



General Assembly

Substitute Bill No. 7321

January Session, 2007

* _____ HB07321PD _____ 032007 _____ *

**AN ACT CONCERNING AUTHORITY OF BOARDS OF SELECTMEN
TO ACT IN PLACE OF TOWN MEETINGS.**

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

1 Section 1. Subsection (a) of section 3-76c of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2007*):

4 (a) "Governing body" as applied to towns, cities or boroughs means
5 the legislative body as defined in section 1-1 except that in towns
6 having the town meeting form of government, it means the board of
7 finance or, if none, the board of selectmen if the board of selectmen is
8 authorized by the charter of the town, city or borough or by an
9 ordinance adopted by the town meeting to act under this part; as
10 applied to metropolitan districts, independent school, sewer, fire and
11 lighting districts, beach and improvement associations, and all other
12 tax districts and associations, it means the district committee or
13 association committee or similar body; as applied to any other
14 municipality it means the body, board, committee or similar body
15 charged under the general statutes, special acts or its charter with the
16 power to issue bonds.

17 Sec. 2. Subsection (a) of section 7-129a of the general statutes is
18 repealed and the following is substituted in lieu thereof (*Effective*

19 October 1, 2007):

20 (a) As used in this section, "municipality" means any city, town,
21 borough, district or association with municipal powers which has
22 within its jurisdiction and subject to its authority, holds or acquires
23 any land or facilities for park or recreational use; "recreation authority"
24 means the committee or commission within the government of a
25 municipality responsible for the administration or supervision of parks
26 or recreation, the legislative body of any municipality which has no
27 such committee or commission, or the board of selectmen of any town
28 which has no such committee or commission and the legislative body
29 of which is the town meeting or representative town meeting if the
30 board of selectmen is authorized by the charter of the municipality or
31 by an ordinance adopted by the town meeting or representative town
32 meeting to act under this section.

33 Sec. 3. Subsection (b) of section 7-148ee of the general statutes is
34 repealed and the following is substituted in lieu thereof (*Effective*
35 *October 1, 2007*):

36 (b) Any such municipality may exercise the authority provided for
37 in subsection (a) of this section notwithstanding the provisions of any
38 special act, municipal charter or home rule ordinance, upon approval
39 of its chief executive officer and by adoption of an ordinance approved
40 by a two-thirds vote of its legislative body of the municipality or [the
41 board of selectmen or] city or town council, [in the case of a
42 municipality in which the legislative body is a town meeting] except
43 that if the legislative body is a town meeting, the board of selectmen
44 may exercise such authority if the board of selectmen is authorized by
45 the charter of the municipality or by an ordinance adopted by the town
46 meeting to act under subsection (a).

47 Sec. 4. Subsection (f) of section 8-23 of the general statutes is
48 repealed and the following is substituted in lieu thereof (*Effective*
49 *October 1, 2007*):

50 (f) (1) A plan of conservation and development or any part thereof
51 or amendment thereto prepared by the commission or any special
52 committee shall be reviewed, and may be amended, by the
53 commission prior to scheduling at least one public hearing on
54 adoption.

55 (2) At least sixty-five days prior to the public hearing on adoption,
56 the commission shall submit a copy of such plan or part thereof or
57 amendment thereto for review and comment to the legislative body
58 [or, in the case of a municipality for which the legislative body of the
59 municipality is a town meeting or representative town meeting, to the
60 board of selectmen] except that if the legislative body is a town
61 meeting or representative town meeting, the board of selectmen may
62 exercise such authority if the board of selectmen is authorized by the
63 charter of the municipality or by an ordinance adopted by the town
64 meeting or representative town meeting to act under this subdivision.
65 The legislative body or board of selectmen, as the case may be, may
66 hold one or more public hearings on the plan and shall endorse or
67 reject such entire plan or part thereof or amendment and may submit
68 comments and recommended changes to the commission. The
69 commission may render a decision on the plan without the report of
70 such body or board .

71 (3) At least thirty-five days prior to the public hearing on adoption,
72 the commission shall post the plan on the Internet web site of the
73 municipality, if any.

