



General Assembly

**Amendment**

January Session, 2005

LCO No. 7692

\*SB0130307692HDO\*

Offered by:

REP. LAWLOR, 99<sup>th</sup> Dist.

REP. FARR, 19<sup>th</sup> Dist.

To: Senate Bill No. 1303

File No. 525

Cal. No. 552

**"AN ACT CONCERNING THE LIS PENDENS STATUTE AND THE  
VALIDATION OF CERTAIN CONVEYANCES."**

1 After the last section, add the following and renumber sections and  
2 internal references accordingly:

3 "Sec. 501. (*Effective from passage*) Notwithstanding the provisions of  
4 subparagraph (c) of subdivision (59) of section 12-81 of the general  
5 statutes, any person otherwise eligible for an exemption under said  
6 subdivision, relating to a manufacturing facility in the city of Norwalk  
7 pursuant to subparagraph (a) of said subdivision (59) for grand list  
8 year 2003, except that such person failed to make application within  
9 the time specified in said subparagraph (c), may submit an application  
10 for exemption not later than thirty days after the effective date of this  
11 section. The application shall be accompanied by the fee required by  
12 section 12-81k of the general statutes. Upon receipt of the application  
13 and fee and verification of the exemption eligibility, the assessor shall  
14 approve the exemption for such property. If taxes have been paid on  
15 the property for which such exemption is approved, the municipality

16 shall reimburse such person in an amount equal to the amount by  
17 which such taxes exceed the taxes payable if the application had been  
18 filed in a timely manner. Notwithstanding the provisions of section 12-  
19 94e of the general statutes, the municipality may submit such  
20 approved exemption application to the Secretary of the Office of Policy  
21 and Management. Notwithstanding the time for filing with said  
22 secretary specified in section 32-9s of the general statutes, the  
23 municipality shall be eligible for payment pursuant to said section 32-  
24 9s. Such payment shall be included in the next certification said  
25 secretary makes to the Comptroller under the provisions of said  
26 section 32-9s.

27 Sec. 502. (*Effective from passage*) Notwithstanding the provisions of  
28 subparagraph (c) of subdivision (60) of section 12-81 of the general  
29 statutes, any person otherwise eligible for an exemption under said  
30 subdivision, relating to a manufacturing facility in the city of Norwalk  
31 pursuant to subparagraph (a) of said subdivision (60) for grand list  
32 year 2003, except that such person failed to make application within  
33 the time specified in said subparagraph (c), may submit an application  
34 for exemption not later than thirty days after the effective date of this  
35 section. The application shall be accompanied by the fee required by  
36 section 12-81k of the general statutes. Upon receipt of the application  
37 and fee and verification of the exemption eligibility of the machinery  
38 and equipment included in such application, the assessor shall  
39 approve the exemption for such property. If taxes have been paid on  
40 the property for which such exemption is approved, the municipality  
41 shall reimburse such person in an amount equal to the amount by  
42 which such taxes exceed the taxes payable if the application had been  
43 filed in a timely manner. Notwithstanding the provisions of section 12-  
44 94e of the general statutes, the municipality may submit such  
45 approved exemption application to the Secretary of the Office of Policy  
46 and Management. Notwithstanding the time for filing with said  
47 secretary specified in section 32-9s of the general statutes, the  
48 municipality shall be eligible for payment pursuant to said section 32-  
49 9s. Such payment shall be included in the next certification said

50 secretary makes to the Comptroller under the provisions of said  
51 section 32-9s.

