



# House of Representatives

General Assembly

**File No. 432**

*January Session, 2009*

Substitute House Bill No. 6388

*House of Representatives, April 2, 2009*

The Committee on Planning and Development reported through REP. SHARKEY of the 88th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## ***AN ACT PROVIDING MANDATE RELIEF TO MUNICIPALITIES.***

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

1 Section 1. (NEW) (*Effective from passage and applicable to fiscal years*  
2 *commencing on and after January 1, 2010*) (a) As used in this section:

3 (1) "Costly state mandate" means any constitutional, statutory or  
4 executive action, excluding any order issued by a state court and any  
5 legislation necessary to comply with a federal mandate, that requires a  
6 municipality to establish, expand or modify its activities to reasonably  
7 necessitate additional expenditures from local revenues equal to the  
8 lesser of one hundred thousand dollars or one-half of one per cent of  
9 the total amount of the general operating budget of the municipality  
10 for the fiscal year prior to the fiscal year in which such additional  
11 expenditures are required; and

12 (2) "Municipality" means any town, consolidated town and city or  
13 consolidated town and borough.

14 (b) On and after January 1, 2010, the General Assembly shall not  
15 enact any costly state mandate unless two-thirds of the members of  
16 both houses vote affirmatively to do so.

17 Sec. 2. Subsection (a) of section 1-225 of the general statutes is  
18 repealed and the following is substituted in lieu thereof (*Effective from*  
19 *passage and applicable to meetings of public agencies that occur on or after*  
20 *October 1, 2008*):

21 (a) (1) The meetings of all public agencies, except executive sessions,  
22 as defined in subdivision (6) of section 1-200, shall be open to the  
23 public. The votes of each member of any such public agency upon any  
24 issue before such public agency shall be reduced to writing and made  
25 available for public inspection within forty-eight hours and shall also  
26 be recorded in the minutes of the session at which taken. Within seven  
27 days of the session to which such minutes refer, such minutes shall be  
28 available for public inspection and posted on such public agency's  
29 Internet web site, if available. Each such agency shall make, keep and  
30 maintain a record of the proceedings of its meetings.

31 (2) Each city, town, borough, municipal corporation, school district,  
32 regional district or other district or other political subdivision of this  
33 state and any department, institution, bureau, board, commission,  
34 authority or official of each such entity shall make, keep and maintain  
35 a record of the proceedings of its meetings and shall record such  
36 proceedings in the minutes of the session at which taken.  
37 Notwithstanding the provisions of subsection (a) of this section, on  
38 and after January 1, 2010, such minutes shall be available for public  
39 inspection and posted on such entity's Internet web site, if available,  
40 not later than thirty days following the session to which such minutes  
41 refer. Such minutes shall be available on such web site for a period of  
42 not less than one year from the date of the meeting to which the  
43 minutes refer.

44 Sec. 3. Section 7-406 of the general statutes is repealed and the  
45 following is substituted in lieu thereof (*Effective from passage*):

46 The board of finance or other corresponding board in each town, or,  
47 if there is no such board, the selectmen, shall annually prepare [and  
48 have published] a town report. Such report shall be available for  
49 distribution and shall contain, in addition to reports of town officers or  
50 boards required by law to be included, a statement of the amount  
51 received by such town under the provisions of part IIa of chapter 240  
52 together with an itemized account of the disposition of such amount,  
53 and such other matter as the board of finance or other corresponding  
54 board deems advisable. Towns with a population of five thousand or  
55 less [, as computed by the Secretary of the Office of Policy and  
56 Management,] shall publish their receipts and expenditures and the  
57 names of all persons, firms or corporations, other than recipients of  
58 support under sections 17b-122, 17b-124 to 17b-132, inclusive, 17b-136  
59 to 17b-138, inclusive, 17b-194 to 17b-197, inclusive, 17b-222 to 17b-250,  
60 inclusive, 17b-256, 17b-263, 17b-340 to 17b-350, inclusive, 17b-689b and  
61 17b-743 to 17b-747, inclusive, receiving money from such towns,  
62 together with the total amount of payments in excess of fifty dollars to  
63 each, unless such town has a bookkeeping system [approved by the  
64 secretary] setting forth all the receipts and expenditures in detail, in  
65 which case it shall not be necessary for the town to publish in its report  
66 the names of all persons, firms or corporations receiving money from  
67 such towns, together with the total amount of payments in excess of  
68 fifty dollars to each. A town report may be an electronic record, as  
69 defined in section 1-267, notwithstanding any provision of the charter  
70 or home rule ordinance of the town. Any such electronic record shall  
71 be deemed available for distribution if posted on the web site of the  
72 town.

73 Sec. 4. Section 7-478a of the general statutes is repealed and the  
74 following is substituted in lieu thereof (*Effective from passage*):

75 (a) Two or more municipal employers participating in an interlocal  
76 agreement pursuant to sections 7-339a to 7-339l, inclusive, or planning  
77 to undertake the joint performance of a municipal function in  
78 accordance with section 7-148cc, shall constitute a municipal employer  
79 as defined in section 7-467.

80 (b) Each employee organization, as defined in said section 7-467, of  
81 the municipal employers constituting a municipal employer under this  
82 section shall retain representation rights for collective bargaining. If  
83 two or more employee organizations have representation rights, the  
84 employee organizations shall act in coalition for all collective  
85 bargaining purposes.

86 (c) When a municipal employer is constituted under this section the  
87 collective bargaining agreement of each employee organization with  
88 representation rights shall remain in effect. A decision by a municipal  
89 employer to enter into or implement an interlocal agreement under  
90 sections 7-339a to 7-339l, inclusive, or to undertake the joint  
91 performance of a municipal function in accordance with section 7-  
92 148cc shall not be a subject of collective bargaining but the impact of  
93 such agreement upon wages, hours and other conditions of  
94 employment, shall be a subject of collective bargaining.

95 Sec. 5. (NEW) (*Effective from passage*) (a) Two or more local or  
96 regional school districts may jointly perform any function that each  
97 local or regional school district may perform separately under any  
98 provisions of the general statutes or of any special act, charter or home  
99 rule ordinance. The terms of each agreement shall establish a process  
100 for withdrawal from such agreement and shall require that the  
101 agreement be reviewed at least once every five years by the body that  
102 approved the agreement to assess the effectiveness of such agreement  
103 in enhancing the performance of the function that is the subject of the  
104 agreement.

105 (b) In the event two or more local or regional school districts jointly  
106 undertake, pursuant to this section, any function that teachers or  
107 administrators in each such local or regional school district perform,  
108 such districts shall constitute an employer for purposes of sections 10-  
109 153a to 10-153o, inclusive, of the general statutes with respect to the  
110 function jointly undertaken.

111 (c) Each employee organization, as defined in section 10-153b of the  
112 general statutes shall retain representation rights for collective

113 bargaining. If two or more employee organizations have  
114 representation rights, the employee organizations shall act in coalition  
115 for all collective bargaining purposes.

116 (d) The collective bargaining agreement of each employee  
117 organization, as defined in section 10-153b of the general statutes shall  
118 remain in effect. A decision by a local or regional school district to  
119 undertake the joint performance of a function, in accordance with this  
120 section, shall not be a subject of collective bargaining.

121 Sec. 6. Section 47a-42 of the general statutes is repealed and the  
122 following is substituted in lieu thereof (*Effective October 1, 2009*):

123 (a) Whenever a judgment is entered against a defendant pursuant to  
124 section 47a-26, 47a-26a, 47a-26b or 47a-26d for the recovery of  
125 possession or occupancy of residential property, such defendant and  
126 any other occupant bound by the judgment by subsection (a) of section  
127 47a-26h shall forthwith remove himself or herself, such defendant's or  
128 occupant's possessions and all personal effects unless execution has  
129 been stayed pursuant to sections 47a-35 to 47a-41, inclusive. If  
130 execution has been stayed, such defendant or occupant shall forthwith  
131 remove himself or herself, such defendant's or occupant's possessions  
132 and all personal effects upon the expiration of any stay of execution. If  
133 the defendant or occupant has not so removed himself or herself upon  
134 entry of a judgment pursuant to section 47a-26, 47a-26a, 47a-26b or  
135 47a-26d, and upon expiration of any stay of execution, the plaintiff  
136 may obtain an execution upon such summary process judgment, and  
137 the defendant or other occupant bound by the judgment by subsection  
138 (a) of section 47a-26h and the possessions and personal effects of such  
139 defendant or other occupant may be removed by a state marshal,  
140 pursuant to such execution, and such possessions and personal effects  
141 may be set out on the adjacent sidewalk, street or highway.

142 (b) Before any such removal, the state marshal charged with  
143 executing upon any such judgment of eviction shall give the chief  
144 executive officer of the town twenty-four hours notice of the eviction,  
145 stating the date, time and location of such eviction as well as a general

146 description, if known, of the types and amount of property to be  
147 removed from the premises. Before giving such notice to the chief  
148 executive officer of the town, the state marshal shall use reasonable  
149 efforts to locate and notify the defendant of the date and time such  
150 eviction is to take place and of the possibility of a sale pursuant to  
151 subsection (c) of this section. Such notice shall include service upon  
152 each defendant and upon any other person in occupancy, either  
153 personally or at the premises, of a true copy of the summary process  
154 execution. Such execution shall be on a form prescribed by the Judicial  
155 Department, shall be in clear and simple language and in readable  
156 format, and shall contain, in addition to other notices given to the  
157 defendant in the execution, a conspicuous notice, in large boldface  
158 type, that a person who claims to have a right to continue to occupy  
159 the premises should immediately contact an attorney.

