



General Assembly

February Session, 2010

Governor's Bill No. 5031

LCO No. 468

*00468 _____ *

Referred to Committee on Planning and Development

Introduced by:

REP. CAFERO, 142nd Dist.

SEN. MCKINNEY, 28th Dist.

AN ACT REDUCING COSTS TO MUNICIPALITIES.

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

1 Section 1. (NEW) (*Effective January 1, 2011*) (a) As used in this
2 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 court order or mandate,
6 that requires a municipality to establish, expand or modify its activities
7 to reasonably necessitate additional expenditures from local revenues
8 equal to the lesser of one hundred thousand dollars or one-half of one
9 per cent of the total amount of the general operating budget of the
10 municipality for the fiscal year prior to the fiscal year in which such
11 additional 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, 2011, the General Assembly shall not
15 enact any costly state mandate except upon the affirmative vote of
16 two-thirds of the members of both houses to do so.

17 Sec. 2. Section 7-406 of the general statutes is repealed and the
18 following is substituted in lieu thereof (*Effective from passage*):

19 The board of finance or other corresponding board in each town, or,
20 if there is no such board, the selectmen, shall annually prepare [and
21 have published] a town report. Such report shall be available for
22 distribution and shall contain, in addition to reports of town officers or
23 boards required by law to be included, a statement of the amount
24 received by such town under the provisions of part IIa of chapter 240
25 together with an itemized account of the disposition of such amount,
26 and such other matter as the board of finance or other corresponding
27 board deems advisable. Towns with a population of five thousand or
28 less [, as computed by the Secretary of the Office of Policy and
29 Management,] shall publish their receipts and expenditures and the
30 names of all persons, firms or corporations, other than recipients of
31 support under sections 17b-122, 17b-124 to 17b-132, inclusive, 17b-136
32 to 17b-138, inclusive, 17b-194 to 17b-197, inclusive, 17b-222 to 17b-250,
33 inclusive, 17b-256, 17b-263, 17b-340 to 17b-350, inclusive, 17b-689b and
34 17b-743 to 17b-747, inclusive, receiving money from such towns,
35 together with the total amount of payments in excess of fifty dollars to
36 each, unless such town has a bookkeeping system [approved by the
37 secretary] setting forth all the receipts and expenditures in detail, in
38 which case it shall not be necessary for the town to publish in its report
39 the names of all persons, firms or corporations receiving money from
40 such towns, together with the total amount of payments in excess of
41 fifty dollars to each. A town report may be an electronic record, as
42 defined in section 1-267, notwithstanding any provision of the charter
43 or home rule ordinance of the town. Any such electronic record shall
44 be deemed available for distribution if posted on the web site of the
45 town.

46 Sec. 3. Section 47a-42 of the general statutes is repealed and the
47 following is substituted in lieu thereof (*Effective July 1, 2010*):

48 (a) Whenever a judgment is entered against a defendant pursuant to
49 section 47a-26, 47a-26a, 47a-26b or 47a-26d for the recovery of
50 possession or occupancy of residential property, such defendant and
51 any other occupant bound by the judgment by subsection (a) of section
52 47a-26h shall forthwith remove himself or herself, such defendant's or
53 occupant's possessions and all personal effects unless execution has
54 been stayed pursuant to sections 47a-35 to 47a-41, inclusive. If
55 execution has been stayed, such defendant or occupant shall forthwith
56 remove himself or herself, such defendant's or occupant's possessions
57 and all personal effects upon the expiration of any stay of execution. If
58 the defendant or occupant has not so removed himself or herself upon
59 entry of a judgment pursuant to section 47a-26, 47a-26a, 47a-26b or
60 47a-26d, and upon expiration of any stay of execution, the plaintiff
61 may obtain an execution upon such summary process judgment, and
62 the defendant or other occupant bound by the judgment by subsection
63 (a) of section 47a-26h and the possessions and personal effects of such
64 defendant or other occupant may be removed by a state marshal,
65 pursuant to such execution. [and such possessions and personal
66 effects may be set out on the adjacent sidewalk, street or highway.]