74 (4) At least sixty-five days prior to the public hearing on adoption,
75 the commission shall submit a copy of such plan or part thereof or
76 amendment thereto to the regional planning agency for review and
77 comment. The regional planning agency shall submit an advisory
78 report along with its comments to the commission at or before the
79 hearing. Such comments shall include a finding on the consistency of
80 the plan with (A) the regional plan of development, adopted under
81 section 8-35a, (B) the state plan of conservation and development,
82 adopted pursuant to chapter 297, and (C) the plans of conservation

83 and development of other municipalities in the area of operation of the
84 regional planning agency. The commission may render a decision on
85 the plan without the report of the regional planning agency.

86 (5) At least thirty-five days prior to the public hearing on adoption,
87 the commission shall file in the office of the town clerk a copy of such
88 plan or part thereof or amendment thereto but, in the case of a district
89 commission, such commission shall file such information in the offices
90 of both the district clerk and the town clerk.

91 (6) The commission shall cause to be published in a newspaper
92 having a general circulation in the municipality, at least twice at
93 intervals of not less than two days, the first not more than fifteen days,
94 or less than ten days, and the last not less than two days prior to the
95 date of each such hearing, notice of the time and place of any such
96 public hearing. Such notice shall make reference to the filing of such
97 draft plan in the office of the town clerk, or both the district clerk and
98 the town clerk, as the case may be.

99 Sec. 5. Subsection (b) of section 8-336f of the general statutes is
100 repealed and the following is substituted in lieu thereof (*Effective*
101 *October 1, 2007*):

102 (b) Any municipality may, by ordinance, or by resolution of the
103 board of selectmen in any town in which the legislative body is a town
104 meeting, if the board of selectmen is authorized by the charter of the
105 municipality or by an ordinance adopted by the town meeting to act
106 under this section, authorize the formation of a local housing
107 partnership. Any local housing partnership shall include, but shall not
108 be limited to, the chief elected official of the municipality and the
109 following members to be appointed by the chief elected official: (1)
110 Representatives of the planning commission, zoning commission,
111 inland wetlands commission, housing authority and any local
112 community development agency, (2) representatives of the local
113 business community, such as local bankers, realtors and developers,
114 (3) representatives of public interest groups, such as housing

115 advocates, members of the clergy, members of local civic groups and
116 representatives of local nonprofit corporations, and (4) local urban
117 planning, land use and housing professionals.

118 Sec. 6. Subsection (a) of section 12-62l of the general statutes is
119 repealed and the following is substituted in lieu thereof (*Effective*
120 *October 1, 2007*):

121 (a) Notwithstanding any provision of the general statutes, any
122 municipal charter, any special act or any home rule ordinance, any
123 municipality required to effect a revaluation of real property under
124 section 12-62 for the 2003, 2004 or 2005 assessment year shall not be
125 required to effect a revaluation prior to the 2006 assessment year
126 provided any decision not to implement a revaluation pursuant to this
127 subsection shall be approved by the legislative body of such town or,
128 in any town where the legislative body is a town meeting, by the board
129 of selectmen if the board of selectmen is authorized by the charter of
130 the municipality or by ordinance adopted by the legislative body to act
131 under this section. Any required revaluation subsequent to any
132 delayed revaluation effected pursuant to this subsection shall be
133 effected in accordance with the provisions of said section 12-62. The
134 rate maker, as defined in section 12-131, in any municipality that elects,
135 pursuant to this subsection, not to implement a revaluation may
136 prepare new rate bills under the provisions of chapter 204 in order to
137 carry out the provisions of this section.

138 Sec. 7. Subsection (b) of section 12-81r of the general statutes is
139 repealed and the following is substituted in lieu thereof (*Effective*
140 *October 1, 2007*):

141 (b) Any abatement or forgiveness of taxes under subsection (a) of
142 this section shall be approved by vote of the board of finance and the
143 legislative body of the municipality, or by vote of the board of finance
144 and the board of selectmen in a municipality where the legislative
145 body is a town meeting, if the board of selectmen is authorized by the
146 charter of the municipality or by an ordinance adopted by the town

147 meeting to act under this section, and contingent upon any other
148 conditions deemed appropriate by such body.