160 (c) Whenever the possessions and personal effects of a defendant  
161 are set out on the sidewalk, street or highway, and are not immediately  
162 removed by the defendant, the chief executive officer of the town shall  
163 remove and store the same. Such removal and storage shall be at the  
164 expense of the defendant. If such possessions and effects are not called  
165 for by the defendant and the expense of such removal and storage is  
166 not paid to the chief executive officer within fifteen days after such  
167 eviction, the chief executive officer shall sell the same at public auction,  
168 after using reasonable efforts to locate and notify the defendant of such  
169 sale and after posting notice of such sale for one week on the public  
170 signpost nearest to the place where the eviction was made, if any, or at  
171 some exterior place near the office of the town clerk. The chief  
172 executive officer shall deliver to the defendant the net proceeds of such  
173 sale, if any, after deducting a reasonable charge for removal and  
174 storage of such possessions and effects. If the defendant does not  
175 demand the net proceeds within thirty days after such sale, the chief  
176 executive officer shall turn over the net proceeds of the sale to the town  
177 treasury. Any municipality may contract with one or more  
178 municipalities to operate a facility to store possessions and personal  
179 effects that are removed from a sidewalk under this section.

180 Sec. 7. Section 7-3 of the general statutes is repealed and the  
181 following is substituted in lieu thereof (*Effective from passage*):

182 The warning of each town meeting, and of each meeting of a city,  
183 borough, school district or other public community or of an  
184 ecclesiastical society, shall specify the objects for which such meeting is  
185 to be held. Notice of a town meeting shall be given by posting, upon a  
186 signpost or other exterior place near the office of the town clerk of such  
187 town and at such other place or places as may be designated as  
188 hereinafter provided, a printed or written warning signed by the  
189 selectmen, or a majority of them, and by publishing a like warning in a  
190 newspaper published in such town or having a circulation therein,  
191 such posting and such publication to be at least five days previous to  
192 holding the meeting, including the day that notice is given and any  
193 Sunday and any legal holiday which may intervene between such  
194 posting and such publication and the day of holding such meeting, but  
195 not including the day of holding such meeting; but any town may, at  
196 an annual meeting, designate any other place or places, in addition to  
197 the signpost or other exterior place, at which such warnings shall be  
198 set up. The selectmen shall, on or before the day of such meeting, cause  
199 a copy of each such warning to be left with the town clerk, who shall  
200 record the same. Notice of a meeting of a city or borough shall be given  
201 by posting, upon a signpost or other exterior place nearest to the office  
202 of the clerk of such city or borough or at such place or places as may be  
203 designated by special charter provision, a written or printed warning  
204 signed by the mayor or clerk in the case of a city or by the warden or  
205 clerk in the case of a borough, and by publishing a like warning in a  
206 newspaper published within the limits of such city or borough, or  
207 having a circulation therein, at least five days previous to holding the  
208 meeting, including the day that notice is given and any Sunday and  
209 any legal holiday which may intervene between such posting and such  
210 publication and the day of holding such meeting, but not including the  
211 day of holding such meeting. Notwithstanding the provisions of this  
212 section or any charter or home rule ordinance, any warning or notice  
213 of a meeting under this section may be posted on the web site of the  
214 town, city, borough, school district or other public community or

215 ecclesiastical society, in lieu of publication in a newspaper, provided  
216 all other requirements of this section with respect to such warning or  
217 notice are met.

218 Sec. 8. Section 8-3 of the general statutes is amended by adding  
219 subsection (m) as follows (*Effective from passage*):

220 (NEW) (m) Notwithstanding the provisions of this section or any  
221 charter or home rule ordinance, any notice required under subsections  
222 (d), (f) and (g) of this section may be posted on the web site of the  
223 municipality in lieu of publication in a newspaper, provided all other  
224 requirements of this section with respect to such notice are met.

225 Sec. 9. Subsection (a) of section 8-7d of the general statutes is  
226 repealed and the following is substituted in lieu thereof (*Effective from*  
227 *passage*):

228 (a) In all matters wherein a formal petition, application, request or  
229 appeal must be submitted to a zoning commission, planning and  
230 zoning commission or zoning board of appeals under this chapter, a  
231 planning commission under chapter 126 or an inland wetlands agency  
232 under chapter 440 or an aquifer protection agency under chapter 446i  
233 and a hearing is required or otherwise held on such petition,  
234 application, request or appeal, such hearing shall commence within  
235 sixty-five days after receipt of such petition, application, request or  
236 appeal and shall be completed within thirty-five days after such  
237 hearing commences, unless a shorter period of time is required under  
238 this chapter, chapter 126, chapter 440 or chapter 446i. Notice of the  
239 hearing shall be published in a newspaper having a general circulation  
240 in such municipality where the land that is the subject of the hearing is  
241 located at least twice, at intervals of not less than two days, the first not  
242 more than fifteen days or less than ten days and the last not less than  
243 two days before the date set for the hearing. Notwithstanding the  
244 provisions of this section or any charter or home rule ordinance, notice  
245 of such hearing may be posted on the web site of the municipality in  
246 lieu of publication in a newspaper, provided all other requirements of  
247 this section with respect to such notice are met. In addition to such

248 notice, such commission, board or agency may, by regulation, provide  
249 for additional notice. Such regulations shall include provisions that the  
250 notice be mailed to persons who own land that is adjacent to the land  
251 that is the subject of the hearing or be provided by posting a sign on  
252 the land that is the subject of the hearing, or both. For purposes of such  
253 additional notice, (1) proof of mailing shall be evidenced by a  
254 certificate of mailing, and (2) the person who owns land shall be the  
255 owner indicated on the property tax map or on the last-completed  
256 grand list as of the date such notice is mailed. All applications and  
257 maps and documents relating thereto shall be open for public  
258 inspection. At such hearing, any person or persons may appear and be  
259 heard and may be represented by agent or by attorney. All decisions  
260 on such matters shall be rendered not later than sixty-five days after  
261 completion of such hearing, unless a shorter period of time is required  
262 under this chapter, chapter 126, chapter 440 or chapter 446i. The  
263 petitioner or applicant may consent to one or more extensions of any  
264 period specified in this subsection, provided the total extension of all  
265 such periods shall not be for longer than sixty-five days, or may  
266 withdraw such petition, application, request or appeal.

267 Sec. 10. Subsection (d) of section 8-26 of the general statutes is  
268 repealed and the following is substituted in lieu thereof (*Effective from*  
269 *passage*):

270 (d) The commission shall approve, modify and approve, or  
271 disapprove any subdivision or resubdivision application or maps and  
272 plans submitted therewith, including existing subdivisions or  
273 resubdivisions made in violation of this section, within the period of  
274 time permitted under section 8-26d. Notice of the decision of the  
275 commission shall be published in a newspaper having a substantial  
276 circulation in the municipality and addressed by certified mail to any  
277 person applying to the commission under this section, by its secretary  
278 or clerk, under his signature in any written, printed, typewritten or  
279 stamped form, within fifteen days after such decision has been  
280 rendered. Notwithstanding the provisions of this subsection or any  
281 charter or home rule ordinance, notice of such decision may be posted

282 on the web site of the municipality in lieu of publication in a  
283 newspaper, provided all other requirements of this subsection with  
284 respect to such notice are met. In any case in which such notice is not  
285 published within such fifteen-day period, the person who made such  
286 application may provide for the publication of such notice within ten  
287 days thereafter. Such notice shall be a simple statement that such  
288 application was approved, modified and approved or disapproved,  
289 together with the date of such action. The failure of the commission to  
290 act thereon shall be considered as an approval, and a certificate to that  
291 effect shall be issued by the commission on demand. The grounds for  
292 its action shall be stated in the records of the commission. No planning  
293 commission shall be required to consider an application for approval  
294 of a subdivision plan while another application for subdivision of the  
295 same or substantially the same parcel is pending before the  
296 commission. For the purposes of this subsection, an application is not  
297 "pending before the commission" if the commission has rendered a  
298 decision with respect to such application and such decision has been  
299 appealed to the Superior Court.

300 Sec. 11. Section 8-28 of the general statutes is repealed and the  
301 following is substituted in lieu thereof (*Effective from passage*):

302 Notice of all official actions or decisions of a planning commission,  
303 not limited to those relating to the approval or denial of subdivision  
304 plans, shall be published in a newspaper having a substantial  
305 circulation in the municipality within fifteen days after such action or  
306 decision. Notwithstanding the provisions of this section or any charter  
307 or home rule ordinance, notice of such official action or decision may  
308 be posted on the web site of the municipality in lieu of publication in a  
309 newspaper, provided all other requirements of this section with  
310 respect to such notice are met. Any appeal from an action or decision  
311 of a planning commission shall be taken pursuant to the provisions of  
312 section 8-8.

313 Sec. 12. Section 9-16 of the general statutes is repealed and the  
314 following is substituted in lieu thereof (*Effective from passage*):

315 The registrars of voters in each town shall give notice of the time  
316 and place of each session for the admission of electors held pursuant to  
317 section 9-17 by publication in a newspaper published or circulated in  
318 such town not more than fifteen nor less than five days before each  
319 such session. Notwithstanding the provisions of this section or any  
320 charter or home rule ordinance, notice of such session may be posted  
321 on the web site of the town in lieu of publication in a newspaper,  
322 provided all other requirements of this section with respect to such  
323 notice are met. Nothing [herein] in this section shall require that [such]  
324 publication in a newspaper, if any, be in the form of a legal  
325 advertisement.