67 (b) Before any such removal, the state marshal charged with
68 executing upon any such judgment of eviction shall [give the chief
69 executive officer of the town twenty-four hours notice of the eviction,
70 stating the date, time and location of such eviction as well as a general
71 description, if known, of the types and amount of property to be
72 removed from the premises. Before giving such notice to the chief
73 executive officer of the town, the state marshal shall] use reasonable
74 efforts to locate and notify the defendant of the date and time such
75 eviction is to take place and of the possibility of a sale pursuant to
76 subsection (c) of this section. Such notice shall include service upon
77 each defendant and upon any other person in occupancy, either
78 personally or at the premises, of a true copy of the summary process

79 execution. Such execution shall be on a form prescribed by the Judicial
80 Department, shall be in clear and simple language and in readable
81 format, and shall contain, in addition to other notices given to the
82 defendant in the execution, a conspicuous notice, in large boldface
83 type, that a person who claims to have a right to continue to occupy
84 the premises should immediately contact an attorney.

85 (c) Whenever [the possessions and personal effects of a defendant
86 are set out on the sidewalk, street or highway, and are not immediately
87 removed by the defendant, the chief executive officer of the town shall
88 remove and] a state marshal removes the possessions and personal
89 effects of the defendant, the state marshal shall store the same. Such
90 removal and storage shall be at the expense of the defendant. If such
91 possessions and personal effects are not called for by the defendant
92 and the expense of such removal and storage is not paid to the [chief
93 executive officer within] state marshal not later than fifteen days after
94 such eviction, the [chief executive officer] state marshal shall sell the
95 same at public auction, after using reasonable efforts to locate and
96 notify the defendant of such sale and after [posting notice of such sale
97 for one week on the public signpost nearest to the place where the
98 eviction was made, if any, or at some exterior place near the office of
99 the town clerk] publishing a notice of such sale in a newspaper having
100 a circulation in the state at least five days before the auction. The [chief
101 executive officer] state marshal shall deliver to the defendant the net
102 proceeds of such sale, if any, after deducting a reasonable charge for
103 removal and storage of such possessions and effects. If the defendant
104 does not demand the net proceeds [within] not more than thirty days
105 after such sale, the [chief executive officer] state marshal shall turn
106 over the net proceeds of the sale to the [town treasury] State Treasurer.

107 Sec. 4. Section 49-22 of the general statutes is repealed and the
108 following is substituted in lieu thereof (*Effective from passage*):

109 (a) In any action brought for the foreclosure of a mortgage or lien
110 upon land, or for any equitable relief in relation to land, the plaintiff

111 may, in his complaint, demand possession of the land, and the court
112 may, if it renders judgment in his favor and finds that he is entitled to
113 the possession of the land, issue execution of ejectment, commanding
114 the officer to eject the person or persons in possession of the land and
115 to put in possession thereof the plaintiff or the party to the foreclosure
116 entitled to the possession by the provisions of the decree of said court,
117 provided no execution shall issue against any person in possession
118 who is not a party to the action except a transferee or lienor who is
119 bound by the judgment by virtue of a lis pendens. The officer shall
120 eject the person or persons in possession, [and may remove such
121 person's possessions and personal effects and set them out on the
122 adjacent sidewalk, street or highway.]

123 (b) Before any such removal, the state marshal charged with
124 executing upon the ejectment shall [give the chief executive officer of
125 the town twenty-four hours notice of the ejectment, stating the date,
126 time and location of such ejectment as well as a general description, if
127 known, of the types and amount of property to be removed from the
128 land. Before giving such notice to the chief executive officer of the
129 town, the state marshal shall] use reasonable efforts to locate and
130 notify the person or persons in possession of the date and time such
131 ejectment is to take place and of the possibility of a sale pursuant to
132 subsection (c) of this section.