52       Sec. 503. (*Effective from passage*) Notwithstanding the provisions of  
53 subparagraph (B) of subdivision (72) of section 12-81 of the general  
54 statutes, any person otherwise eligible for a 2004 grand list exemption  
55 pursuant to said subdivision in the city of Milford, except that such  
56 person failed to file the required exemption application within the time  
57 period prescribed, shall be regarded as having filed said application in  
58 a timely manner if such person files said application not later than  
59 thirty days after the effective date of this section and pays the late  
60 filing fee pursuant to section 12-81k of the general statutes. Upon  
61 confirmation of the receipt of such fee and verification of the  
62 exemption eligibility of the machinery and equipment included in such  
63 application, the assessor shall approve the exemption for such  
64 property. If taxes have been paid on the property for which such  
65 exemption is approved, the city of Milford shall reimburse such person  
66 in an amount equal to the amount by which such taxes exceed the  
67 taxes payable if the application had been filed in a timely manner.  
68 Notwithstanding the provisions of subsection (a) of section 12-94b and  
69 section 12-94e of the general statutes, the assessor of the city of Milford  
70 may submit such approved exemption application to the Secretary of  
71 the Office of Policy and Management together with a request for  
72 reimbursement of the tax loss resulting from such exemption. Subject  
73 to the secretary's review and approval of such exemption, such  
74 reimbursement shall be included in the next certification the secretary  
75 makes to the Comptroller under the provisions of section 12-94b of the  
76 general statutes.

77       Sec. 504. (*Effective from passage*) Notwithstanding the provisions of  
78 subparagraph (B) of subdivision (72) of section 12-81 of the general  
79 statutes, any person otherwise eligible for a 2004 grand list exemption  
80 pursuant to said subdivision in the town of Bloomfield, except that  
81 such person failed to file the required exemption application within  
82 the time period prescribed, shall be regarded as having filed said  
83 application in a timely manner if such person files said application not

84 later than thirty days after the effective date of this section and pays  
85 the late filing fee pursuant to section 12-81k of the general statutes.  
86 Upon confirmation of the receipt of such fee and verification of the  
87 exemption eligibility of the machinery and equipment included in such  
88 application, the assessor shall approve the exemption for such  
89 property. If taxes have been paid on the property for which such  
90 exemption is approved, the town of Bloomfield shall reimburse such  
91 person in an amount equal to the amount by which such taxes exceed  
92 the taxes payable if the application had been filed in a timely manner.  
93 Notwithstanding the provisions of subsection (a) of section 12-94b and  
94 section 12-94e of the general statutes, the assessor of the town of  
95 Bloomfield may submit such approved exemption application to the  
96 Secretary of the Office of Policy and Management together with a  
97 request for reimbursement of the tax loss resulting from such  
98 exemption. Subject to the secretary's review and approval of such  
99 exemption, such reimbursement shall be included in the next  
100 certification said secretary makes to the Comptroller under the  
101 provisions of section 12-94b of the general statutes.

102 Sec. 505. (*Effective from passage*) Notwithstanding the provisions of  
103 any general or special act or ordinance or regulation of the town of  
104 New Fairfield, any plan or map of a division of a tract or parcel of land  
105 into three or more parts or lots that was filed on the land records of  
106 said town between July 2, 1948, and March 4, 1964, and that does not  
107 have endorsed thereon the approval of the planning and zoning  
108 commission, is hereby validated as of the date of said filing as an  
109 approved and endorsed subdivision or resubdivision in the town of  
110 New Fairfield.

111 Sec. 506. (*Effective from passage*) Notwithstanding the provisions of  
112 section 4-7 of the general statutes, with respect to the confirmation by  
113 the Senate or the House of Representatives of an executive or  
114 legislative nomination within ten calendar days of the report of such  
115 nomination by the joint standing committee on executive and  
116 legislative nominations, any such nomination confirmed during the  
117 2005 regular session of the General Assembly which is otherwise valid

118 is hereby validated and confirmed.

119 Sec. 507. Subsection (d) of section 20-417aa of the general statutes is  
120 repealed and the following is substituted in lieu thereof (*Effective from*  
121 *passage*):

122 (d) Any person engaged in swimming pool maintenance and repair  
123 work prior to July 1, 1999, may apply to the Department of Consumer  
124 Protection for the appropriate limited license and such license shall be  
125 issued without examination upon demonstration by the applicant of  
126 experience and training equivalent to the experience and training  
127 required to qualify for examination for the appropriate limited license,  
128 if such applicant makes such application to the department not later  
129 than January 1, [2002] 2006.

