



House of Representatives

General Assembly

File No. 166

February Session, 2006

Substitute House Bill No. 5288

House of Representatives, March 28, 2006

The Committee on Planning and Development reported through REP. WALLACE of the 109th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING TECHNICAL REVISIONS TO REDEVELOPMENT AND MUNICIPAL STATUTES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 8-127 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2006*):

3 The redevelopment agency may prepare, or cause to be prepared, a
4 redevelopment plan and any redeveloper may submit a
5 redevelopment plan to the redevelopment agency. [, and such] The
6 redevelopment agency shall immediately transmit such plan to the
7 planning agency of the municipality for its study. The planning agency
8 may make a comprehensive or general plan of the entire municipality
9 as a guide in the more detailed and precise planning of redevelopment
10 areas. Such plan and any modifications and extensions thereof shall
11 show the location of proposed redevelopment areas and the general
12 location and extent of use of land for housing, business, industry,
13 communications and transportation, recreation, public buildings and
14 such other public and private uses as are deemed by the planning

15 agency essential to the purpose of redevelopment. [Appropriations by
16 the municipality of any amount necessary are authorized to enable the
17 planning agency to make such comprehensive or general plan.] The
18 redevelopment agency shall request the written opinion of the
19 planning agency on all redevelopment plans prior to approving such
20 redevelopment plans. Before approving any redevelopment plan, the
21 redevelopment agency shall hold a public hearing. [thereon, notice]
22 Notice of [which] the hearing shall be published at least twice in a
23 newspaper of general circulation in the municipality, the first
24 publication of notice to be not less than two weeks before the date set
25 for the hearing. The redevelopment agency may approve any such
26 redevelopment plan if, following such hearing, it finds that: [(a)] (1)
27 The area in which the proposed redevelopment is to be located is a
28 redevelopment area; [(b)] (2) the carrying out of the redevelopment
29 plan will result in materially improving conditions in such area; [(c)]
30 (3) sufficient living accommodations are available within a reasonable
31 distance of such area or are provided for in the redevelopment plan for
32 families displaced by the proposed improvement, at prices or rentals
33 within the financial reach of such families; and [(d)] (4) the
34 redevelopment plan is satisfactory as to site planning, relation to the
35 comprehensive or general plan of the municipality and, except when
36 the redevelopment agency has prepared the redevelopment plan, the
37 construction and financial ability of the redeveloper to carry it out. No
38 redevelopment plan for a project which consists predominantly of
39 residential facilities shall be approved by the redevelopment agency in
40 any municipality having a housing authority organized under the
41 provisions of chapter 128 except with the approval of such housing
42 authority. The approval of a redevelopment plan may be given by the
43 legislative body or by such agency as it designates to act in its behalf.

44 Sec. 2. Section 8-8 of the general statutes is repealed and the
45 following is substituted in lieu thereof (*Effective October 1, 2006*):

46 (a) As used in this section:

47 (1) "Aggrieved person" means a person aggrieved by a decision of a

48 board and includes any officer, department, board, commission or
49 bureau of the municipality charged with enforcement of any order,
50 requirement or decision of the board. In the case of a decision by a
51 zoning commission, planning commission, combined planning and
52 zoning commission or zoning board of appeals, the term "aggrieved
53 person" includes any person owning land that abuts or is within a
54 radius of one hundred feet of any portion of the land involved in the
55 decision of the board.

56 (2) "Board" means a municipal zoning commission, planning
57 commission, combined planning and zoning commission, zoning
58 board of appeals or other board or commission the decision of which
59 may be appealed pursuant to this section, or the chief elected official of
60 a municipality, or such official's designee, in a hearing held pursuant
61 to section 22a-250, as amended, whose decision may be appealed.

62 (b) Except as provided in subsections (c), (d) and (r) of this section
63 and sections 7-147 and 7-147i, any person aggrieved by any decision of
64 a board, including a decision to approve or deny a site plan pursuant
65 to subsection (g) of section 8-3, may take an appeal to the superior
66 court for the judicial district in which the municipality is located. The
67 appeal shall be commenced by service of process in accordance with
68 subsections (f) and (g) of this section [within] not more than fifteen
69 days [from] after the date that notice of the decision was published as
70 required by the general statutes. The appeal shall be returned to court
71 in the same manner and within the same period of time as prescribed
72 for civil actions brought to that court.