133 (c) Whenever a mortgage or lien upon land has been foreclosed and
134 execution of ejectment issued, and [the possessions and personal
135 effects of the person in possession thereof are set out on the sidewalk,
136 street or highway, and are not immediately removed by such person,
137 the chief executive officer of the town shall remove and] a state
138 marshal removes the possessions and personal effects of the person or
139 persons in possession, the state marshal shall store the same. Such
140 removal and storage shall be at the expense of such person or persons.
141 If the possessions and effects are not called for by such person or
142 persons and the expense of the removal and storage is not paid to the
143 [chief executive officer] state marshal within fifteen days after such

144 ejection, the [chief executive officer] state marshal shall sell the same
145 at public auction, after using reasonable efforts to locate and notify
146 such person or persons of the sale and after [posting notice of the sale
147 for one week on the public signpost nearest to the place where the
148 ejection was made, if any, or at some exterior place near the office of
149 the town clerk] publishing a notice of such sale in a newspaper having
150 a general circulation in the state at least five days before the auction.
151 The [chief executive officer] state marshal shall deliver to such person
152 or persons the net proceeds of the sale, if any, after deducting a
153 reasonable charge for removal and storage of such possessions and
154 effects. If such person or persons does not or do not demand the net
155 proceeds within thirty days after the sale, the [chief executive officer]
156 state marshal shall turn over the net proceeds of the sale to the [town
157 treasury] State Treasurer.

158 Sec. 5. Section 7-3 of the general statutes is repealed and the
159 following is substituted in lieu thereof (*Effective from passage*):

160 The warning of each town meeting, and of each meeting of a city,
161 borough, school district or other public community or of an
162 ecclesiastical society, shall specify the objects for which such meeting is
163 to be held. Notice of a town meeting shall be given by posting, upon a
164 signpost or other exterior place near the office of the town clerk of such
165 town and at such other place or places as may be designated as
166 hereinafter provided, a printed or written warning signed by the
167 selectmen, or a majority of them, and by publishing a like warning in a
168 newspaper published in such town or having a circulation therein,
169 such posting and such publication to be at least five days previous to
170 holding the meeting, including the day that notice is given and any
171 Sunday and any legal holiday which may intervene between such
172 posting and such publication and the day of holding such meeting, but
173 not including the day of holding such meeting; but any town may, at
174 an annual meeting, designate any other place or places, in addition to
175 the signpost or other exterior place, at which such warnings shall be
176 set up. The selectmen shall, on or before the day of such meeting, cause

177 a copy of each such warning to be left with the town clerk, who shall
178 record the same. Notice of a meeting of a city or borough shall be given
179 by posting, upon a signpost or other exterior place nearest to the office
180 of the clerk of such city or borough or at such place or places as may be
181 designated by special charter provision, a written or printed warning
182 signed by the mayor or clerk in the case of a city or by the warden or
183 clerk in the case of a borough, and by publishing a like warning in a
184 newspaper published within the limits of such city or borough, or
185 having a circulation therein, at least five days previous to holding the
186 meeting, including the day that notice is given and any Sunday and
187 any legal holiday which may intervene between such posting and such
188 publication and the day of holding such meeting, but not including the
189 day of holding such meeting. Notwithstanding the provisions of this
190 section or any charter or home rule ordinance, any warning or notice
191 of a meeting under this section may be posted on the web site of the
192 town, city, borough, school district or other public community or
193 ecclesiastical society, in lieu of publication in a newspaper, provided
194 all other requirements of this section with respect to such warning or
195 notice are met.

196 Sec. 6. Section 8-3 of the 2010 supplement to the general statutes is
197 amended by adding subsection (n) as follows (*Effective from passage*):

198 (NEW) (n) Notwithstanding the provisions of this section or any
199 charter or home rule ordinance, any notice required under subsections
200 (d), (f) and (g) of this section may be posted on the web site of the
201 municipality in lieu of publication in a newspaper, provided all other
202 requirements of this section with respect to such notice are met.