326 Sec. 13. Section 9-37 of the general statutes is repealed and the  
327 following is substituted in lieu thereof (*Effective from passage*):

328 Each registrar shall keep a copy of the preliminary registry list for  
329 his use in revision. Such registrars shall give notice in such list of the  
330 times and places at which they will hold one or more sessions during  
331 the period between the Saturday of the fifth week before the regular  
332 election and the Saturday of the fourth week before the regular  
333 election, for the revision and correction of such list which, when  
334 completed, shall be termed the "final registry list" for such election. In  
335 each municipality having a population of more than five thousand,  
336 they shall also give notice of such times and places by publication in a  
337 newspaper circulating in such municipality and by posting the same  
338 on the signpost therein, if any, and at the office of the town clerk at  
339 least five days before the first of such sessions. Notwithstanding the  
340 provisions of this section or any charter or home rule ordinance, notice  
341 of such session may be posted on the web site of the municipality in  
342 lieu of publication in a newspaper, provided all other requirements of  
343 this section with respect to such notice are met. The number of sessions  
344 shall be fixed by the registrars of each municipality. The registrars  
345 shall also hold sessions, of which no public notice need be given, for  
346 the purpose of correcting such preliminary list, and for the purpose of  
347 adding to such list the names of persons entitled to be registered  
348 thereon, on each day they are in session for the admission of electors

349 pursuant to section 9-17, and they may also hold sessions for revision  
350 and correction of the registry list on any other day, except during the  
351 period of six days preceding any regular election. On the fourteenth  
352 day before a primary, the registrars shall hold an additional session to  
353 hear such requests for adding names to the registry list, in accordance  
354 with the procedure provided in this section, and the registrars shall  
355 publish notice of such sessions in a newspaper having general  
356 circulation in such municipality at least five days before such sessions.  
357 Nothing in this section shall require that [such] publication in a  
358 newspaper, if any, be in the form of a legal advertisement.

359 Sec. 14. Section 9-53 of the general statutes is repealed and the  
360 following is substituted in lieu thereof (*Effective from passage*):

361 The registrars of voters in each municipality in which an enrollment  
362 session is to be held shall give notice of such session, and of the  
363 purpose, day, hours and place thereof, by publication in a newspaper  
364 published in or having a circulation in such municipality, not more  
365 than fifteen nor less than five days before such session.  
366 Notwithstanding the provisions of this section or any charter or home  
367 rule ordinance, notice of such session may be posted on the web site of  
368 the municipality in lieu of publication in a newspaper, provided all  
369 other requirements of this section with respect to such notice are met.  
370 Nothing [herein] in this section shall require that [such] publication in  
371 a newspaper, if any, be in the form of a legal advertisement. In each  
372 municipality divided into two voting districts which elects registrars of  
373 voters for each voting district, any session for enrollment in such  
374 municipality shall be held in each such district thereof by the registrars  
375 of such district, and the notice hereinbefore required shall specify the  
376 place in each such district in which such session is to be held. In each  
377 municipality divided into voting districts which elects registrars of  
378 voters for the entire municipality, any session for enrollment in such  
379 municipality may, if the registrars so decide, be held in each such  
380 district by assistant registrars appointed under section 9-192, provided  
381 the registrars in the notice hereinbefore required shall specify the place  
382 in each such district in which such session is to be held. When such a

383 session is so held in each such district by such assistant registrars,  
384 within forty-eight hours after the close of each of such sessions, each of  
385 such assistant registrars shall deliver to the registrar of whom he is the  
386 appointee a true and attested list or lists, as made by such assistant  
387 registrars at such session, showing all enrollments and corrections, if  
388 any, by them made, together with a list of all applications rejected  
389 under the provisions of sections 9-60 and 9-63.

390 Sec. 15. Section 9-164 of the general statutes is repealed and the  
391 following is substituted in lieu thereof (*Effective from passage*):

392 (a) Notwithstanding any contrary provision of law, there shall be  
393 held in each municipality, biennially, a municipal election on the first  
394 Monday of May or the Tuesday after the first Monday of November, of  
395 the odd-numbered years, whichever date the legislative body of such  
396 municipality determines, provided, if no action is taken by the  
397 legislative body to so designate the date of such election, such election  
398 shall be held on the Tuesday after the first Monday of November of the  
399 odd-numbered years. In any municipality where the term of any  
400 elected official would expire prior to the next regular election held  
401 under the provisions of this section, the term of such official shall be  
402 extended to the date of such election.

403 (b) Upon the occurrence of a vacancy in a municipal office or upon  
404 the creation of a new office to be filled prior to the next regular  
405 election, a special municipal election may be convened either by the  
406 board of selectmen of the municipality or upon application of twenty  
407 electors of the municipality filed with the municipal clerk. The date of  
408 such election shall be determined by the board of selectmen of the  
409 municipality, and notice of such date shall be filed with the municipal  
410 clerk. In determining the date of such election, the board of selectmen  
411 shall allow the time specified for holding primaries for municipal  
412 office in section 9-423 and the time specified for the selection of party-  
413 endorsed candidates for municipal office in section 9-391. On  
414 application of twenty electors of the municipality, the date of such  
415 election, as determined by the board of selectmen, shall be not later

416 than the one hundred fiftieth day following the filing of such  
417 application. Except as otherwise provided by general statute, the  
418 provisions of the general statutes pertaining to elections and primaries  
419 shall apply to special municipal elections. No such election may be  
420 held unless the municipal clerk first files notice of the office or offices  
421 to be filled at such election with the town chairman of the town  
422 committee of each major and minor party within the municipality and  
423 with the secretary of the state at least three weeks in advance of the  
424 final time specified for the selection of party-endorsed candidates for  
425 municipal office in section 9-391. The municipal clerk shall forthwith  
426 warn such election in the same manner as the warning of municipal  
427 elections pursuant to section 9-226, as amended by this act.  
428 Notwithstanding the provisions of any charter or home rule ordinance,  
429 such warning may be posted on the web site of the municipality in lieu  
430 of publication in a newspaper, provided all other requirements of this  
431 section with respect to such warning are met.

432 (c) Notwithstanding any provision of subsection (b) of this section,  
433 [to the contrary,] any town which by charter provides that a vacancy in  
434 its legislative body shall be filled by a special election held no later  
435 than forty-five days after the effective date of the vacancy shall hold  
436 such election not later than forty-five days after the occurrence of the  
437 vacancy. No such election may be held unless the municipal clerk  
438 forthwith upon the occurrence of the vacancy files notice of the office  
439 to be filled at the election with the town chairman of the town  
440 committee of each major and minor party within the municipality and  
441 with the Secretary of the State. Nominations by political parties for  
442 such office shall be made as the rules of such parties which are filed  
443 with the town clerk provide, in accordance with section 9-390. Such  
444 nominations may be made and certified at any time after the vacancy  
445 occurs but not later than the thirty-sixth day before the day of the  
446 election. No such nomination shall be effective until the presiding  
447 officer and secretary of the town committee certify the nomination to  
448 the town clerk. No primary shall be held for the nomination of any  
449 political party to fill any vacancy in such office and the party-endorsed  
450 candidate so certified shall be deemed the nominee of such party.

451 Nominations may also be made by petition in the manner provided in  
452 sections 9-379 and 9-453a to 9-453p, inclusive, which petitions shall be  
453 submitted to the town clerk of the town in which the signers reside not  
454 later than the thirty-sixth day before the day of the election and filed in  
455 the office of the Secretary of the State not later than two days  
456 thereafter. The municipal clerk shall forthwith warn such election in  
457 the same manner as the warning of municipal elections pursuant to  
458 section 9-226, as amended by this act. Notwithstanding the provisions  
459 of any charter or home rule ordinance, such warning may be posted on  
460 the web site of the town in lieu of publication in a newspaper,  
461 provided all other requirements of this section with respect to such  
462 warning are met.

463 Sec. 16. Section 9-225 of the general statutes is repealed and the  
464 following is substituted in lieu thereof (*Effective from passage*):

465 The town clerk or assistant town clerk of each town shall warn the  
466 electors therein to meet on the Tuesday following the first Monday in  
467 November in the even-numbered years, at six o'clock a.m., which  
468 warning shall be given by publication in a newspaper having a general  
469 circulation in such town not more than fifteen nor less than five days  
470 previous to holding such election. Notwithstanding the provisions of  
471 this section or any charter or home rule ordinance, such warning may  
472 be posted on the web site of the town in lieu of publication in a  
473 newspaper, provided all other requirements of this section with  
474 respect to such warning are met. The clerk in each town shall, in the  
475 warning for such election, give notice of the time and the location of  
476 the polling place in the town, and in towns divided into voting  
477 districts, of the time and the location of the polling place in each  
478 district, at which such election will be held. The town clerk shall record  
479 each such warning.

480 Sec. 17. Section 9-226 of the general statutes is repealed and the  
481 following is substituted in lieu thereof (*Effective from passage*):

482 The warning of each municipal election shall specify the objects for  
483 which such election is to be held. Notice of a town election shall be

484 given by the town clerk or assistant town clerk, by publishing a  
485 warning in a newspaper published in such town or having a general  
486 circulation therein, such publication to be not more than fifteen, nor  
487 less than five days previous to holding the election. The town clerk in  
488 each town shall, in the warning for such election, give notice of the  
489 time and the location of the polling place in the town and, in towns  
490 divided into voting districts, of the time and the location of the polling  
491 place in each district. The town clerk shall record each such warning.  
492 Notice of an election of a city or borough shall be given by publishing  
493 a warning in a newspaper published within the limits of such city or  
494 borough, or having a general circulation therein, not more than fifteen  
495 nor less than five days previous to holding the election, which warning  
496 shall include notice of the time and the location of the polling place in  
497 such city or borough and, in cities and boroughs divided into voting  
498 districts, of the time and the location of the polling place in each  
499 district. Notwithstanding the provisions of this section or any charter  
500 or home rule ordinance, such warning may be posted on the web site  
501 of the town in lieu of publication in a newspaper, provided all other  
502 requirements of this section with respect to such warning are met.