130 Sec. 508. (*Effective from passage*) Notwithstanding the provisions of  
131 section 16a-31 of the general statutes, no municipality that has a  
132 population of less than fifteen thousand as determined by the most  
133 recent decennial census and in which at least five thousand five  
134 hundred acres of land but not more than six thousand acres of land is  
135 owned by a regional water authority shall be denied a grant pursuant  
136 to section 4-66g of the general statutes for a sewer project solely  
137 because such project is not consistent with the locational guide map  
138 accompanying the state plan of conservation and development  
139 adopted under chapter 297 of the general statutes.

140 Sec. 509. (*Effective from passage*) Notwithstanding the provisions of  
141 subparagraph (B) of subdivision (72) of section 12-81 of the general  
142 statutes, any person otherwise eligible for a 2001 and 2002 grand lists  
143 exemption pursuant to said subdivision in the town of East Hartford,  
144 except that such person failed to file the required exemption  
145 applications within the time period prescribed, shall be regarded as  
146 having filed said applications in a timely manner if such person files  
147 said applications not later than thirty days after the effective date of  
148 this section and pays the late filing fee pursuant to section 12-81k of  
149 the general statutes. Upon confirmation of the receipt of such fee and

150 verification of the exemption eligibility of the machinery and  
151 equipment included in such applications, the assessor shall approve  
152 the exemption for such property. If taxes have been paid on the  
153 property for which such exemption is approved, the town of East  
154 Hartford shall reimburse such person in an amount equal to the  
155 amount by which such taxes exceed the taxes payable if the  
156 applications had been filed in a timely manner. Notwithstanding the  
157 provisions of subsection (a) of section 12-94b and section 12-94e of the  
158 general statutes, the assessor of the town of East Hartford may submit  
159 such approved exemption applications to the Secretary of the Office of  
160 Policy and Management together with a request for reimbursement of  
161 the tax loss resulting from such exemption. Subject to the secretary's  
162 review and approval of such exemption, such reimbursement shall be  
163 included in the next certification said secretary makes to the  
164 Comptroller under the provisions of section 12-94b of the general  
165 statutes.

166       Sec. 510. (*Effective from passage*) Notwithstanding the provisions of  
167 subparagraph (c) of subdivision (59) of section 12-81 of the general  
168 statutes, any person otherwise eligible for an exemption under said  
169 subdivision, relating to a manufacturing facility in the city of Norwalk  
170 pursuant to subparagraph (a) of said subdivision (59) for grand list  
171 years 2002, 2003 and 2004, except that such person failed to make  
172 applications within the time specified in said subparagraph (c), may  
173 submit applications for exemption not later than thirty days after the  
174 effective date of this section. The applications shall be accompanied by  
175 the fee required by section 12-81k of the general statutes. Upon receipt  
176 of the applications and fee and verification of the exemption eligibility,  
177 the assessor shall approve the exemption for such property. If taxes  
178 have been paid on the property for which such exemption is approved,  
179 the municipality shall reimburse such person in an amount equal to  
180 the amount by which such taxes exceed the taxes payable if the  
181 applications had been filed in a timely manner. Notwithstanding the  
182 provisions of section 12-94e of the general statutes, the municipality  
183 may submit such approved exemption applications to the Secretary of

184 the Office of Policy and Management. Notwithstanding the time for  
185 filing with said secretary specified in section 32-9s of the general  
186 statutes, the municipality shall be eligible for payment pursuant to said  
187 section 32-9s. Such payment shall be included in the next certification  
188 said secretary makes to the Comptroller under the provisions of said  
189 section 32-9s.

