate resources which may include the establishment of limited tolling and will enable the state to leverage all available federal funding resources.

2. Maintain funding for key municipal transportation and infrastructure grants, such as TAR, LoCIP and LOTSIP.
   a. Reauthorize STEAP funding and release existing grant authorizations.

3. Require transit systems to publish on their website and through annual reports operational statistics like on-time performance, mean travel distance between failures or crashes, safety mechanisms, customer service.
4. **Develop a pilot program allow identified municipalities to utilize photographic traffic enforcement technology.** To accomplish this, amend state statues to include various traffic infractions to the list of registered owner - presumed operator violations, and provide that revenues collected from such enforcement be allocated directly to municipalities. Current law in Connecticut does not enable law enforcement officials to effectively use such technology to apprehend these specific traffic violators, and ultimately make roadways safer.