73 (c) [In those situations where] If the approval of a planning
74 commission must be inferred because of the failure of the commission
75 to act on an application, any aggrieved person may appeal under this
76 section. The appeal shall be taken [within] not more than twenty days
77 after the expiration of the period prescribed in section 8-26d for action
78 by the commission.

79 (d) Any person affected by an action of a planning commission
80 taken under section 8-29 may appeal under this section. The appeal

81 shall be taken [within] not more than thirty days after notice to such
82 person of the adoption of a survey, map or plan or the assessment of
83 benefits or damages.

84 (e) The proceedings of the court for an appeal may be stayed by
85 agreement of the parties when a mediation conducted pursuant to
86 section 8-8a commences, provided any such stay shall terminate upon
87 termination of the mediation.

88 (f) Service of legal process for an appeal under this section shall be
89 directed to a proper officer and shall be made as follows:

90 (1) For any appeal taken before October 1, 2004, process shall be
91 served by leaving a true and attested copy of the process with, or at the
92 usual place of abode of, the chairman or clerk of the board, and by
93 leaving a true and attested copy with the clerk of the municipality.
94 Service on the chairman or clerk of the board and on the clerk of the
95 municipality shall be for the purpose of providing legal notice of the
96 appeal to the board and shall not thereby make the chairman or clerk
97 of the board or the clerk of the municipality a necessary party to the
98 appeal.

99 (2) For any appeal taken on or after October 1, 2004, process shall be
100 served in accordance with subdivision (5) of subsection (b) of section
101 52-57, as amended. Such service shall be for the purpose of providing
102 legal notice of the appeal to the board and shall not thereby make the
103 clerk of the municipality or the chairman or clerk of the board a
104 necessary party to the appeal.

105 (g) Service of process shall also be made on each person who
106 petitioned the board in the proceeding, provided such person's legal
107 rights, duties or privileges were determined therein. However, failure
108 to make service within fifteen days on parties other than the board
109 shall not deprive the court of jurisdiction over the appeal. If service is
110 not made within fifteen days on a party in the proceeding before the
111 board, the court, on motion of the party or the appellant, shall make
112 such orders of notice of the appeal as are reasonably calculated to

113 notify the party not yet served. If the failure to make service causes
114 prejudice to the board or any party, the court, after hearing, may
115 dismiss the appeal or may make such other orders as are necessary to
116 protect the party prejudiced.

117 (h) The appeal shall state the reasons on which it has been
118 predicated and shall not stay proceedings on the decision appealed
119 from. However, the court to which the appeal is returnable may grant
120 a restraining order, on application, and after notice to the board and
121 cause shown.

122 (i) [Within] Not more than thirty days after the return date to court,
123 or within any further time the court allows, the board shall transmit
124 the record to the court. The record shall include, without limitation, (1)
125 the original papers acted on by the board and appealed from, or
126 certified copies thereof, (2) a copy of the transcript of the stenographic
127 or sound recording prepared in accordance with section 8-7a, as
128 amended, and (3) the written decision of the board, including the
129 reasons therefor and a statement of any conditions imposed. If the
130 board does not provide a transcript of the stenographic or the sound
131 recording of a meeting [where] in which the board deliberates or
132 makes a decision on a petition, application or request on which a
133 public hearing was held, a certified, true and accurate transcript of a
134 stenographic or sound recording of the meeting prepared by or on
135 behalf of the applicant or any other party shall be admissible as part of
136 the record. By stipulation of all parties to the appeal, the record may be
137 shortened. A party unreasonably refusing to stipulate to limit the
138 record may be taxed by the court for additional costs. The court may
139 require or permit subsequent corrections or additions to the record.

140 (j) Any defendant may, at any time after the return date of the
141 appeal, make a motion to dismiss the appeal. If the basis of the motion
142 is a claim that the appellant lacks standing to appeal, the appellant
143 shall have the burden of proving standing. The court may, on the
144 record, grant or deny the motion. The court's order on the motion may
145 be appealed in the manner provided in subsection (o) of this section.

146 (k) The court shall review the proceedings of the board and shall
147 allow any party to introduce evidence in addition to the contents of the
148 record if (1) the record does not contain a complete transcript of the
149 entire proceedings before the board, including all evidence presented
150 to it, pursuant to section 8-7a, as amended, or (2) it appears to the court
151 that additional testimony is necessary for the equitable disposition of
152 the appeal. The court may take the evidence or may appoint a referee
153 or committee to take such evidence as it directs and report the same to
154 the court, with any findings of facts and conclusions of law. Any report
155 of a referee, committee or mediator under subsection (f) of section 8-8a
156 shall constitute a part of the proceedings on which the determination
157 of the court shall be made.