190 Sec. 511. (*Effective from passage*) Notwithstanding the provisions of  
191 subparagraph (c) of subdivision (60) of section 12-81 of the general  
192 statutes, any person otherwise eligible for an exemption under said  
193 subdivision, relating to a manufacturing facility in the city of Norwalk  
194 pursuant to subparagraph (a) of said subdivision (60) for grand list  
195 years 2002, 2003 and 2004, except that such person failed to make  
196 applications within the time specified in said subparagraph (c), may  
197 submit applications for exemption not later than thirty days after the  
198 effective date of this section. The applications shall be accompanied by  
199 the fee required by section 12-81k of the general statutes. Upon receipt  
200 of the applications and fee and verification of the exemption eligibility  
201 of the machinery and equipment included in such applications, the  
202 assessor shall approve the exemption for such property. If taxes have  
203 been paid on the property for which such exemption is approved, the  
204 municipality shall reimburse such person in an amount equal to the  
205 amount by which such taxes exceed the taxes payable if the  
206 applications had been filed in a timely manner. Notwithstanding the  
207 provisions of section 12-94e of the general statutes, the municipality  
208 may submit such approved exemption applications to the Secretary of  
209 the Office of Policy and Management. Notwithstanding the time for  
210 filing with said secretary specified in section 32-9s of the general  
211 statutes, the municipality shall be eligible for payment pursuant to said  
212 section 32-9s. Such payment shall be included in the next certification  
213 said secretary makes to the Comptroller under the provisions of said  
214 section 32-9s.

215 Sec. 512. (*Effective from passage*) Notwithstanding the provisions of  
216 subparagraph (B) of subdivision (72) of section 12-81 of the general  
217 statutes, any person otherwise eligible for a 2004 grand list exemption

218 pursuant to said subdivision in the town of Branford, except that such  
219 person failed to file the required exemption application within the time  
220 period prescribed, shall be regarded as having filed said application in  
221 a timely manner if such person files said application not later than  
222 thirty days after the effective date of this section and pays the late  
223 filing fee pursuant to section 12-81k of the general statutes. Upon  
224 confirmation of the receipt of such fee and verification of the  
225 exemption eligibility of the machinery and equipment included in such  
226 application, the assessor shall approve the exemption for such  
227 property. If taxes have been paid on the property for which such  
228 exemption is approved, the town of Branford shall reimburse such  
229 person in an amount equal to the amount by which such taxes exceed  
230 the taxes payable if the application had been filed in a timely manner.  
231 Notwithstanding the provisions of subsection (a) of section 12-94b and  
232 section 12-94e of the general statutes, the assessor of the town of  
233 Branford may submit such approved exemption application to the  
234 Secretary of the Office of Policy and Management together with a  
235 request for reimbursement of the tax loss resulting from such  
236 exemption. Subject to the secretary's review and approval of such  
237 exemption, such reimbursement shall be included in the next  
238 certification the secretary makes to the Comptroller under the  
239 provisions of section 12-94b of the general statutes.

240 Sec. 513. Section 3 of number 148 of the special acts of 1945, as  
241 amended by number 223 of the special acts of 1947, is amended to read  
242 as follows (*Effective from passage*):

243 The objects of said association shall be: To provide for the  
244 improvement of the land within the limits of said association, its  
245 maintenance as a residential [summer resort] community and for the  
246 health, comfort, protection, safety and welfare of the inhabitants  
247 thereof. All owners of a cottage or dwelling or other real estate within  
248 said limits [, and all persons who shall after this act shall take effect,  
249 own any cottage, dwelling or other real estate within said limits,] shall,  
250 provided they are twenty-one years of age, be members of said [The]  
251 Grove Beach Point Association and shall be entitled to vote in any

252 meeting of such members and shall be eligible to any office provided  
253 for in this charter. Joint owners of any cottage, dwelling or other real  
254 estate within said limits shall be considered for voting purposes as one  
255 member of said association. The husband or wife of an owner shall be  
256 a member of said association but shall not be empowered to vote at  
257 any meeting of said association except by proxy of such owner.