503 Sec. 18. Section 9-332 of the general statutes is repealed and the  
504 following is substituted in lieu thereof (*Effective from passage*):

505 If the electors fail to choose a candidate for any office by reason of  
506 an equality of votes at any election, and no provision is otherwise  
507 made by law for the election of a candidate to such office, such election  
508 shall stand adjourned for three weeks at the same hour at which the  
509 first election was held. Ballot labels of the same form and description  
510 as described in sections 9-250 to 9-256, inclusive, except that such ballot  
511 labels shall contain only the names of the candidates for whom the  
512 same are to be voted, shall be used in the election on such adjourned  
513 day, and the election shall be conducted in the same manner as on the  
514 first day, except that the votes shall be cast for such officer only. Ballot  
515 labels for such election shall be provided forthwith by the clerk of the  
516 municipality wherein such election stands adjourned, and such clerk  
517 shall furnish the Secretary of the State with an accurate list of all

518 candidates to be voted for at such adjourned election. The clerk of the  
519 municipality wherein such election so stands adjourned shall, at least  
520 three days prior to the day of such adjourned election, give notice of  
521 the day, hours, place and purpose thereof by publishing such notice in  
522 a newspaper published in such municipality or having a circulation  
523 therein. Notwithstanding the provisions of this section or of any  
524 charter or home rule ordinance, such notice may be posted on the web  
525 site of the municipality in lieu of publication in a newspaper, provided  
526 all other requirements of this section with respect to such notice are  
527 met. No such election shall be held if prior to such election all but one  
528 of the candidates for such office die, withdraw their names or for any  
529 reason become disqualified to hold such office, and, in such event, the  
530 remaining candidate shall be deemed to be lawfully elected to such  
531 office. No withdrawal shall be valid until the candidate who has  
532 withdrawn has filed a letter of withdrawal signed by such candidate  
533 with the Secretary of the State or, in the case of a municipal office, until  
534 the candidate who has withdrawn has filed a letter of withdrawal  
535 signed by such candidate with the municipal clerk. When such an  
536 election is required to be held under the provisions of this section for  
537 any office other than a municipal office, and prior to such election all  
538 but one of the candidates for such office die, withdraw their names or  
539 for any reason become disqualified to hold such office, the Secretary of  
540 the State shall forthwith notify the clerk of each municipality wherein  
541 such election was to have been held of such fact, and shall forthwith  
542 direct each such clerk that such election shall not be held. In the case of  
543 a multiple opening office only the names of those candidates whose  
544 votes are equal shall be placed on the ballot label of the adjourned  
545 election.

546 Sec. 19. Section 9-395 of the general statutes is repealed and the  
547 following is substituted in lieu thereof (*Effective from passage*):

548 (a) Forthwith upon the certification provided in section 9-391, the  
549 clerk of the municipality shall publish, in a newspaper having a  
550 general circulation in such municipality, the fact of such certification  
551 and that a list of the persons endorsed as candidates is on file in his

552 office and copies thereof are available for public distribution.  
553 Notwithstanding the provisions of this section or of any charter or  
554 home rule ordinance, notice of such certification and the availability of  
555 copies of such list may be posted on the web site of the municipality in  
556 lieu of publication in a newspaper, provided all other requirements of  
557 this section with respect to such notice are met. If, with respect to any  
558 office or position to be filled, the clerk of the municipality has failed to  
559 receive the certification of the name of any person as a party-endorsed  
560 candidate within the time limited in section 9-391, such fact shall be  
561 published by the clerk of the municipality. Together with such  
562 information, the clerk shall publish a notice that a primary will be held  
563 for the nomination by such political party of a candidate for the offices  
564 to be filled or for the election of members of the town committee, as the  
565 case may be, if a candidacy is filed in accordance with the provisions of  
566 sections 9-382 to 9-450, inclusive. Such notice shall specify the final  
567 date for the filing of such candidacy and the date of the primary, shall  
568 state where forms for petitions may be obtained and shall generally  
569 indicate the method of procedure in the filing of such candidacy. The  
570 Secretary of the State shall prescribe the form of such notice. The clerk  
571 shall forthwith publish any change in the party-endorsed candidates,  
572 listing such changes. As used in this section, the terms "publish" or  
573 "publication" shall be construed to include the posting of information  
574 on the web site of the municipality.

575 (b) In any year in which a state election is to be held, the notice  
576 described in subsection (a) of this section shall: (1) Be published not  
577 later than the seventy-sixth day preceding the day of the primary, (2)  
578 indicate that the certification provided in section 9-391 can be made,  
579 and (3) indicate that a list of persons endorsed as candidates will be on  
580 file in the clerk's office, as provided in subsection (a) of this section.  
581 The requirement contained in subsection (a) of this section to publish  
582 the fact that the clerk of the municipality has failed to receive the  
583 certification of the name of any person as a party-endorsed candidate  
584 within the time limit in section 9-391, shall not apply to the notice  
585 required by this subsection.

586 Sec. 20. Section 9-433 of the general statutes is repealed and the  
587 following is substituted in lieu thereof (*Effective from passage*):

588 After the deadline set forth in section 9-400 for filing candidacies,  
589 and upon the completion of the tabulation of petition signatures, if  
590 any, if one or more candidacies for nomination by a political party to a  
591 state or district office have been filed in accordance with the provisions  
592 of section 9-400, the Secretary of the State shall notify the clerk of each  
593 town within the state or within the district, as the case may be, that a  
594 primary is to be held by such party for the nomination of such party to  
595 such office. Such notice shall include a list of all the proposed  
596 candidates, those endorsed by the convention as well as those filing  
597 candidacies, together with their addresses and the titles of the office  
598 for which they are candidates and, if applicable, a statement that  
599 unaffiliated electors may vote in the primary. The clerk of each such  
600 town shall thereupon cause such notice to be published forthwith in a  
601 newspaper having a general circulation in such town, together with a  
602 statement of the date upon which the primary is to be held, the hours  
603 during which the polls shall be open and the location of the polls.  
604 Notwithstanding the provisions of this section or any charter or home  
605 rule ordinance, such notice may be posted on the web site of the town  
606 in lieu of publication in a newspaper, provided all other requirements  
607 of this section with respect to such notice are met.

608 Sec. 21. Section 9-435 of the general statutes is repealed and the  
609 following is substituted in lieu thereof (*Effective from passage*):

610 Except as provided in sections 9-418 and 9-419, if in any  
611 municipality, within the time specified in section 9-405, a candidacy for  
612 nomination by a political party to any municipal office or for election  
613 as a town committee member is filed with the registrar, in conformity  
614 with the provisions of sections 9-405 to 9-412, inclusive, and section 9-  
615 414, by or on behalf of any person other than party-endorsed  
616 candidates, the registrar shall forthwith after the deadline for  
617 certification of party-endorsed candidates notify the clerk of such  
618 municipality that a primary is to be held by such party for the

619 nomination of such party to such office or for the election by such  
620 party of town committee members, as the case may be. Such notice  
621 shall include a list of all the proposed candidates, those endorsed as  
622 well as those filing candidacies, together with their addresses and the  
623 titles of the offices or positions for which they are candidates. In the  
624 case of a primary for justices of the peace, such notice shall also contain  
625 the complete ballot label designation of each slate pursuant to  
626 subsection (h) of section 9-437. The clerk of the municipality shall  
627 thereupon cause such notice to be published forthwith in a newspaper  
628 having a general circulation in such municipality, together with a  
629 statement of the date upon which the primary is to be held, the hours  
630 during which the polls shall be open and the location of the polls, and  
631 shall send a copy of such notice to the Secretary of the State and record  
632 the same. Notwithstanding the provisions of this section or any charter  
633 or home rule ordinance, such notice may be posted on the web site of  
634 the municipality in lieu of publication in a newspaper, provided all  
635 other requirements of this section with respect to such notice are met.  
636 The clerk shall forthwith publish or post on such web site any change  
637 in the proposed candidates, listing such changes.

638 Sec. 22. Section 9-471 of the general statutes is repealed and the  
639 following is substituted in lieu thereof (*Effective from passage*):

640 Forthwith upon determination of the order of candidates on the  
641 ballot, the secretary shall send a notice of primary for each party to  
642 each town clerk. Such notice shall include the names of the candidates  
643 in the order so determined and their addresses. Such notice shall  
644 conform, as nearly as may be, to the provisions of section 9-433, as  
645 amended by this act, concerning notice of primary for nomination to a  
646 state office. The town clerk shall, forthwith upon receipt of such notice,  
647 cause it to be published in the manner provided in said section.  
648 Notwithstanding the provisions of this section or any charter or home  
649 rule ordinance, such notice may be posted on the web site of the town  
650 in lieu of publication in a newspaper, provided all other requirements  
651 of this section with respect to such notice are met.

652 Sec. 23. Section 12-40 of the general statutes is repealed and the  
653 following is substituted in lieu thereof (*Effective from passage*):

654 The assessors in each town, except as otherwise specially provided  
655 by law, shall, on or before the fifteenth day of October annually, post  
656 on the signposts therein, if any, or at some other exterior place near the  
657 office of the town clerk, or publish in a newspaper published in such  
658 town or, if no newspaper is published in such town, then in any  
659 newspaper published in the state having a general circulation in such  
660 town, a notice requiring all persons therein liable to pay taxes to bring  
661 in a declaration of the taxable personal property belonging to them on  
662 the first day of October in that year in accordance with section 12-42  
663 and the taxable personal property for which a declaration is required  
664 in accordance with section 12-43. Notwithstanding the provisions of  
665 this section or any charter or home rule ordinance, such notice may be  
666 posted on the web site of the town in lieu of publication in a  
667 newspaper, provided all other requirements of this section with  
668 respect to such notice are met.