203 Sec. 7. Section 8-7d of the general statutes is repealed and the
204 following is substituted in lieu thereof (*Effective from passage*):

205 (a) In all matters wherein a formal petition, application, request or
206 appeal must be submitted to a zoning commission, planning and
207 zoning commission or zoning board of appeals under this chapter, a
208 planning commission under chapter 126 or an inland wetlands agency

209 under chapter 440 or an aquifer protection agency under chapter 446i
210 and a hearing is required or otherwise held on such petition,
211 application, request or appeal, such hearing shall commence within
212 sixty-five days after receipt of such petition, application, request or
213 appeal and shall be completed within thirty-five days after such
214 hearing commences, unless a shorter period of time is required under
215 this chapter, chapter 126, chapter 440 or chapter 446i. Notice of the
216 hearing shall be published in a newspaper having a general circulation
217 in such municipality where the land that is the subject of the hearing is
218 located at least twice, at intervals of not less than two days, the first not
219 more than fifteen days or less than ten days and the last not less than
220 two days before the date set for the hearing. Notwithstanding the
221 provisions of this section or any charter or home rule ordinance, notice
222 of such hearing may be posted on the web site of the municipality in
223 lieu of publication in a newspaper, provided all other requirements of
224 this section with respect to such notice are met. In addition to such
225 notice, such commission, board or agency may, by regulation, provide
226 for additional notice. Such regulations shall include provisions that the
227 notice be mailed to persons who own land that is adjacent to the land
228 that is the subject of the hearing or be provided by posting a sign on
229 the land that is the subject of the hearing, or both. For purposes of such
230 additional notice, (1) proof of mailing shall be evidenced by a
231 certificate of mailing, and (2) the person who owns land shall be the
232 owner indicated on the property tax map or on the last-completed
233 grand list as of the date such notice is mailed. All applications and
234 maps and documents relating thereto shall be open for public
235 inspection. At such hearing, any person or persons may appear and be
236 heard and may be represented by agent or by attorney. All decisions
237 on such matters shall be rendered not later than sixty-five days after
238 completion of such hearing, unless a shorter period of time is required
239 under this chapter, chapter 126, chapter 440 or chapter 446i. The
240 petitioner or applicant may consent to one or more extensions of any
241 period specified in this subsection, provided the total extension of all
242 such periods shall not be for longer than sixty-five days, or may

243 withdraw such petition, application, request or appeal.

244 (b) Notwithstanding the provisions of subsection (a) of this section,
245 whenever the approval of a site plan is the only requirement to be met
246 or remaining to be met under the zoning regulations for any building,
247 use or structure, a decision on an application for approval of such site
248 plan shall be rendered not later than sixty-five days after receipt of
249 such site plan. Whenever a decision is to be made on an application for
250 subdivision approval under chapter 126 on which no hearing is held,
251 such decision shall be rendered not later than sixty-five days after
252 receipt of such application. Whenever a decision is to be made on an
253 inland wetlands and watercourses application under chapter 440 on
254 which no hearing is held, such decision shall be rendered not later than
255 sixty-five days after receipt of such application. Whenever a decision is
256 to be made on an aquifer protection area application under chapter
257 446i on which no hearing is held, such decision shall be rendered not
258 later than sixty-five days after receipt of such application. The
259 applicant may consent to one or more extensions of such period,
260 provided the total period of any such extension or extensions shall not
261 exceed sixty-five days or may withdraw such plan or application.

262 (c) For purposes of subsection (a) or (b) of this section and section 7-
263 246a, the date of receipt of a petition, application, request or appeal
264 shall be the day of the next regularly scheduled meeting of such
265 commission, board or agency, immediately following the day of
266 submission to such commission, board or agency or its agent of such
267 petition, application, request or appeal or thirty-five days after such
268 submission, whichever is sooner. If the commission, board or agency
269 does not maintain an office with regular office hours, the office of the
270 clerk of the municipality shall act as the agent of such commission,
271 board or agency for the receipt of any petition, application, request or
272 appeal.

273 (d) The provisions of subsection (a) of this section shall not apply to
274 any action initiated by any zoning commission, planning commission

275 or planning and zoning commission regarding adoption or change of
276 any zoning regulation or boundary or any subdivision regulation.

277 (e) Notwithstanding the provisions of this section, if an application
278 involves an activity regulated pursuant to sections 22a-36 to 22a-45,
279 inclusive, as amended by this act, and the time for a decision by a
280 zoning commission or planning and zoning commission established
281 pursuant to this section would elapse prior to the thirty-fifth day after
282 a decision by the inland wetlands agency, the time period for a
283 decision shall be extended to thirty-five days after the decision of such
284 agency. The provisions of this subsection shall not be construed to
285 apply to any extension consented to by an applicant or petitioner.