258 Sec. 514. Section 4 of number 148 of the special acts of 1945, as  
259 amended by section 3 of number 223 of the special acts of 1947, is  
260 amended to read as follows (*Effective from passage*):

261 [The first meeting of the members of said association shall be held  
262 during the month of May, 1945, at such time and place within the  
263 limits of said The Grove Beach Point Association as the committee  
264 hereinafter named shall designate in the warning of such meeting, for  
265 the purpose of electing a board of governors, who shall hold office  
266 until the next annual meeting and until others shall be chosen in their  
267 stead. Annual meetings shall be held during the month of May, in each  
268 year, at such time and place within the limits of said association as said  
269 board of governors shall direct and at such meeting a board of  
270 governors of nine members shall be elected to serve for one year from  
271 their election and until others shall be chosen in their stead. At the  
272 annual meeting in May, 1947, there shall be elected a board of  
273 governors of nine members: Three for the term of one year; three for  
274 the term of two years and three for the term of three years, and at each  
275 annual meeting thereafter, successors to the members whose terms  
276 expire shall be elected for a term of three years each.] The Board of  
277 Governors shall consist of nine members, three of whom shall be  
278 elected at each annual meeting to serve a term of three years or until  
279 others shall be chosen in their stead.

280 Sec. 515. Section 5 of number 148 of the special acts of 1945 is  
281 amended to read as follows (*Effective from passage*):

282 [Arthur N. Rutherford, John N. Russell, Elmer E. Bassett, Paul A.  
283 Stahl and Frederic W. Loomis or a majority of them shall have power

284 to warn the first meeting of the members of said association, which  
285 warning shall be written or printed and signed by a majority of said  
286 committee and three or more copies shall be posted in public places  
287 within the limits of said association. At least five days before such  
288 meeting, written notice thereof shall be mailed to each property owner  
289 of said association in accordance with addresses of such property  
290 owners appearing on the records of the tax collector of the town of  
291 Westbrook. A member of such committee shall call such meeting to  
292 order. Such meeting shall choose a moderator and clerk and shall elect  
293 each member of the board of governors separately by ballot. All  
294 subsequent meetings, annual or special, shall be warned by the Board  
295 of Governors in the manner prescribed in rules or by-laws adopted by  
296 said association.] Annual meetings of said association shall be held  
297 during the month of May in each year, at such time and place within  
298 the limits of the association as the Board of Governors shall direct.  
299 Such meeting shall choose a moderator and clerk for such meeting and  
300 shall elect members of the board by ballot, unless otherwise specified  
301 by a majority of those members present.

302 Sec. 516. Section 6 of number 148 of the special acts of 1945, as  
303 amended by section 4 of number 223 of the special acts of 1947, is  
304 amended to read as follows (*Effective from passage*):

305 Any vacancy occurring in the membership of [said] The Board of  
306 Governors between annual meetings shall be filled by a majority of the  
307 remaining members of the Board of Governors, until the next annual  
308 meeting, at which time the members of the association shall elect as  
309 above prescribed, a member of the Board of Governors for the  
310 unexpired portion of the term. Any vacancy occurring in any office  
311 between annual meetings, shall be filled by the Board of Governors for  
312 the unexpired portion of the term. If there is a tie vote among the  
313 remaining members, the vote of the chairman shall determine the  
314 outcome.