149 Sec. 8. Section 12-81q of the general statutes is repealed and the
150 following is substituted in lieu thereof (*Effective October 1, 2007*):

151 Any municipality may, upon approval by its legislative body or in
152 any town in which the legislative body is a town meeting, by the board
153 of selectmen, if the board of selectmen is authorized by the charter of
154 the municipality or by ordinance adopted by the town meeting to act
155 under this section, abate for a period of up to ten years all or a portion
156 of the property taxes due on and after July 1, 1997, for property owned
157 by an entity that has acquired a water company pursuant to the
158 provisions of section 16-262o. The acquiring entity shall only be
159 entitled to an abatement for those costs incurred by such entity to
160 make improvements on the infrastructure and related property of the
161 acquired water company, when such improvements were ordered by
162 the Department of Public Utility Control or the Department of Public
163 Health and necessary in order for the entity to provide continuous,
164 adequate water service.

165 Sec. 9. Section 12-81t of the general statutes is repealed and the
166 following is substituted in lieu thereof (*Effective October 1, 2007*):

167 Any municipality may, by vote of its legislative body or, in a
168 municipality where the legislative body is a town meeting, by vote of
169 the board of selectmen, if the board of selectmen is authorized by the
170 charter of the municipality or by an ordinance adopted by the town
171 meeting to act under this section, abate up to one hundred per cent of
172 the property taxes due for any tax year with respect to information
173 technology personal property.

174 Sec. 10. Section 12-81u of the general statutes is repealed and the
175 following is substituted in lieu thereof (*Effective October 1, 2007*):

176 Any municipality may, by vote of its legislative body or, in a
177 municipality where the legislative body is a town meeting, by vote of

178 the board of selectmen, if the board of selectmen is authorized by the
179 charter of the municipality or by ordinance adopted by the town
180 meeting to act under this section, abate up to one hundred per cent of
181 the property taxes due for any tax year with respect to real or personal
182 property of any communications establishment included in major
183 group 48, in the Standard Industrial Classification Manual, United
184 States Office of Management and Budget, 1987 edition.

185 Sec. 11. Section 12-81v of the general statutes is repealed and the
186 following is substituted in lieu thereof (*Effective October 1, 2007*):

187 Any municipality may, upon approval by its legislative body or in
188 any town in which the legislative body is a town meeting, by the board
189 of selectmen, if the board of selectmen is authorized by the charter of
190 the municipality or by an ordinance adopted by the town meeting to
191 act under this section, abate the property taxes due for any tax year
192 with respect to any property of an electric cooperative organized
193 pursuant to chapter 597 that is operating within the boundaries of the
194 municipality.

195 Sec. 12. Section 12-81y of the general statutes is repealed and the
196 following is substituted in lieu thereof (*Effective October 1, 2007*):

197 Any municipality, by vote of its legislative body or, in a
198 municipality where the legislative body is a town meeting, by vote of
199 the board of selectmen, if the board of selectmen is authorized by the
200 charter of the municipality or by an ordinance adopted by the town
201 meeting to act under this section, may abate up to one hundred per
202 cent of the property taxes due, for any assessment year commencing
203 on or after October 1, 2001, with respect to a new school bus, as
204 defined in section 14-275.

205 Sec. 13. Subdivision (22) of section 19a-175 of the general statutes is
206 repealed and the following is substituted in lieu thereof (*Effective*
207 *October 1, 2007*):

208 (22) "Municipality" means the legislative body of a municipality or

209 the board of selectmen in the case of a municipality in which the
 210 legislative body is a town meeting, if the board of selectmen is
 211 authorized by the charter of the municipality or by an ordinance
 212 adopted by the town meeting to act under this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2007</i>	3-76c(a)
Sec. 2	<i>October 1, 2007</i>	7-129a(a)
Sec. 3	<i>October 1, 2007</i>	7-148ee(b)
Sec. 4	<i>October 1, 2007</i>	8-23(f)
Sec. 5	<i>October 1, 2007</i>	8-336f(b)
Sec. 6	<i>October 1, 2007</i>	12-62l(a)
Sec. 7	<i>October 1, 2007</i>	12-81r(b)
Sec. 8	<i>October 1, 2007</i>	12-81q
Sec. 9	<i>October 1, 2007</i>	12-81t
Sec. 10	<i>October 1, 2007</i>	12-81u
Sec. 11	<i>October 1, 2007</i>	12-81v
Sec. 12	<i>October 1, 2007</i>	12-81y
Sec. 13	<i>October 1, 2007</i>	19a-175(22)

PD *Joint Favorable Subst.*