158 (l) The court, after a hearing thereon, may reverse or affirm, wholly
159 or partly, or may modify or revise the decision appealed from. If a
160 particular board action is required by law, the court, on sustaining the
161 appeal, may render a judgment that modifies the board decision or
162 orders the particular board action. In an appeal from an action of a
163 planning commission taken under section 8-29, the court may also
164 reassess any damages or benefits awarded by the commission. Costs
165 shall be allowed against the board if the decision appealed from is
166 reversed, affirmed in part, modified or revised.

167 (m) Appeals from decisions of the board shall be privileged cases
168 and shall be heard as soon as is practicable unless cause is shown to
169 the contrary.

170 (n) No appeal taken under subsection (b) of this section shall be
171 withdrawn and no settlement between the parties to any such appeal
172 shall be effective unless and until a hearing has been held before the
173 Superior Court and such court has approved such proposed
174 withdrawal or settlement.

175 (o) There shall be no right to further review except to the Appellate
176 Court by certification for review, on the vote of two judges of the
177 Appellate Court so to certify and under such other rules as the judges
178 of the Appellate Court establish. The procedure on appeal to the

179 Appellate Court shall, except as otherwise provided [herein] in this
180 section, be in accordance with the procedures provided by rule or law
181 for the appeal of judgments rendered by the Superior Court unless
182 modified by rule of the judges of the Appellate Court.

183 (p) The right of a person to appeal a decision of a board to the
184 Superior Court and the procedure prescribed in this section shall be
185 liberally interpreted in any case where a strict adherence to these
186 provisions would work surprise or injustice. The appeal shall be
187 considered to be a civil action and, except as otherwise required by this
188 section or the rules of the Superior Court, pleadings may be filed,
189 amended or corrected, and parties may be summoned, substituted or
190 otherwise joined, as provided by the general statutes.

191 (q) If any appeal has failed to be heard on its merits because of
192 insufficient service or return of the legal process due to unavoidable
193 accident or the default or neglect of the officer to whom it was
194 committed, or the appeal has been otherwise avoided for any matter of
195 form, the appellant shall be allowed an additional fifteen days from
196 determination of that defect to properly take the appeal. The
197 provisions of section 52-592 shall not apply to appeals taken under this
198 section.

199 (r) In any case in which a board fails to comply with a requirement
200 of a general or special law, ordinance or regulation governing the
201 content, giving, mailing, publishing, filing or recording of any notice
202 either of a hearing or of an action taken by the board, any appeal or
203 action by an aggrieved person to set aside the decision or action taken
204 by the board on the grounds of such noncompliance shall be taken not
205 more than one year after the date of that decision or action.

206 Sec. 3. Subsection (a) of section 4a-60g of the general statutes is
207 repealed and the following is substituted in lieu thereof (*Effective*
208 *October 1, 2006*):

209 (a) As used in this section and sections 4a-60h to 4a-60j, inclusive,
210 the following terms have the following meanings:

211 (1) "Small contractor" means any contractor, subcontractor,
212 manufacturer or service company (A) which has been doing business
213 under the same ownership and management and has maintained its
214 principal place of business in the state, for a period of at least one year
215 immediately prior to the date of application for certification under this
216 section, (B) which had gross revenues not exceeding ten million dollars
217 in the most recently completed fiscal year prior to such application,
218 and (C) at least fifty-one per cent of the ownership of which is held by
219 a person or persons who exercise operational authority over the daily
220 affairs of the business and have the power to direct the management
221 and policies and receive the beneficial interests of the business, except
222 that a nonprofit corporation shall be construed to be a small contractor
223 if such nonprofit corporation meets the requirements of subparagraphs
224 (A) and (B) of this subdivision.

225 (2) "State agency" means each state board, commission, department,
226 office, institution, council or other agency with the power to contract
227 for goods or services itself or through its head.