315 Sec. 517. Section 7 of number 148 of the special acts of 1945 is  
316 amended to read as follows (*Effective from passage*):

317 [Said association shall have the power to make, alter and repeal by-  
318 laws, rules and regulations for its government, and the board of  
319 governors shall enforce the same in the name of the association.] Said  
320 association shall have the power to hold, purchase, sell and convey  
321 such real and personal estate as the purposes of said association shall  
322 require. [; and it] It shall have the power to adopt such regulations as it  
323 may deem expedient respecting the removal of all garbage, filth, ashes  
324 and other refuse matter, within the limits of said association. [, and to]  
325 Said Board of Governors shall examine into all nuisances and courses  
326 of filth injurious to the public health and cause to be removed all filth  
327 found within said limits, which, in its judgment, may endanger the  
328 health of the inhabitants or render the occupation of any dwelling  
329 undesirable and may notify all persons causing or maintaining any  
330 such nuisance to abate the same within such time as the Board of  
331 Governors shall order, and if the same shall not be abated as ordered  
332 said board may abate the same and recover the expense thereof from  
333 any person so causing or maintaining the same by an action in the  
334 name of said association. Said board may employ one or more persons  
335 to handle the removal of the same under its authority, which person or  
336 persons shall be authorized to make entry upon any private property  
337 within said limits for the purpose of removing the same. [Said  
338 association] Said Board of Governors shall employ one or more  
339 persons to carry out the activities approved by said association and  
340 may employ one or more persons to act as special police or watchmen  
341 of the property within its limits, who shall be empowered to enter  
342 upon any of the private property within said limits whenever it shall  
343 be necessary for the protection of the same from fire, theft, loss or  
344 injury; and the judiciary and the police authorities of the town of  
345 Westbrook shall punish for the resistance to or obstruction of such  
346 special police while in the proper performance of their official duties,  
347 in the same manner as through they were duly constituted police  
348 officers of the town of Westbrook. Said association shall make all  
349 necessary rules and regulations for the care and protection of the open  
350 beach above high water mark within the limits therein heretofore  
351 acquired by any individuals.

352 Sec. 518. Section 8 of number 148 of the special acts of 1945, as  
353 amended by section 5 of number 223 of the special acts of 1947, is  
354 amended to read as follows (*Effective from passage*):

355 The Board of Governors shall prepare and submit to said association  
356 at each annual meeting a budget and shall recommend a tax for the  
357 purposes of and based on such budget, of not more than five mills on  
358 the dollar of the total value of real estate within the limits of said  
359 association as shown by the last-completed grand list of the town of  
360 Westbrook, which budget and tax rate shall be posted on [the] a sign-  
361 post of said association and mailed to each member of said association  
362 not less than five days before such annual meeting. Said association,  
363 according to its best judgment of the best interests of all, [of the  
364 members of the association,] shall have the power to decrease such  
365 budget and rate of taxation recommended by said board, [of  
366 governors] but in no case shall it have power to increase such budget  
367 and rate of taxation. Said board shall appoint a tax collector to collect  
368 such taxes, and a rate book shall be made out and signed by the clerk  
369 of said board on or before the third Saturday of [March] June, each  
370 year, and warrants may be issued for the collection of money due on  
371 such rate bills, pursuant to the provisions of the general statutes. Said  
372 board [of governors] shall have the power to transfer expenditures  
373 from the sums adopted in the annual budget from any one item to any  
374 other item in the budget, [, provided such transfer shall not exceed two  
375 hundred dollars, and provided the total of any such transfers from  
376 item to item shall not exceed three hundred fifty dollars.] Said board  
377 [of governors] shall have the power to borrow money from a bank  
378 with interest if necessary, on account of anticipated collection of taxes,  
379 but not exceeding [the sum of five hundred dollars] a sum equal to  
380 fifty per cent of the anticipated collection of taxes for any one year.

381 Sec. 519. Section 9 of number 148 of the special acts of 1945 is  
382 amended to read as follows (*Effective from passage*):

383 Written notice of the rate of such tax and of the amount apportioned  
384 to each member of the association shall be sent by the tax collector on

385 or before the [following April fifteenth, and such tax shall be due and  
386 payable on the fifteenth of the following May and, if such tax is not  
387 paid when due, it shall bear interest at the rate of five per cent per  
388 annum, from the date when it was so payable.] thirtieth of June  
389 following the annual meeting and such tax shall be due and payable  
390 on July first thereafter. If such tax is not paid on or before the following  
391 August first, it shall bear interest from the July first due date at the  
392 same rate per annum, until paid, as imposed on delinquent taxes by  
393 the Town of Westbrook. The tax collector shall have all the powers of  
394 collectors of town taxes and shall pay over the taxes as soon as  
395 collected to the treasurer of the association. Each such tax, if not paid  
396 when due, shall be a lien upon the property upon which it shall be laid  
397 for one year from the time of the laying of such tax.