286 (f) The zoning commission, planning commission, zoning and
287 planning commission, zoning board of appeals, inland wetlands
288 agency or aquifer protection agency shall notify the clerk of any
289 adjoining municipality of the pendency of any application, petition,
290 appeal, request or plan concerning any project on any site in which: (1)
291 Any portion of the property affected by a decision of such commission,
292 board or agency is within five hundred feet of the boundary of the
293 adjoining municipality; (2) a significant portion of the traffic to the
294 completed project on the site will use streets within the adjoining
295 municipality to enter or exit the site; (3) a significant portion of the
296 sewer or water drainage from the project on the site will flow through
297 and significantly impact the drainage or sewerage system within the
298 adjoining municipality; or (4) water runoff from the improved site will
299 impact streets or other municipal or private property within the
300 adjoining municipality. Such notice shall be made by certified mail,
301 return receipt requested, and shall be mailed within seven days of the
302 date of receipt of the application, petition, request or plan. Such
303 adjoining municipality may, through a representative, appear and be
304 heard at any hearing on any such application, petition, appeal, request
305 or plan.

306 (g) (1) Any zoning commission, planning commission or planning

307 and zoning commission initiating any action regarding adoption or
308 change of any zoning regulation or boundary or any subdivision
309 regulation or regarding the preparation or amendment of the plan of
310 conservation and development shall provide notice of such action in
311 accordance with this subsection in addition to any other notice
312 required under any provision of the general statutes.

313 (2) A zoning commission, planning commission or planning and
314 zoning commission shall establish a public notice registry of
315 landowners, electors and nonprofit organizations qualified as tax-
316 exempt organizations under the provisions of Section 501(c) of the
317 Internal Revenue Code of 1986, or any subsequent corresponding
318 internal revenue code of the United States, as from time to time
319 amended, requesting notice under this subsection. Each municipality
320 shall notify residents of such registry and the process for registering
321 for notice under this subsection. The zoning commission, planning
322 commission or planning and zoning commission shall place on such
323 registry the names, [and] addresses and electronic mail addresses of
324 any such landowner, elector or organization upon written request of
325 such landowner, elector or organization. A landowner, elector or
326 organization that does not have an electronic mail service provider
327 may request such notice be sent by United States mail. [or by electronic
328 mail.] The name and address of a landowner, elector or organization
329 who requests to be placed on the public notice registry shall remain on
330 such registry for a period of three years after the establishment of such
331 registry. Thereafter any land owner, elector or organization may
332 request to be placed on such registry for additional periods of three
333 years.

334 (3) Any notice under this subsection shall be [mailed] sent by
335 electronic mail to all landowners, electors and organizations in the
336 public notice registry not later than seven days prior to the
337 commencement of the public hearing on such action, if feasible,
338 provided such notice shall be sent by United States mail to a
339 landowner, elector or organization that does not have an electronic

340 mail provider and that has submitted a request pursuant to
341 subdivision (2) of this subsection. Such notice may be [mailed by
342 electronic mail] sent by United States mail if the zoning commission,
343 planning commission or planning and zoning commission or the
344 municipality [has] does not have an electronic mail service provider.

345 (4) No zoning commission, planning commission or planning and
346 zoning commission shall be civilly liable to any landowner, elector or
347 nonprofit organization requesting notice under this subsection with
348 respect to any act done or omitted in good faith or through a bona fide
349 error that occurred despite reasonable procedures maintained by the
350 zoning commission, planning commission or planning and zoning
351 commission to prevent such errors in complying with the provisions of
352 this section.