228 (3) "Minority business enterprise" means any small contractor (A)
229 fifty-one per cent or more of the capital stock, if any, or assets of which
230 are owned by a person or persons (i) who exercise operational
231 authority over the daily affairs of the enterprise, (ii) who have the
232 power to direct the management and policies and receive the beneficial
233 interest of the enterprise, and (iii) who are members of a minority, as
234 such term is defined in subsection (a) of section 32-9n, (B) who is an
235 individual with a disability, or (C) which is a nonprofit corporation in
236 which fifty-one per cent or more of the persons who (i) exercise
237 operational authority over the enterprise, and (ii) have the power to
238 direct the management and policies of the enterprise are members of a
239 minority, as defined in this subsection, or are individuals with a
240 disability.

241 (4) "Affiliated" means the relationship in which a person directly, or
242 indirectly through one or more intermediaries, controls, is controlled
243 by or is under common control with another person.

244 (5) "Control" means the power to direct or cause the direction of the
245 management and policies of any person, whether through the
246 ownership of voting securities, by contract or through any other direct
247 or indirect means. Control shall be presumed to exist if any person,
248 directly or indirectly, owns, controls, holds with the power to vote, or
249 holds proxies representing, twenty per cent or more of any voting
250 securities of another person.

251 (6) "Person" means any individual, corporation, limited liability
252 company, partnership, association, joint stock company, business trust,
253 unincorporated organization or other entity.

254 (7) "Individual with a disability" means an individual (A) having a
255 physical impairment that substantially limits one or more of the major
256 life activities of the individual, or (B) having a record of such an
257 impairment.

258 (8) "Nonprofit corporation" means a nonprofit corporation
259 incorporated pursuant to chapter 602 or any predecessor statutes
260 thereto.

261 (9) "Municipality" means any town, city, borough, consolidated
262 town and city or consolidated town and borough.

263 Sec. 4. Section 32-238 of the 2006 supplement to the general statutes
264 is repealed and the following is substituted in lieu thereof (*Effective*
265 *October 1, 2006*):

266 The Commissioner of Economic and Community Development may
267 establish, within available appropriations, a next generation
268 manufacturing competitiveness enhancement program with the goal of
269 increasing the ability of Connecticut's small and medium-sized
270 manufacturers to compete in the world economy. The program may
271 include, but shall not be limited to: (1) Continued expansion of the use
272 of progressive manufacturing techniques and advanced technology; (2)
273 workforce development activities; (3) [identifying] identification of
274 new markets and opportunities both in the United States and abroad;

275 and (4) [creating] creation of a virtual center to assist manufacturing
276 clusters in their product design and development efforts.

277 Sec. 5. Section 4-66aa of the 2006 supplement to the general statutes
278 is repealed and the following is substituted in lieu thereof (*Effective*
279 *October 1, 2006*):

280 There is established, within the General Fund, a separate,
281 nonlapsing account to be known as the "land protection, affordable
282 housing and historic preservation account". The account shall contain
283 any moneys required by law to be deposited in the account. The funds
284 in the account shall be distributed every three months as follows: (1)
285 Twenty-five per cent to the Connecticut Commission on Culture and
286 Tourism to use as follows: (A) Two hundred thousand dollars,
287 annually, to supplement the technical assistance and preservation
288 activities of the Connecticut Trust for Historic Preservation,
289 established pursuant to special act 75-93, and (B) the remainder to
290 supplement historic preservation activities as provided in sections 10-
291 409 to 10-415, inclusive; (2) twenty-five per cent to the Connecticut
292 Housing Finance Authority to supplement new or existing affordable
293 housing programs; (3) twenty-five per cent to the Department of
294 Environmental Protection for municipal open space grants; and (4)
295 twenty-five per cent to the Department of Agriculture to use as
296 follows: (A) Five hundred thousand dollars annually for the
297 agricultural viability grant program established pursuant to section 22-
298 26j; (B) five hundred thousand dollars, annually for the farm transition
299 program established pursuant to section 22-26k; (C) one hundred
300 thousand dollars annually to encourage the sale of Connecticut Grown
301 food to schools, restaurants, retailers, and other institutions and
302 businesses in the state; (D) seventy-five thousand dollars annually for
303 the Connecticut farm link program established pursuant to section 22-
304 26l; and (E) the remainder for farmland preservation programs
305 pursuant to chapter [422] 422a. Each agency receiving funds under this
306 section may use not more than ten per cent of such funds for
307 administration of the programs for which the funds were provided.