398 Sec. 520. Section 10 of number 148 of the special acts of 1945 is  
399 amended to read as follows (*Effective from passage*):

400 Said association may collect all such taxes from the several owners  
401 of such properties by action at law in the name of said association, and  
402 any money due on any such tax shall be a lien upon the property of  
403 any such owner, [which may] provided a tax lien has been filed on the  
404 land records in the office of the town clerk of the Town of Westbrook,  
405 which lien may be foreclosed in the same manner in which liens for  
406 taxes due the town of Westbrook are foreclosed. The Board of  
407 Governors may abate any tax if any taxable property shall be  
408 destroyed by fire, or by the elements prior to the date when such tax  
409 was due, or by a three-quarters vote of those present at any meeting  
410 may abate the taxes assessed as aforesaid upon any such person or  
411 persons as are poor and indigent and unable to pay the same, causing  
412 a proper entry to be made on its records.

413 Sec. 521. Section 11 of number 148 of the special acts of 1945, as  
414 amended by section 6 of number 223 of the special acts of 1947, is  
415 amended to read as follows (*Effective from passage*):

416 [Seven] Fifteen members of said association shall constitute a

417 quorum for the transaction of business at any meeting of said  
418 association, and any member may designate in writing any person to  
419 act as his or her proxy at any meeting of said association, provided  
420 such proxy shall be valid only for the next meeting subsequent to the  
421 execution of such proxy, unless otherwise designated in such proxy.  
422 Unless otherwise specifically set forth in this section, all matters to be  
423 decided by the members of the association shall be decided by a  
424 majority vote of the members present.

425 Sec. 522. Section 12 of number 148 of the special acts of 1945 is  
426 amended to read as follows (*Effective from passage*):

427 Notice in writing of each meeting of the association stating the  
428 purpose of the meeting shall be given by the clerk by letter of card,  
429 postage prepaid, addressed to each member of the association and  
430 mailed to the address of property owners appearing on the records of  
431 the tax collector of the Town of Westbrook, at least five days before  
432 such meeting.

433 Sec. 523. Section 15 of number 148 of the special acts of 1945 is  
434 amended to read as follows (*Effective from passage*):

435 By-laws, rules and regulations of said association may be enacted,  
436 altered, amended or repealed at any meeting of the association [if]  
437 provided due notice of the same is properly given in the call for such  
438 meeting. The Board of Governors shall enforce such bylaws, rules and  
439 regulations in the name of the association.

440 Sec. 524. Section 16 of number 148 of the special acts of 1945, as  
441 amended by section 7 of number 223 of the special acts of 1947, is  
442 amended to read as follows (*Effective from passage*):

443 Said Board of Governors shall elect from its members a chairman, a  
444 vice chairman, a clerk and a treasurer. The chairman shall preside over  
445 all meetings of the board and the association and be the chief executive  
446 officer of the association. In the absence of the chairman, the vice  
447 chairman, clerk or treasurer shall preside. The clerk shall sign all

448 warnings, notices, orders and by-laws, and shall keep a record of all  
449 actions of the association and the Board of Governors. The treasurer  
450 shall keep an account of all moneys received and paid out and shall  
451 report at each annual meeting, and at other times at the request of a  
452 majority of the board of governors. Unless otherwise specifically set  
453 forth in this section, all matters to be decided by the Board of  
454 Governors shall be decided by a majority vote of the members present.  
455 The association shall purchase liability insurance which insures each  
456 member of the Board of Governors against errors, omissions and other  
457 acts performed in their capacity as a member of the board. Such policy  
458 or policies shall be in such amounts, and shall contain such terms,  
459 conditions and limitations, as the board shall determine.