353 Sec. 8. Subsection (d) of section 8-26 of the general statutes is
354 repealed and the following is substituted in lieu thereof (*Effective from*
355 *passage*):

356 (d) The commission shall approve, modify and approve, or
357 disapprove any subdivision or resubdivision application or maps and
358 plans submitted therewith, including existing subdivisions or
359 resubdivisions made in violation of this section, within the period of
360 time permitted under section 8-26d. Notice of the decision of the
361 commission shall be published in a newspaper having a substantial
362 circulation in the municipality and addressed by certified mail to any
363 person applying to the commission under this section, by its secretary
364 or clerk, under his signature in any written, printed, typewritten or
365 stamped form, within fifteen days after such decision has been
366 rendered. Notwithstanding the provisions of this subsection or any
367 charter or home rule ordinance, notice of such hearing may be posted
368 on the web site of the municipality in lieu of publication in a
369 newspaper, provided all other requirements of this subsection with
370 respect to such notice are met. In any case in which such notice is not
371 published within such fifteen-day period, the person who made such

372 application may provide for the publication of such notice within ten
373 days thereafter. Such notice shall be a simple statement that such
374 application was approved, modified and approved or disapproved,
375 together with the date of such action. The failure of the commission to
376 act thereon shall be considered as an approval, and a certificate to that
377 effect shall be issued by the commission on demand. The grounds for
378 its action shall be stated in the records of the commission. No planning
379 commission shall be required to consider an application for approval
380 of a subdivision plan while another application for subdivision of the
381 same or substantially the same parcel is pending before the
382 commission. For the purposes of this subsection, an application is not
383 "pending before the commission" if the commission has rendered a
384 decision with respect to such application and such decision has been
385 appealed to the Superior Court.

386 Sec. 9. Section 8-28 of the general statutes is repealed and the
387 following is substituted in lieu thereof (*Effective from passage*):

388 Notice of all official actions or decisions of a planning commission,
389 not limited to those relating to the approval or denial of subdivision
390 plans, shall be published in a newspaper having a substantial
391 circulation in the municipality within fifteen days after such action or
392 decision. Notwithstanding the provisions of this section or any charter
393 or home rule ordinance, notice of such official action or decision may
394 be posted on the web site of the municipality in lieu of publication in a
395 newspaper, provided all other requirements of this section with
396 respect to such notice are met. Any appeal from an action or decision
397 of a planning commission shall be taken pursuant to the provisions of
398 section 8-8.

399 Sec. 10. Section 9-16 of the general statutes is repealed and the
400 following is substituted in lieu thereof (*Effective from passage*):

401 The registrars of voters in each town shall give notice of the time
402 and place of each session for the admission of electors held pursuant to
403 section 9-17 by publication in a newspaper published or circulated in

404 such town not more than fifteen nor less than five days before each
405 such session. Notwithstanding the provisions of this section or any
406 charter or home rule ordinance, notice of such session may be posted
407 on the web site of the town in lieu of publication in a newspaper,
408 provided all other requirements of this section with respect to such
409 notice are met. Nothing [herein] in this section shall require that [such]
410 publication in a newspaper, if any, be in the form of a legal
411 advertisement.

412 Sec. 11. Section 9-37 of the general statutes is repealed and the
413 following is substituted in lieu thereof (*Effective from passage*):

414 Each registrar shall keep a copy of the preliminary registry list for
415 his use in revision. Such registrars shall give notice in such list of the
416 times and places at which they will hold one or more sessions during
417 the period between the Saturday of the fifth week before the regular
418 election and the Saturday of the fourth week before the regular
419 election, for the revision and correction of such list which, when
420 completed, shall be termed the "final registry list" for such election. In
421 each municipality having a population of more than five thousand,
422 they shall also give notice of such times and places by publication in a
423 newspaper circulating in such municipality and by posting the same
424 on the signpost therein, if any, and at the office of the town clerk at
425 least five days before the first of such sessions. Notwithstanding the
426 provisions of this section or any charter or home rule ordinance, notice
427 of such session may be posted on the web site of the municipality in
428 lieu of publication in a newspaper, provided all other requirements of
429 this section with respect to such notice are met. The number of sessions
430 shall be fixed by the registrars of each municipality. The registrars
431 shall also hold sessions, of which no public notice need be given, for
432 the purpose of correcting such preliminary list, and for the purpose of
433 adding to such list the names of persons entitled to be registered
434 thereon, on each day they are in session for the admission of electors
435 pursuant to section 9-17, and they may also hold sessions for revision
436 and correction of the registry list on any other day, except during the

437 period of six days preceding any regular election. On the fourteenth
438 day before a primary, the registrars shall hold an additional session to
439 hear such requests for adding names to the registry list, in accordance
440 with the procedure provided in this section, and the registrars shall
441 publish notice of such sessions in a newspaper having general
442 circulation in such municipality at least five days before such sessions.
443 Nothing in this section shall require that [such] publication in a
444 newspaper, if any, be in the form of a legal advertisement.