669 Sec. 24. Section 12-145 of the general statutes is repealed and the  
670 following is substituted in lieu thereof (*Effective from passage*):

671 The tax collector of each municipality shall, at least five days next  
672 preceding the time when each tax becomes due and payable, give  
673 notice of the time and place at which the tax collector will receive such  
674 tax by advertising in a newspaper published in such municipality or, if  
675 no newspaper is published in such municipality, by advertising in any  
676 newspaper of the state having a general circulation in such  
677 municipality and by posting such notice on a signpost therein, if any,  
678 otherwise on a signpost in the town within which such municipality is  
679 situated, if any, or at some other exterior place near the office of the  
680 town clerk. The tax collector shall repeat such advertising within one  
681 week after such tax has become due and payable and, again, at least  
682 five days before such tax becomes delinquent. Each such notice shall  
683 give each date on which such tax shall become due and payable and  
684 each date on which such tax shall become delinquent, and shall state

685 that, as soon as such tax becomes delinquent, it shall be subject to  
686 interest at the rate of one and one-half per cent of such tax for each  
687 month or fraction thereof which elapses from the time when such tax  
688 becomes due and payable until the same is paid. Notwithstanding the  
689 provisions of this section or any charter or home rule ordinance, such  
690 notice may be posted on the web site of the municipality in lieu of  
691 publication in a newspaper, provided all other requirements of this  
692 section with respect to such notice are met. The tax collector of a  
693 municipality may waive the interest on delinquent property taxes if  
694 the tax collector and the assessor, jointly, determine that the  
695 delinquency is attributable to an error by the tax assessor or tax  
696 collector and is not the result of any action or failure on the part of the  
697 taxpayer. The tax collector shall notify the taxing authority of the  
698 municipality of all waivers granted pursuant to this section.

699 Sec. 25. Section 12-186 of the general statutes is repealed and the  
700 following is substituted in lieu thereof (*Effective from passage*):

701 When the list has been thus marked, the clerk shall immediately  
702 give notice in writing to the tax collector of such fact and the tax  
703 collector shall, within one week of receipt of such notice, give notice of  
704 the pendency of the petition for foreclosure by causing a copy of the  
705 petition, with the parcels so marked "Withdrawn" deleted therefrom,  
706 to be published at least once in a newspaper having a general  
707 circulation in the municipality where the properties listed are located.  
708 Such notice shall be preceded by the following statement: "Notice of  
709 petition of foreclosure of tax liens by the collector of .... Under the  
710 provisions of section 12-182 an action has been brought and is pending  
711 in the superior court for the judicial district of .... to foreclose tax liens  
712 upon the properties described below. No personal judgment will be  
713 rendered in such proceeding for the payment of such taxes against the  
714 owner or any person having an interest in any of such properties. All  
715 persons having or claiming an interest in any of them are hereby  
716 notified of the pendency of the action. With the exception of any  
717 properties withdrawn from said proceeding in accordance with the  
718 provisions of sections 12-185 and 12-187, the right, title or interest of

719 any person in any of said properties will be foreclosed unless the  
720 amounts due upon the tax lien or liens against the same, with any  
721 interest, fees and other charges thereon which have accrued since the  
722 bringing of the action, shall be paid before the expiration of the period  
723 designated therein for the redemption of such property."  
724 Notwithstanding the provisions of this section or any charter or home  
725 rule ordinance, such notice may be posted on the web site of the  
726 municipality in lieu of publication in a newspaper, provided all other  
727 requirements of this section with respect to such notice are met. The  
728 tax collector shall, on or before the date of publication or posting of the  
729 notice, cause a copy of such notice to be filed in the office of the town  
730 clerk of the town in which the property is situated and such filing shall  
731 have the same force and effect as the filing of a notice of lis pendens in  
732 accordance with the provisions of section 52-325 and such notice shall  
733 be kept by the town clerk as part of the land records and be indexed in  
734 the same manner as a lis pendens as to the property being foreclosed  
735 and the names of the owners thereof or of any interest therein or  
736 encumbrances thereon as recited in such petition. The tax collector  
737 shall also, within such time, post a copy of such notice in some  
738 conspicuous place in the office of the town clerk and in his own office  
739 and shall cause a notice of the pendency of such action to be sent by  
740 registered or certified mail, postage prepaid, to the owner or owners of  
741 each of such properties and of any encumbrance thereon or interest  
742 therein, as they appear in such petition, directed to the best address of  
743 each that he is able to obtain from known and readily available  
744 sources, including city directories.

745 Sec. 26. Section 14-67t of the general statutes is repealed and the  
746 following is substituted in lieu thereof (*Effective from passage*):

747 Any ordinance, order, rule or regulation creating a restricted district  
748 or districts within which any motor vehicle recycler's yard or business  
749 shall not be located or established under the provisions of this subpart  
750 (H) shall, forthwith, be filed with the clerk of the municipality and said  
751 clerk shall, within ten days thereafter, cause such ordinance to be  
752 published once in a newspaper having a circulation in such

753 municipality. Notwithstanding the provisions of this section or any  
754 charter or home rule ordinance, any ordinance, order, rule or  
755 regulation creating such a restricted district or districts may be posted  
756 on the web site of the municipality in lieu of publication in a  
757 newspaper, provided all other requirements of this section with  
758 respect to such notice are met.

759 Sec. 27. Subsection (b) of section 19a-320 of the general statutes is  
760 repealed and the following is substituted in lieu thereof (*Effective from*  
761 *passage*):

762 (b) Application for such approval shall be made in writing to the  
763 local authority specified in subsection (a) of this section and a hearing  
764 shall be held within the town, city or borough in which such location is  
765 situated within sixty-five days from the date of receipt of such  
766 application. Notice of such hearing shall be given to such applicant by  
767 mail, postage paid, to the address given on the application, and to the  
768 Commissioner of Public Health, and by publication twice in a  
769 newspaper having a substantial circulation in the town, city or  
770 borough at intervals of not less than two days, the first being not more  
771 than fifteen days nor less than ten days, and the second being not less  
772 than two days before such hearing. Notwithstanding the provisions of  
773 this subsection or any charter or home rule ordinance, notice of such  
774 hearing may be posted on the web site of the town in lieu of  
775 publication in a newspaper, provided all other requirements of this  
776 section with respect to such notice are met. The local authority shall  
777 approve or deny such application within sixty-five days after such  
778 hearing, provided an extension of time not to exceed a further period  
779 of sixty-five days may be had with the consent of the applicant. The  
780 grounds for its action shall be stated in the records of the authority.  
781 Each applicant shall pay a fee of ten dollars, together with the costs of  
782 the publication of such notice in a newspaper, if any, and the  
783 reasonable expense of such hearing, to the treasurer of such town, city  
784 or borough.

785 Sec. 28. Subsection (f) of section 22a-109 of the general statutes is

786 repealed and the following is substituted in lieu thereof (*Effective from*  
787 *passage*):

788 (f) The zoning commission shall set forth the reasons for any  
789 decision to deny, modify or condition a coastal site plan submitted  
790 under this section. A copy of any decision shall be sent by certified  
791 mail to the person who submitted such plan within fifteen days after  
792 such decision is rendered. A copy of any decision on a coastal site plan  
793 for a shoreline flood and erosion control structure shall be sent to the  
794 Commissioner of Environmental Protection within fifteen days after  
795 such decision is rendered. The commission shall publish notice of the  
796 approval or denial of a coastal site plan, in a newspaper having a  
797 general circulation in the municipality, not more than fifteen days after  
798 such decision is rendered. Notwithstanding the provisions of this  
799 subsection or any charter or home rule ordinance, notice of such  
800 approval or disapproval may be posted on the web site of the  
801 municipality in lieu of publication in a newspaper, provided all other  
802 requirements of this section with respect to such notice are met.

803 Sec. 29. Section 22a-354p of the general statutes is repealed and the  
804 following is substituted in lieu thereof (*Effective from passage*):

805 (a) The aquifer protection agency authorized by section 22a-354o  
806 shall, by regulation, provide for (1) the manner in which the  
807 boundaries of aquifer protection areas shall be established and  
808 amended or changed, (2) the form for an application to conduct  
809 regulated activities within the area, (3) notice and publication  
810 requirements, (4) criteria and procedures for the review of  
811 applications, and (5) administration and enforcement.

812 (b) No regulations of an aquifer protection agency shall become  
813 effective or be established until after a public hearing in relation  
814 thereto is held by the agency at which parties in interest and citizens  
815 shall have an opportunity to be heard. Notice of the time and place of  
816 such hearing shall be published in the form of a legal advertisement,  
817 appearing at least twice in a newspaper having a substantial  
818 circulation in the municipality at intervals of not less than two days,

819 the first not more than twenty-five days or less than fifteen days, and  
820 the last not less than two days, before such hearing, and a copy of such  
821 proposed regulation shall be filed in the office of the town, city or  
822 borough clerk, as the case may be, in such municipality, for public  
823 inspection at least ten days before such hearing, and may be published  
824 in full in such paper. Notwithstanding the provisions of this subsection  
825 or any charter or home rule ordinance, notice of the hearing may be  
826 posted on the web site of the municipality in lieu of publication in a  
827 newspaper, provided all other requirements of this subsection with  
828 respect to such notice are met. A copy of the notice and the proposed  
829 regulations or amendments thereto shall be provided to the  
830 Commissioner of Environmental Protection, the town clerk and any  
831 affected water company at least thirty-five days before such hearing.  
832 Such regulations may be from time to time amended, changed or  
833 repealed after a public hearing in relation thereto is held by the agency  
834 at which parties in interest and citizens shall have an opportunity to be  
835 heard and for which notice shall be published or posted in the manner  
836 specified in this subsection. Regulations or changes therein shall  
837 become effective at such time as is fixed by the agency, provided a  
838 copy of such regulation or change shall be filed in the office of the  
839 town, city or borough clerk, as the case may be. Whenever an agency  
840 makes a change in regulations, it shall state upon its records the reason  
841 why the change was made. All petitions submitted in writing and in a  
842 form prescribed by the agency requesting a change in the regulations  
843 shall be considered at a public hearing in the manner provided for  
844 establishment of such regulations within ninety days after receipt of  
845 such petition. The agency shall act upon the changes requested in the  
846 petition within sixty days after the hearing. The petitioner may consent  
847 to extension of the periods provided for a hearing and for adoption or  
848 denial or may withdraw such petition.