308 Sec. 6. Subsections (d) and (e) of section 8-23 of the 2006 supplement
309 to the general statutes are repealed and the following is substituted in
310 lieu thereof (*Effective October 1, 2006*):

311 (d) (1) Such plan of conservation and development shall (A) be a
312 statement of policies, goals and standards for the physical and
313 economic development of the municipality, (B) provide for a system of
314 principal thoroughfares, parkways, bridges, streets, sidewalks,
315 multipurpose trails and other public ways as appropriate, (C) be
316 designed to promote, with the greatest efficiency and economy, the
317 coordinated development of the municipality and the general welfare
318 and prosperity of its people and identify areas where it is feasible and
319 prudent (i) to have compact, transit accessible, pedestrian-oriented
320 mixed use development patterns and land reuse, and (ii) to promote
321 such development patterns and land reuse, (D) recommend the most
322 desirable use of land within the municipality for residential,
323 recreational, commercial, industrial, conservation and other purposes
324 and include a map showing such proposed land uses, (E) recommend
325 the most desirable density of population in the several parts of the
326 municipality, (F) note any inconsistencies with the following growth
327 management principles: (i) Redevelopment and revitalization of
328 commercial centers and areas of mixed land [uses] use with existing or
329 planned physical infrastructure; (ii) expansion of housing
330 opportunities and design choices to accommodate a variety of
331 household types and needs; (iii) concentration of development around
332 transportation nodes and along major transportation corridors to
333 support the viability of transportation options and land reuse; (iv)
334 conservation and restoration of the natural environment, cultural and
335 historical resources and existing farmlands; (v) protection of
336 environmental assets critical to public health and safety; and (vi)
337 integration of planning across all levels of government to address
338 issues on a local, regional and state-wide basis, (G) make provision for
339 the development of housing opportunities, including opportunities for
340 multifamily dwellings, consistent with soil types, terrain and
341 infrastructure capacity, for all residents of the municipality and the
342 planning region in which the municipality is located, as designated by

343 the Secretary of the Office of Policy and Management under section
344 16a-4a, (H) promote housing choice and economic diversity in
345 housing, including housing for both low and moderate income
346 households, and encourage the development of housing which will
347 meet the housing needs identified in the housing plan prepared
348 pursuant to section 8-37t and in the housing component and the other
349 components of the state plan of conservation and development
350 prepared pursuant to chapter 297. In preparing such plan the
351 commission shall consider focusing development and revitalization in
352 areas with existing or planned physical infrastructure.

353 (2) For any municipality that is contiguous to Long Island Sound,
354 such plan shall be (A) consistent with the municipal coastal program
355 requirements of sections 22a-101 to 22a-104, inclusive, (B) made with
356 reasonable consideration for restoration and protection of the
357 ecosystem and habitat of Long Island Sound, and (C) designed to
358 reduce hypoxia, pathogens, toxic contaminants and floatable debris in
359 Long Island Sound.

360 (e) Such plan may show the commission's and any special
361 committee's recommendation for (1) conservation and preservation of
362 traprock and other ridgelines, (2) airports, parks, playgrounds and
363 other public grounds, (3) the general location, relocation and
364 improvement of schools and other public buildings, (4) the general
365 location and extent of public utilities and terminals, whether publicly
366 or privately owned, for water, sewerage, light, power, transit and other
367 purposes, (5) the extent and location of public housing projects, (6)
368 programs for the implementation of the plan, including (A) a schedule,
369 (B) a budget for public capital projects, (C) a program for enactment
370 and enforcement of zoning and subdivision controls, building and
371 housing codes and safety regulations, (D) plans for implementation of
372 affordable housing, (E) plans for open space acquisition and
373 greenways protection and development, and (F) plans for corridor
374 management areas along limited access highways or rail lines,
375 designated under section 16a-27, as amended, (7) proposed priority
376 funding areas, and (8) any other recommendations [as] that will, in the

377 commission's or any special committee's judgment, be beneficial to the
378 municipality. The plan may include any necessary and related maps,
379 explanatory material, photographs, charts or other pertinent data and
380 information relative to the past, present and future trends of the
381 municipality.