445 Sec. 12. Section 9-53 of the general statutes is repealed and the
446 following is substituted in lieu thereof (*Effective from passage*):

447 The registrars of voters in each municipality in which an enrollment
448 session is to be held shall give notice of such session, and of the
449 purpose, day, hours and place thereof, by publication in a newspaper
450 published in or having a circulation in such municipality, not more
451 than fifteen nor less than five days before such session.
452 Notwithstanding the provisions of this section or any charter or home
453 rule ordinance, notice of such session may be posted on the web site of
454 the municipality in lieu of publication in a newspaper, provided all
455 other requirements of this section with respect to such notice are met.
456 Nothing [herein] in this section shall require that [such] publication in
457 a newspaper, if any, be in the form of a legal advertisement. In each
458 municipality divided into two voting districts which elects registrars of
459 voters for each voting district, any session for enrollment in such
460 municipality shall be held in each such district thereof by the registrars
461 of such district, and the notice hereinbefore required shall specify the
462 place in each such district in which such session is to be held. In each
463 municipality divided into voting districts which elects registrars of
464 voters for the entire municipality, any session for enrollment in such
465 municipality may, if the registrars so decide, be held in each such
466 district by assistant registrars appointed under section 9-192, provided
467 the registrars in the notice hereinbefore required shall specify the place
468 in each such district in which such session is to be held. When such a
469 session is so held in each such district by such assistant registrars,

470 within forty-eight hours after the close of each of such sessions, each of
471 such assistant registrars shall deliver to the registrar of whom he is the
472 appointee a true and attested list or lists, as made by such assistant
473 registrars at such session, showing all enrollments and corrections, if
474 any, by them made, together with a list of all applications rejected
475 under the provisions of sections 9-60 and 9-63.

476 Sec. 13. Section 9-164 of the general statutes is repealed and the
477 following is substituted in lieu thereof (*Effective from passage*):

478 (a) Notwithstanding any contrary provision of law, there shall be
479 held in each municipality, biennially, a municipal election on the first
480 Monday of May or the Tuesday after the first Monday of November, of
481 the odd-numbered years, whichever date the legislative body of such
482 municipality determines, provided, if no action is taken by the
483 legislative body to so designate the date of such election, such election
484 shall be held on the Tuesday after the first Monday of November of the
485 odd-numbered years. In any municipality where the term of any
486 elected official would expire prior to the next regular election held
487 under the provisions of this section, the term of such official shall be
488 extended to the date of such election.

489 (b) Upon the occurrence of a vacancy in a municipal office or upon
490 the creation of a new office to be filled prior to the next regular
491 election, a special municipal election may be convened either by the
492 board of selectmen of the municipality or upon application of twenty
493 electors of the municipality filed with the municipal clerk. The date of
494 such election shall be determined by the board of selectmen of the
495 municipality, and notice of such date shall be filed with the municipal
496 clerk. In determining the date of such election, the board of selectmen
497 shall allow the time specified for holding primaries for municipal
498 office in section 9-423 and the time specified for the selection of party-
499 endorsed candidates for municipal office in section 9-391. On
500 application of twenty electors of the municipality, the date of such
501 election, as determined by the board of selectmen, shall be not later

502 than the one hundred fiftieth day following the filing of such
503 application. Except as otherwise provided by general statute, the
504 provisions of the general statutes pertaining to elections and primaries
505 shall apply to special municipal elections. No such election may be
506 held unless the municipal clerk first files notice of the office or offices
507 to be filled at such election with the town chairman of the town
508 committee of each major and minor party within the municipality and
509 with the secretary of the state at least three weeks in advance of the
510 final time specified for the selection of party-endorsed candidates for
511 municipal office in section 9-391. The municipal clerk shall forthwith
512 warn such election in the same manner as the warning of municipal
513 elections pursuant to section 9-226, as amended by this act.
514 Notwithstanding the provisions of any charter or home rule ordinance,
515 such warning may be posted on the web site of the municipality in lieu
516 of publication in a newspaper, provided all other requirements of this
517 section with respect to such warning are met.