849 (c) Pursuant to municipal regulations adopted under subsection (b)  
850 of this section, no regulated activity shall be conducted within any  
851 aquifer protection area without a permit. Any person proposing to  
852 conduct or cause to be conducted a regulated activity within an aquifer  
853 protection area shall file an application with the aquifer protection

854 agency of each municipality wherein the aquifer in question is located.  
855 The application shall be in such form and contain such information as  
856 the agency may prescribe. The date of receipt of an application shall be  
857 determined in accordance with the provisions of subsection (c) of  
858 section 8-7d. The agency may hold a public hearing on such  
859 application. Such hearing shall be held in accordance with the  
860 provisions of section 8-7d, as amended by this act. In addition to the  
861 requirements of section 8-7d, as amended by this act, the agency shall  
862 send to any affected water company, at least ten days before the  
863 hearing, a copy of the notice by certified mail, return receipt requested.

864 (d) In granting, denying or limiting any permit for a regulated  
865 activity the aquifer protection agency shall state upon the record the  
866 reason for its decision. In granting a permit the agency may grant the  
867 application as filed or grant it upon such terms, conditions, limitations  
868 or modifications of the activity as are intended to carry out the policies  
869 of section 22a-354g. No person shall conduct any regulated activity  
870 within an aquifer protection area which requires zoning or subdivision  
871 approval without first having obtained a valid certificate of zoning or  
872 subdivision approval, special permit, special exception or variance, or  
873 other documentation establishing that the proposal complies with the  
874 zoning or subdivision requirements adopted by the municipality  
875 pursuant to chapters 124 to 126, inclusive, or any special act. The  
876 agency may suspend or revoke a permit if it finds, after giving notice  
877 to the permittee of the facts or conduct which warrants the intended  
878 action and after a hearing at which the permittee is given an  
879 opportunity to show compliance with the requirements for retention of  
880 the permit, that the applicant has not complied with the conditions or  
881 limitations set forth in the permit or has exceeded the scope of the  
882 work as set forth in the application. The agency shall send to any  
883 affected water company a copy of the notice at least ten days before the  
884 hearing by certified mail, return receipt requested. Any affected water  
885 company may, through a representative, appear and be heard at any  
886 such hearing. The applicant or permittee shall be notified of the  
887 agency's decision by certified mail, return receipt requested, within  
888 fifteen days of the date of the decision and the agency shall cause

889 notice of its order in issuance, denial, revocation or suspension of a  
890 permit to be published in a newspaper having a general circulation in  
891 the municipality in which the aquifer protection area is located.  
892 Notwithstanding the provisions of this subsection or any charter or  
893 home rule ordinance, notice of any such order in issuance, denial,  
894 revocation or suspension of a permit may be posted on the web site of  
895 the municipality in lieu of publication in a newspaper, provided all  
896 other requirements of this subsection with respect to any such order  
897 are met.

898 (e) The aquifer protection agency may require a filing fee to be  
899 deposited with the agency. The amount of such fee shall be sufficient  
900 to cover the reasonable cost of reviewing and acting on applications  
901 and petitions, including, but not limited to, the costs of certified  
902 mailings, publications of notices and decisions, and monitoring  
903 compliance with permit conditions, regulations adopted pursuant to  
904 sections 19a-37, 22-6c, 22a-354c, 22a-354e, 22a-354g to 22a-354bb,  
905 inclusive, 25-32d, 25-33h, 25-33n and subsection (a) of section 25-84, or  
906 agency orders.

907 (f) Any regulations adopted by an agency under this section shall  
908 not be effective unless the Commissioner of Environmental Protection  
909 determines that such regulations are reasonably related to the purpose  
910 of groundwater protection and not inconsistent with the regulations  
911 adopted pursuant to section 22a-354i. A regulation adopted by a  
912 municipality shall not be deemed inconsistent if such regulation  
913 establishes a greater level of protection. The commissioner shall  
914 provide written notification to the agency of approval or the reasons  
915 such regulations cannot be approved within sixty days of receipt by  
916 the commissioner of the regulations adopted by the agency.

917 (g) (1) Notwithstanding any other provision of the general statutes,  
918 the commissioner shall have sole authority to grant, deny, limit or  
919 modify, in accordance with regulations adopted by him, a permit for  
920 any regulated activity in an aquifer protection area proposed by (A)  
921 any person to whom the commissioner has issued an individual permit

922 for the subject site under the national pollutant discharge elimination  
923 system of the federal Clean Water Act (33 USC 1251 et seq.) or under  
924 the state pollutant discharge elimination system pursuant to section  
925 22a-430 or any person to whom the commissioner has issued a permit  
926 for the subject site under the provisions of the federal Resource  
927 Conservation and Recovery Act (42 USC 6901 et seq.) for a treatment,  
928 storage or disposal facility, (B) any public service company, as defined  
929 in section 16-1, providing gas, electric, pipeline, water or telephone  
930 service, (C) any large quantity generator, as defined in regulations  
931 adopted by the commissioner under section 22a-449, or (D) any state  
932 department, agency or instrumentality, except any local or regional  
933 board of education. Such authority may be exercised only after an  
934 advisory decision on such permit has been rendered to the  
935 commissioner by the aquifer protection agency of the municipality  
936 within which such aquifer protection area is located or thirty-five days  
937 after receipt by the commissioner of the application for such permit,  
938 whichever occurs first. The commissioner shall provide prompt notice  
939 of receipt of an application to the municipal aquifer protection agency.

940 (2) If the commissioner requires the submission of a registration or  
941 other document under regulations adopted pursuant to section 22a-  
942 354i, such submission shall be made to the commissioner by any  
943 person to whom the commissioner has issued an individual permit  
944 under the national pollutant discharge elimination system of the  
945 federal Clean Water Act, or an individual permit under the state  
946 pollutant discharge elimination system pursuant to section 22a-430, or  
947 by any person to whom the commissioner has issued a permit under  
948 the provisions of the federal Resource Conservation and Recovery Act  
949 for a treatment, storage or disposal facility, or any public service  
950 company, as defined in section 16-1, providing gas, electric, pipeline,  
951 water or telephone service, or a large quantity generator, as defined in  
952 regulations adopted by the commissioner under section 22a-449, or  
953 any state department, agency or instrumentality, except any local or  
954 regional board of education.

955 Sec. 30. Section 50-11 of the general statutes is repealed and the

956 following is substituted in lieu thereof (*Effective from passage*):

957       The police department shall, commencing within one week from the  
958 date of receipt of any lost article, advertise a general description of  
959 such article once a week for at least two successive weeks in a  
960 newspaper having a circulation in such municipality and shall retain  
961 custody of such article for six months from the date of receipt thereof,  
962 unless it is claimed by the rightful owner within such six months'  
963 period. Notwithstanding the provisions of this section or any charter  
964 or home rule ordinance, advertisement of receipt of any such article  
965 may be posted on the web site of the police department or on the web  
966 site of the municipality in lieu of publication in a newspaper, provided  
967 all other requirements of this section with respect to such notice are  
968 met. The requirement of advertising may be omitted when the value or  
969 estimated value of the article is less than [two] fifty dollars. Perishable  
970 or obnoxious property or articles of a dangerous or harmful nature  
971 may be sold or otherwise disposed of as soon as practicable on the best  
972 terms available.

973       Sec. 31. (NEW) (*Effective from passage*) (a) As used in this section,  
974 "agency of the state" means any executive, administrative or legislative  
975 office of the state and any state agency, department, institution,  
976 bureau, board, commission, authority or official of the state, including  
977 any committee of, or committee created by, any such office, agency,  
978 department, institution, bureau, board, commission, authority or  
979 official.

980       (b) Notwithstanding the provisions of any section of the general  
981 statutes, or regulation adopted thereunder, or any public or special act  
982 that requires an agency of the state to publish a notice or any other  
983 information in a newspaper, such agency may post such notice or  
984 information on the web site of such agency, in lieu of publication in a  
985 newspaper, provided all other requirements of law with respect to  
986 such notice or information are met.

987       (c) Each agency of the state shall, to the extent practicable and  
988 within available appropriations, provide for the acceptance of

989 electronic records from any town, city, borough, municipal  
990 corporation, school district, regional district or other district or other  
991 political subdivision of this state, and records bearing the electronic  
992 signature of officials of such political subdivisions and any  
993 departments, institutions, bureaus, boards, commissions or authorities  
994 thereof. The provisions of this subsection shall be applicable with  
995 respect to any statement, list, report or any other information required  
996 by any section of the general statutes, or any regulations adopted  
997 thereunder, including, but not limited to, sections 9-301, 9-314, 9-322a,  
998 9-371, 9-440, 14-150, 14-227i, 15-140q, 15-149b, 17a-101, 17a-101c, 19a-  
999 200, 19a-204, 22a-109, as amended by this act, 26-67c, 29-254, 29-296,  
1000 29-303 and 29-305 of the general statutes or under any public or special  
1001 act.

1002 Sec. 32. Subsection (g) of section 10-233c of the general statutes is  
1003 repealed and the following is substituted in lieu thereof (*Effective from*  
1004 *passage*):

1005 (g) On and after July 1, [2009] 2012, suspensions pursuant to this  
1006 section shall be in-school suspensions, unless during the hearing held  
1007 pursuant to subsection (a) of this section, the administration  
1008 determines that the pupil being suspended poses such a danger to  
1009 persons or property or such a disruption of the educational process  
1010 that the pupil shall be excluded from school during the period of  
1011 suspension. An in-school suspension may be served in the school that  
1012 the pupil attends, or in any school building under the jurisdiction of  
1013 the local or regional board of education, as determined by such board.