382 Sec. 7. Section 8-35a of the 2006 supplement to the general statutes is
383 repealed and the following is substituted in lieu thereof (*Effective*
384 *October 1, 2006*):

385 (a) At least once every ten years, each regional planning agency
386 shall make a plan of development for its area of operation, showing its
387 recommendations for the general use of the area including land use,
388 housing, principal highways and freeways, bridges, airports, parks,
389 playgrounds, recreational areas, schools, public institutions, public
390 utilities, agriculture and such other matters as, in the opinion of the
391 agency, will be beneficial to the area. Any regional plan so developed
392 shall be based on studies of physical, social, economic and
393 governmental conditions and trends and shall be designed to promote
394 with the greatest efficiency and economy the coordinated development
395 of its area of operation and the general welfare and prosperity of its
396 people. Such plan may encourage energy-efficient patterns of
397 development, the use of solar and other renewable forms of energy,
398 and energy conservation. Such plan shall be designed to promote
399 abatement of the pollution of the waters and air of the region. The
400 regional plan shall identify areas where it is feasible and prudent (1) to
401 have compact, transit accessible, pedestrian-oriented mixed use
402 development patterns and land reuse, and (2) to promote such
403 development patterns and land reuse and shall note any
404 inconsistencies with the following growth management principles: (A)
405 Redevelopment and revitalization of regional centers and areas of
406 mixed land [uses] use with existing or planned physical infrastructure;
407 (B) expansion of housing opportunities and design choices to
408 accommodate a variety of household types and needs; (C)
409 concentration of development around transportation nodes and along
410 major transportation corridors to support the viability of

411 transportation options and land reuse; (D) conservation and
412 restoration of the natural environment, cultural and historical
413 resources and traditional rural lands; (E) protection of environmental
414 assets critical to public health and safety; and (F) integration of
415 planning across all levels of government to address issues on a local,
416 regional and state-wide basis. The plan of each region contiguous to
417 Long Island Sound shall be designed to reduce hypoxia, pathogens,
418 toxic contaminants and floatable debris in Long Island Sound.

419 (b) Before adopting the regional plan of development or any part
420 thereof or amendment thereto the agency shall hold at least one public
421 hearing thereon, notice of the time, place and subject of which shall be
422 given in writing to the chief executive officer and planning
423 commission, where one exists, of each member town, city or borough.
424 Notice of the time, place and subject of such hearing shall be published
425 once in a newspaper having a substantial circulation in the region. At
426 least sixty-five days before the public hearing the regional planning
427 agency shall post the plan on the Internet web site of the agency, if
428 any, and submit the plan to the Secretary of the Office of Policy and
429 Management for findings in the form of comments and
430 recommendations. Such findings shall include a review of the plan to
431 determine if the proposed regional plan of development is not
432 inconsistent with the state plan of conservation and development. Such
433 notices shall be given not more than twenty days [nor] or less than ten
434 days before such hearing. The regional planning agency shall note on
435 the record any inconsistency with the state plan of conservation and
436 development and the reasons for such inconsistency. Adoption of the
437 plan or part thereof or amendment thereto shall be made by the
438 affirmative vote of not less than a majority of the representatives on
439 the agency. The plan shall be posted on the Internet web site of the
440 agency, if any, and a copy of the plan or of any amendments thereto,
441 signed by the chairman of the agency, shall be transmitted to the chief
442 executive officers, the town, city or borough clerks, as the case may be,
443 and to planning commissions, if any, in member towns, cities or
444 boroughs, and to the Secretary of the Office of Policy and
445 Management, or his designee. The regional planning agency shall

446 notify the Secretary of the Office of Policy and Management of any
447 inconsistency with the state plan of conservation and development and
448 the reasons therefor.

449 (c) The regional planning agency shall revise the plan of
450 development not more than three years after July 1, 2005.

451 (d) The regional planning agency shall assist municipalities within
452 its region and state agencies and may assist other public and private
453 agencies in developing and carrying out any regional plan or plans of
454 such regional planning agency. The regional planning agency may
455 provide administrative, management, technical or planning assistance
456 to municipalities within its region and other public agencies under
457 such terms as it may determine, provided, prior to entering into an
458 agreement for assistance to any municipality or other public agency,
459 the regional planning agency shall have adopted a policy governing
460 such assistance. The regional planning agency may be compensated by
461 the municipality or other public agency with which an agreement for
462 assistance has been made for all or part of the cost of such assistance.

463 Sec. 8. Subsection (d) of section 12-107e of the 2006 supplement to
464 the general statutes is repealed and the following is substituted in lieu
465 thereof (*Effective October 1, 2006*):

466 (d) Any person aggrieved by the denial by an assessor of any
467 application for the classification of land as open space land shall have
468 the same rights and remedies for appeal and relief as are provided in
469 the general statutes for taxpayers claiming to be aggrieved by the
470 [doings] actions of assessors or boards of assessment appeals.

