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BORDEN, J., with whom KATZ, J., joins, concurring. I agree with and join the well reasoned majority opinion. I write separately and briefly to underscore two points.

First, as the majority opinion aptly notes, General Statutes § 1-2z was enacted by the legislature to overrule that part of this court's decision in *State* v. *Courchesne*, 262 Conn. 537, 567–78, 816 A.2d 562 (2003), in which we stated that, as part of the judicial task of statutory interpretation, we would not follow the plain meaning rule, which required a threshold showing of linguistic ambiguity as a precondition to consideration of extratextual sources of the meaning of legislative language. In enacting § 1-2z, the legislature barred this court from consulting extratextual sources, such as legislative history, unless and until we determine that the statute is ambiguous based on its language and related statutory language.

It is ironic that the legislature, in enacting § 1-2z, felt it necessary to put into the legislative history of that section that it intended to overrule our decision in *Courchesne*. As the majority notes, Senator Andrew J. McDonald stated: "[L]et me be very clear for the purposes of legislative intent, that . . . it is the intent [of the legislature] to overrule the portion of *State* v. *Courchesne* [supra, 262 Conn. 567–78] which recanted or retrenched from the [p]lain [m]eaning [r]ule under rules of statutory construction"; 46 S. Proc., Pt. 10, 2003 Sess., p. 3193; and Senator John McKinney stated that the legislature "[is] saying bring back the plain meaning rule . . . ." Id., p. 3222; see also 46 H.R. Proc., Pt. 10, 2003 Sess., p. 3325, remarks of Representative John E. Stone, Jr. (introducing House Bill No. 5033, entitled "An Act Concerning Statutory Interpretation," by describing it as "a relatively simple proposal . . . in response to a Supreme Court decision . . . in which the . . . [c]ourt rejected [the] common law principle of the plain meaning rule"); 46 H.R. Proc., supra, p. 3326, remarks of Representative Robert Farr (explaining that purpose of bill was "to restore the law in Connecticut to what it was before the recent Supreme Court [decision in *Courchesne*]"). An additional irony is that we have been forced to conclude that § 1-2z itself is ambiguous in order to consult its legislative history so as to determine its meaning as applied to the present case.[1]

The second point that I wish to underscore is that, as the majority also aptly notes, all the parties and the amici curiae in the present case, who represent all parts of the workers' compensation spectrum, have urged us to return to the plain language of General Statutes § 31-301b. Furthermore, the majority opinion makes clear how jurisprudentially fragile the underpinning of the final judgment rule is in the workers' compensation

context. I respectfully urge, therefore, that now is the time for the interested groups and the legislature to revisit the question of whether a final judgment should be a subject matter jurisdictional requisite for an appeal from the workers' compensation review board.

[1] Indeed, the only way that we definitively know that § 1-2z was intended to overrule *Courchesne* is by consulting its legislative history.