1014 Sec. 33. Subsection (f) of section 12-71 of the general statutes is  
1015 repealed and the following is substituted in lieu thereof (*Effective from*  
1016 *passage*):

1017 (f) (1) Property subject to taxation under this chapter shall include  
1018 each registered and unregistered motor vehicle and snowmobile that,  
1019 in the normal course of operation, most frequently leaves from and  
1020 returns to or remains in a town in this state, and any other motor  
1021 vehicle or snowmobile located in a town in this state, which motor

1022 vehicle or snowmobile is not used or is not capable of being used.

1023 (2) Any motor vehicle or snowmobile registered in this state subject  
1024 to taxation in accordance with the provisions of this subsection shall be  
1025 set in the list of the town where such vehicle in the normal course of  
1026 operation most frequently leaves from and returns to or in which it  
1027 remains. It shall be presumed that any such motor vehicle or  
1028 snowmobile most frequently leaves from and returns to or remains in  
1029 the town in which the owner of such vehicle resides, unless a provision  
1030 of this subsection otherwise expressly provides. As used in this  
1031 subsection, "the town in which the owner of such vehicle resides"  
1032 means the town in this state where (A) the owner, if an individual, has  
1033 established a legal residence consisting of a true, fixed and permanent  
1034 home to which such individual intends to return after any absence, or  
1035 (B) the owner, if a company, corporation, limited liability company,  
1036 partnership, firm or any other type of public or private organization,  
1037 association or society, has an established site for conducting the  
1038 purposes for which it was created. In the event such an entity resides  
1039 in more than one town in this state, it shall be subject to taxation by  
1040 each such town with respect to any registered or unregistered motor  
1041 vehicle or snowmobile that most frequently leaves from and returns to  
1042 or remains in such town.

1043 (3) Any motor vehicle owned by a nonresident of this state shall be  
1044 set in the list of the town where such vehicle in the normal course of  
1045 operation most frequently leaves from and returns to or in which it  
1046 remains. If such vehicle in the normal course of operation most  
1047 frequently leaves from and returns to or remains in more than one  
1048 town, it shall be set in the list of the town in which such vehicle is  
1049 located for the three or more months preceding the assessment day in  
1050 any year, except that, if such vehicle is located in more than one town  
1051 for three or more months preceding the assessment day in any year, it  
1052 shall be set in the list of the town where it is located for the three  
1053 months or more in such year nearest to such assessment day. In the  
1054 event a motor vehicle owned by a nonresident is not located in any  
1055 town for three or more of the months preceding the assessment day in

1056 any year, such vehicle shall be set in the list of the town where such  
1057 vehicle is located on such assessment day.

1058 (4) Notwithstanding any provision of subdivision (2) of this  
1059 subsection: (A) Any registered motor vehicle that is assigned to an  
1060 employee of the owner of such vehicle for the exclusive use of such  
1061 employee and which, in the normal course of operation most  
1062 frequently leaves from and returns to or remains in such employee's  
1063 town of residence, shall be set in the list of the town where such  
1064 employee resides; (B) any registered motor vehicle that is being  
1065 operated, pursuant to a lease, by a person other than the owner of such  
1066 vehicle, or such owner's employee, shall be set in the list of the town  
1067 where the person who is operating such vehicle pursuant to said lease  
1068 resides; (C) any registered motor vehicle designed or used for  
1069 recreational purposes, including, but not limited to, a camp trailer,  
1070 camper or motor home, shall be set in the list of the town such vehicle,  
1071 in the normal course of its operation for camping, travel or recreational  
1072 purposes in this state, most frequently leaves from and returns to or  
1073 the town in which it remains. If such a vehicle is not used in this state  
1074 in its normal course of operation for camping, travel or recreational  
1075 purposes, such vehicle shall be set in the list of the town in this state in  
1076 which the owner of such vehicle resides; and (D) any registered motor  
1077 vehicle that is used or intended for use for the purposes of  
1078 construction, building, grading, paving or similar projects, or to  
1079 facilitate any such project, shall be set in the list of the town in which  
1080 such project is situated if such vehicle is located in said town for the  
1081 three or more months preceding the assessment day in any year,  
1082 provided (i) if such vehicle is located in more than one town in this  
1083 state for three or more months preceding the assessment day in any  
1084 year, such vehicle shall be set in the list of the town where it is located  
1085 for the three months or more in [such] the assessment year nearest to  
1086 such assessment day, and (ii) if such vehicle is not located in any town  
1087 for three or more of the months preceding the assessment day in any  
1088 year, such vehicle shall be set in the list of the town in this state where  
1089 such vehicle [is located on such assessment day] most frequently  
1090 leaves from and returns to, or remains, during the course of such

1091 assessment year.

1092 (5) The owner of a motor vehicle subject to taxation in accordance  
1093 with the provisions of subdivision (4) of this subsection in a town other  
1094 than the town in which such owner resides may register such vehicle  
1095 in the town in which such vehicle is subject to taxation.

1096 (6) Information concerning any vehicle subject to taxation in a town  
1097 other than the town in which it is registered may be included on any  
1098 declaration or report filed pursuant to section 12-41, 12-43 or 12-57a. If  
1099 a motor vehicle or snowmobile is registered in a town in which it is not  
1100 subject to taxation, pursuant to the provisions of subdivision (4) of this  
1101 section, the assessor of the town in which such vehicle is subject to  
1102 taxation shall notify the assessor of the town in which such vehicle is  
1103 registered of the name and address of the owner of such motor vehicle  
1104 or snowmobile, the vehicle identification number and the town in  
1105 which such vehicle is subject to taxation. The assessor of the town in  
1106 which said vehicle is registered and the assessor of the town in which  
1107 said vehicle is subject to taxation shall cooperate in administering the  
1108 provisions of this section concerning the listing of such vehicle for  
1109 property tax purposes.

1110 Sec. 34. Section 1-2 of the general statutes is repealed and the  
1111 following is substituted in lieu thereof (*Effective from passage*):

1112 Each provision of the general statutes, the special acts or the charter  
1113 of any town, city or borough which requires the insertion of an  
1114 advertisement of a legal notice in a daily newspaper shall be construed  
1115 to permit such advertisement to be inserted in a weekly newspaper [;  
1116 but] or posted on the web site of the town, city or borough. The  
1117 provisions of this section shall not be construed to reduce or otherwise  
1118 affect the time required by law for giving such notice. Whenever notice  
1119 of any action or other proceeding is required to be given by  
1120 publication in a newspaper, either by statute or order of court, the  
1121 newspaper selected for that purpose, unless otherwise expressly  
1122 prescribed, shall be one having a substantial circulation in the town in  
1123 which at least one of the parties, for whose benefit such notice is given,

1124 resides.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage and applicable to fiscal years commencing on and after January 1, 2010</i>	New section
Sec. 2	<i>from passage and applicable to meetings of public agencies that occur on or after October 1, 2008</i>	1-225(a)
Sec. 3	<i>from passage</i>	7-406
Sec. 4	<i>from passage</i>	7-478a
Sec. 5	<i>from passage</i>	New section
Sec. 6	<i>October 1, 2009</i>	47a-42
Sec. 7	<i>from passage</i>	7-3
Sec. 8	<i>from passage</i>	8-3
Sec. 9	<i>from passage</i>	8-7d(a)
Sec. 10	<i>from passage</i>	8-26(d)
Sec. 11	<i>from passage</i>	8-28
Sec. 12	<i>from passage</i>	9-16
Sec. 13	<i>from passage</i>	9-37
Sec. 14	<i>from passage</i>	9-53
Sec. 15	<i>from passage</i>	9-164
Sec. 16	<i>from passage</i>	9-225
Sec. 17	<i>from passage</i>	9-226
Sec. 18	<i>from passage</i>	9-332
Sec. 19	<i>from passage</i>	9-395
Sec. 20	<i>from passage</i>	9-433
Sec. 21	<i>from passage</i>	9-435
Sec. 22	<i>from passage</i>	9-471
Sec. 23	<i>from passage</i>	12-40
Sec. 24	<i>from passage</i>	12-145
Sec. 25	<i>from passage</i>	12-186
Sec. 26	<i>from passage</i>	14-67t
Sec. 27	<i>from passage</i>	19a-320(b)
Sec. 28	<i>from passage</i>	22a-109(f)
Sec. 29	<i>from passage</i>	22a-354p
Sec. 30	<i>from passage</i>	50-11

Sec. 31	<i>from passage</i>	New section
Sec. 32	<i>from passage</i>	10-233c(g)
Sec. 33	<i>from passage</i>	12-71(f)
Sec. 34	<i>from passage</i>	1-2

**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:

Agency Affected	Fund-Effect	FY 10 \$	FY 11 \$
All	GF - See Below	See Below	See Below
Legislative Mgmt.	GF - Cost	120,000	120,000
Comptroller Misc. Accounts (Fringe Benefits) <sup>1</sup>	GF - Cost	30,516	30,516

Note: GF=General Fund

### Municipal Impact:

Municipalities	Effect	FY 10 \$	FY 11 \$
All Municipalities	Potential Savings	Potential Minimal	Potential Minimal

### Explanation

**Section 1** requires, starting January 1, 2010, a two-thirds vote by the House and the Senate for the General Assembly to enact any “costly state mandates”, as defined in the bill. Requiring a two-thirds vote to pass a bill with “costly state mandates” may result in fewer such mandates being enacted, which would reduce potential future state mandate costs to municipalities.