460 Sec. 525. (*Effective from passage*) Notwithstanding the provisions of  
461 subdivision (1) of subsection (b) of section 19-13-B33b of the  
462 regulations of Connecticut state agencies, as they specifically apply to  
463 section 26.2 of the Department of Public Health Swimming Pool  
464 Design Guide, the Sacred Heart University Whirlpools at the William  
465 H. Pitt Center may deviate from the required decking width, provided  
466 local rescue personnel provide documentation to the Commissioner of  
467 Public Health which attests that a reduced decking will not impair or  
468 hinder the rescue of individuals using such whirlpools.

469 Sec. 526. (*Effective from passage*) Notwithstanding the provisions of  
470 subparagraph (c) of subdivision (59) of section 12-81 of the general  
471 statutes, any person otherwise eligible for an exemption under said  
472 subdivision, relating to a manufacturing facility in the city of Hartford  
473 pursuant to subparagraph (a) of said subdivision (59) for grand list  
474 year 2003, except that such person failed to make application within  
475 the time specified in said subparagraph (c), may submit an application  
476 for exemption not later than thirty days after the effective date of this  
477 section. The application shall be accompanied by the fee required by  
478 section 12-81k of the general statutes. Upon receipt of the application  
479 and fee and verification of the exemption eligibility, the assessor shall  
480 approve the exemption for such property. If taxes have been paid on  
481 the property for which such exemption is approved, the municipality

482 shall reimburse such person in an amount equal to the amount by  
483 which such taxes exceed the taxes payable if the application had been  
484 filed in a timely manner. Notwithstanding the provisions of section 12-  
485 94e of the general statutes, the municipality may submit such  
486 approved exemption application to the Secretary of the Office of Policy  
487 and Management. Notwithstanding the time for filing with said  
488 secretary specified in section 32-9s of the general statutes, the  
489 municipality shall be eligible for payment pursuant to said section 32-  
490 9s. Such payment shall be included in the next certification said  
491 secretary makes to the Comptroller under the provisions of said  
492 section 32-9s.

493       Sec. 527. (*Effective from passage*) Notwithstanding the provisions of  
494 subparagraph (c) of subdivision (60) of section 12-81 of the general  
495 statutes, any person otherwise eligible for an exemption under said  
496 subdivision, relating to a manufacturing facility in the city of Hartford  
497 pursuant to subparagraph (a) of said subdivision (60) for grand list  
498 year 2003, except that such person failed to make application within  
499 the time specified in said subparagraph (c), may submit an application  
500 for exemption not later than thirty days after the effective date of this  
501 section. The application shall be accompanied by the fee required by  
502 section 12-81k of the general statutes. Upon receipt of the application  
503 and fee and verification of the exemption eligibility of the machinery  
504 and equipment included in such application, the assessor shall  
505 approve the exemption for such property. If taxes have been paid on  
506 the property for which such exemption is approved, the municipality  
507 shall reimburse such person in an amount equal to the amount by  
508 which such taxes exceed the taxes payable if the application had been  
509 filed in a timely manner. Notwithstanding the provisions of section 12-  
510 94e of the general statutes, the municipality may submit such  
511 approved exemption application to the Secretary of the Office of Policy  
512 and Management. Notwithstanding the time for filing with said  
513 secretary specified in section 32-9s of the general statutes, the  
514 municipality shall be eligible for payment pursuant to said section 32-  
515 9s. Such payment shall be included in the next certification said

516 secretary makes to the Comptroller under the provisions of said  
517 section 32-9s.

518 Sec. 528. Section 13 of number 148 of the special acts of 1945 and  
519 sections 19 and 20 of number 223 of the special acts of 1947 are  
520 repealed. (*Effective from passage*)"