471 Sec. 9. Subsection (b) of section 16a-35c of the 2006 supplement to
472 the general statutes is repealed and the following is substituted in lieu
473 thereof (*Effective October 1, 2006*):

474 (b) The Secretary of the Office of Policy and Management, in
475 consultation with the Commissioners of Economic and Community
476 Development, Environmental Protection, Public Works, Agriculture [,]

477 and Transportation, the chairman of the Transportation Strategy
478 Board, the regional planning agencies in the state and any other
479 persons or entities the secretary deems necessary shall develop
480 recommendations for delineation of the boundaries of priority funding
481 areas in the state and for revisions thereafter. In making such
482 recommendations the secretary shall consider areas designated as
483 regional centers, growth areas, neighborhood conservation areas and
484 rural community centers on the state plan of conservation and
485 development, redevelopment areas, distressed municipalities, as
486 defined in section 32-9p; targeted investment communities, as defined
487 in section 32-222; public investment communities, as defined in section
488 7-545, enterprise zones [] designated by the Commissioner of
489 Economic and Community Development under section 32-70, corridor
490 management areas identified in the state plan of conservation and
491 development and the principles of the Transportation Strategy Board
492 approved under section 13b-57h. The secretary shall submit the
493 recommendations to the Continuing Legislative Committee on State
494 Planning and Development established pursuant to section 4-60d for
495 review when the state plan of conservation and development is
496 submitted to such committee in accordance with section 16a-29, as
497 amended. The committee shall report its recommendations to the
498 General Assembly at the time said state plan is submitted to the
499 General Assembly under section 16a-30, as amended. The boundaries
500 shall become effective upon approval of the General Assembly.

501 Sec. 10. Subsection (a) of section 16a-35d of the 2006 supplement to
502 the general statutes is repealed and the following is substituted in lieu
503 thereof (*Effective October 1, 2006*):

504 (a) On and after the approval [of] by the General Assembly of the
505 boundaries of priority funding areas under section 16a-35c, no state
506 agency, department or institution shall provide funding for a growth-
507 related project unless such project is located in a priority funding area.

508 Sec. 11. Section 16a-35e of the 2006 supplement to the general
509 statutes is repealed and the following is substituted in lieu thereof

510 (Effective October 1, 2006):

511 On and after the approval [of] by the General Assembly of the
512 boundaries of priority funding areas pursuant to section 16a-35c, each
513 state agency, department or institution shall cooperate with
514 municipalities to ensure that programs and activities in rural areas
515 sustain village character.

516 Sec. 12. Section 16a-35f of the 2006 supplement to the general
517 statutes is repealed and the following is substituted in lieu thereof
518 (Effective October 1, 2006):

519 On and after the approval [of] by the General Assembly of the
520 boundaries of priority funding areas under section 16a-35c, each state
521 agency and department shall review regulations adopted in
522 accordance with the provisions of chapter 54 and modify such
523 regulations to carry out the purpose of coordinated management of
524 growth-related projects in priority funding areas.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2006	8-127
Sec. 2	October 1, 2006	8-8
Sec. 3	October 1, 2006	4a-60g(a)
Sec. 4	October 1, 2006	32-238
Sec. 5	October 1, 2006	4-66aa
Sec. 6	October 1, 2006	8-23(d) and (e)
Sec. 7	October 1, 2006	8-35a
Sec. 8	October 1, 2006	12-107e(d)
Sec. 9	October 1, 2006	16a-35c(b)
Sec. 10	October 1, 2006	16a-35d(a)
Sec. 11	October 1, 2006	16a-35e
Sec. 12	October 1, 2006	16a-35f

PD Joint Favorable Subst.

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: None

Municipal Impact: None

The Out Years

None

**OLR Bill Analysis
sHB 5288**

***AN ACT CONCERNING TECHNICAL REVISIONS TO
REDEVELOPMENT AND MUNICIPAL STATUTES.***

SUMMARY:

This bill makes minor and technical changes to laws governing redevelopment agencies, land use agencies, the small business set-aside program, planning, and certain other statutes.

EFFECTIVE DATE: October 1, 2006

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable Substitute

Yea 16 Nay 0 (03/13/2006)