Based on existing state mandate statutes, it is assumed that the Office of Fiscal Analysis (OFA) will have to determine what is considered a “costly state mandate.” OFA will require two additional

<sup>1</sup> The fringe benefit costs for state employees are budgeted centrally in the Miscellaneous Accounts administered by the Comptroller on an actual cost basis. The following is provided for estimated costs associated with additional personnel. The estimated non-pension fringe benefit rate as a percentage of payroll is 25.43%. Fringe benefit costs for new positions do not initially include pension costs as the state's pension contribution is based upon the 6/30/08 actuarial valuation for the State Employees Retirement System (SERS) which certifies the contribution for FY 10 and FY 11. Therefore, new positions will not impact the state's pension contribution until FY 12 after the next scheduled certification on 6/30/2010.

positions, at an annualized cost of \$120,000, plus fringe benefits to perform a municipality-by-municipality “costly state mandate” analysis.

**Section 2** delays any cost associated with the creation of a website for a local or regional school district, or municipality, as they are required to post minutes by January 1, 2010.

**Section 3** eliminates the requirement that municipalities publish their town annual town reports and deems the report available for distribution if it is posted on the municipal website. This may result in a municipal cost savings from reduced printing costs.

**Sections 4 and 5** permit two or more local or regional school districts to jointly perform any function that each district must perform separately. This could result in a potential savings to local and regional school districts, as they may be able to take advantage of economies of scale. Additionally, **Sections 4 & 5** make two or more municipal employers that are planning to undertake the joint performance of a municipal function a single municipal employer for collective bargaining law. The fiscal impact to municipalities is indeterminate as any costs or savings would depend on the outcome of collective bargaining negotiations.

**Section 6** could result in municipal savings to the extent that municipalities can, through entering joint contracts, achieve economies of scale and lower their cost of storing certain possessions and personal effects removed pursuant to the eviction of tenants.

**Sections 7 – 29 and 34** permit municipalities to post various types of notices on a website rather than publishing them which results in a potential municipal cost savings.

**Section 30** allows municipal police departments to use a department- or town-owned website to advertise lost articles estimated to be worth \$50 or more. To the extent that departments utilize this option, there is a potential minimal savings to such

municipality.

**Section 31** permits state agencies to post various types of notices on agency websites rather than publishing them in a newspaper which results in a potential state costs savings. Additionally, the bill requires state agencies to accept electronic local records and those bearing electronic signatures of officials to the extent practicable and within available appropriations. It is anticipated that agencies will accept such local records to the extent it does not result in a state cost.

**Section 32** delays from July 1, 2009 to July, 1, 2012, the starting date and corresponding fiscal impact for the law requiring that educational suspensions take place in schools.

**Section 33** could result in an increase or reduction to a municipality's grand list base to the extent that the bill changes where certain vehicles are taxed. For example, currently a construction vehicle is taxed by town X because it is located there on assessment day (because it is not located in any one municipality for three or more months preceding assessment day). The bill would require the vehicle to be taxed by town Y because that is where the vehicle most frequently leaves from and returns to, or remains, during the course of such assessment year.

### ***The Out Years***

The cost avoidance identified in Section 32 is maintained until July 1, 2012. Thereafter, the bill reduces the possibility of out-of-school suspensions which may result in school districts having to provide alternative in-school programs not currently utilized. This may result in an increased need for staff. The potential cost would likely be minimal although larger school districts with numerous suspensions could see costs which could be considered significant. The potential cost is dependent on the chosen path of implementing in-school suspensions rather than out-of-school suspensions.

**OLR Bill Analysis****sHB 6388*****AN ACT PROVIDING MANDATE RELIEF TO MUNICIPALITIES.*****SUMMARY:**

This bill requires, starting January 1, 2010, a two-thirds vote by the House and the Senate for the General Assembly to enact any “costly state mandates.” Under the bill, these are any constitutional, statutory or executive actions, other than orders issued by a state court or legislation needed to comply with a federal mandate, that require a municipality to establish, expand, or modify its activities to reasonably necessitate additional expenditures from local revenue equal to the lesser of \$100,000 or 0.5% of the total amount of a municipality’s general operating budget for the fiscal year prior to the fiscal year in which the additional expenditures are required. It appears that the bill contemplates a municipality-by-municipality analysis of a proposed mandate’s cost. For this provision, a municipality is a town, consolidated town and city, or consolidated town and borough.

The bill delays, from July 1, 2009 to July 1, 2012, a requirement that school suspensions be served in school unless the school administration determines that the pupil poses such a danger to persons or property or such a disruption of the educational process that he or she must be excluded from school during the suspension.

The bill makes two or more municipal employers, e.g., towns, that are planning to undertake the joint performance of a municipal function a single municipal employer for collective bargaining law. (By law, municipalities can jointly perform any function that they can perform individually.) The bill explicitly allows two or more school districts to jointly perform any function that an individual district can perform and specifies how this affects collective bargaining.

The bill delays, starting January 1, 2010, when the minutes of municipal meetings must be available on the website from seven to 30 days after the meeting covered by the minutes. It requires that the minutes be available on the website for at least one year from the meeting date. It also requires that political subdivisions make and retain a record of their meeting proceedings and record the proceedings in minutes.

The bill allows a state agency to post any notice or information on its website, in lieu of publication in a newspaper, so long as all other legal requirements with respect to the notice or information are met. It requires state agencies, to the extent practicable and within available appropriations, to provide for the acceptance of electronic records from municipalities.

The bill allows municipalities to post various notices on the web as an alternative to publishing them. It does so notwithstanding provisions in their charters or home rule ordinances. The bill does not affect other procedural requirements regarding these documents.

By law, when an evicted person does not immediately remove his possessions, the municipality's chief executive officer must remove and store them. The bill explicitly allows one municipality to contract with one or more other municipalities to operate a facility to store these items.

The bill changes how certain construction vehicles are subject to the property tax. Under current law, if a construction vehicle is not located in any one municipality for three or more of the months preceding the assessment day, it is subject to tax in the municipality where it is located on assessment day. The bill instead requires that such vehicles be taxed in the municipality where the vehicle most frequently leaves from and returns to, or remains, during the course of the assessment year.

EFFECTIVE DATE: October 1, 2009 for the provision regarding the possessions of evicted people. Upon passage for the remaining

provisions, with (1) the state mandate provision applicable to fiscal years starting on and after January 1, 2010 and (2) the provision about posting municipal meeting minutes on the web retroactive to meetings that occurred on or after October 1, 2008.

## **WEBSITES AND ELECTRONIC RECORDS**

### ***State Agencies***

The bill allows a state agency to post any notice or information on its website, in lieu of publication in a newspaper, so long as all other requirements For this purpose, “state agencies” means any executive, administrative or legislative state office and any state agency, department, institution, bureau, board, commission, authority or official of the state, including any committee of, or committee created by these entities or officials. The provision applies notwithstanding provisions of the statutes, regulations, or public or special act.

The bill requires, state agencies, to the extent practicable and within available appropriations, to provide for the acceptance of electronic records from municipalities and other political subdivisions of the state. The bill applies to (1) records from any town, city, borough, municipal corporation, school district, regional district, or other district or other political subdivision of the state, and (2) records bearing the electronic signature of officials of these political subdivisions and their departments, institutions, bureaus, boards, commissions, or authorities. These provisions apply with respect to any statement, list, report or any other information required by any section of the statutes or any regulations, and specifically apply to a number of elections, motor vehicle, and public health statutes, among others.

### ***Municipalities***

Table 1 describes the circumstances under which the bill permits a municipality to post notices as electronic records in lieu of publishing them, most often in local newspapers. In addition, the bill eliminates a requirement that boards of finance and similar authorities publish an annual town report. It allows the report to be an electronic record, e.g., an e-mail, and specifies this record is available for distribution if

posted on the town's website.

**Table 1: Website as an Alternative to Publication**

<i>Bill Section</i>	<i>Documents</i>
7	Warnings of town meeting, notices of meetings of other municipalities, school districts, public communities, and ecclesiastical societies
8	Notices of zoning commissions regarding regulations, maps, certificate of conformity with zoning regulations, and site plan approvals
9	Notice of inland wetland agency, zoning, and aquifer protection agency hearings
10	Notice of planning commission decisions on subdivision applications
11	Notice of other planning commission decisions and actions
12, 13, 14	Notice of time and place for voter registration
15, 16, 17, 18	Warning of municipal primary, election, special, and adjourned election
19	Notice of certification of candidates for election
20	Notice of primary for state or district office
21	Notice of primary for municipal office or town committee
22	Notice of primary
23	Notice by assessors of requirement to list taxable personal property

24	Notice by tax collector of time and place where he or she will collect taxes
25	Notice of tax foreclosures
26	Notice of adoption of ordinance regulating location of motor vehicle recyclers (junk yards)
27	Notice of application to the Department of Public Health and municipal officials for approval of a crematorium
28	Notice of approval or disapproval by zoning commission of coastal site plan
29	Notice of aquifer protection agency hearings, notice of order by the agency issuing, denying, revoking, or suspending a permit
29	Advertising by police departments of receipt of lost articles

### **JOINT PERFORMANCE BY SCHOOL DISTRICTS**

The bill permits two or more local or regional school districts to jointly perform any function that each district may perform separately under any provisions of the statutes or any special act, charter, or home rule ordinance. The terms of each agreement must establish a process for withdrawal from the agreement and must require that the agreement be reviewed at least once every five years by the body that approved it to assess its effectiveness in enhancing the performance of the function that is the subject of the agreement.

Under the bill, if two or more districts jointly undertake any function that teachers or administrators in each district perform, the districts become a single employer for purposes of collective bargaining law with respect to the joint function. Each union must maintain its representation rights for collective bargaining. If two or more unions have representation rights, they must act in coalition for

all collective bargaining purposes.

The collective bargaining agreement of each union must remain in effect. A decision by a district to undertake the joint performance of a function is not a subject of collective bargaining.

**COMMITTEE ACTION**

Planning and Development Committee

Joint Favorable Substitute

Yea 17 Nay 1 (03/13/2009)