518 (c) Notwithstanding any provision of subsection (b) of this section,
519 [to the contrary,] any town which by charter provides that a vacancy in
520 its legislative body shall be filled by a special election held no later
521 than forty-five days after the effective date of the vacancy shall hold
522 such election not later than forty-five days after the occurrence of the
523 vacancy. No such election may be held unless the municipal clerk
524 forthwith upon the occurrence of the vacancy files notice of the office
525 to be filled at the election with the town chairman of the town
526 committee of each major and minor party within the municipality and
527 with the Secretary of the State. Nominations by political parties for
528 such office shall be made as the rules of such parties which are filed
529 with the town clerk provide, in accordance with section 9-390. Such
530 nominations may be made and certified at any time after the vacancy
531 occurs but not later than the thirty-sixth day before the day of the
532 election. No such nomination shall be effective until the presiding
533 officer and secretary of the town committee certify the nomination to
534 the town clerk. No primary shall be held for the nomination of any
535 political party to fill any vacancy in such office and the party-endorsed

536 candidate so certified shall be deemed the nominee of such party.
537 Nominations may also be made by petition in the manner provided in
538 sections 9-379 and 9-453a to 9-453p, inclusive, which petitions shall be
539 submitted to the town clerk of the town in which the signers reside not
540 later than the thirty-sixth day before the day of the election and filed in
541 the office of the Secretary of the State not later than two days
542 thereafter. The municipal clerk shall forthwith warn such election in
543 the same manner as the warning of municipal elections pursuant to
544 section 9-226, as amended by this act. Notwithstanding the provisions
545 of any charter or home rule ordinance, such warning may be posted on
546 the web site of the town in lieu of publication in a newspaper,
547 provided all other requirements of this section with respect to such
548 warning are met.

549 Sec. 14. Section 9-225 of the general statutes is repealed and the
550 following is substituted in lieu thereof (*Effective from passage*):

551 The town clerk or assistant town clerk of each town shall warn the
552 electors therein to meet on the Tuesday following the first Monday in
553 November in the even-numbered years, at six o'clock a.m., which
554 warning shall be given by publication in a newspaper having a general
555 circulation in such town not more than fifteen nor less than five days
556 previous to holding such election. Notwithstanding the provisions of
557 this section or any charter or home rule ordinance, such warning may
558 be posted on the web site of the town in lieu of publication in a
559 newspaper, provided all other requirements of this section with
560 respect to such warning are met. The clerk in each town shall, in the
561 warning for such election, give notice of the time and the location of
562 the polling place in the town, and in towns divided into voting
563 districts, of the time and the location of the polling place in each
564 district, at which such election will be held. The town clerk shall record
565 each such warning.

566 Sec. 15. Section 9-226 of the general statutes is repealed and the
567 following is substituted in lieu thereof (*Effective from passage*):

568 The warning of each municipal election shall specify the objects for
569 which such election is to be held. Notice of a town election shall be
570 given by the town clerk or assistant town clerk, by publishing a
571 warning in a newspaper published in such town or having a general
572 circulation therein, such publication to be not more than fifteen, nor
573 less than five days previous to holding the election. The town clerk in
574 each town shall, in the warning for such election, give notice of the
575 time and the location of the polling place in the town and, in towns
576 divided into voting districts, of the time and the location of the polling
577 place in each district. The town clerk shall record each such warning.
578 Notice of an election of a city or borough shall be given by publishing
579 a warning in a newspaper published within the limits of such city or
580 borough, or having a general circulation therein, not more than fifteen
581 nor less than five days previous to holding the election, which warning
582 shall include notice of the time and the location of the polling place in
583 such city or borough and, in cities and boroughs divided into voting
584 districts, of the time and the location of the polling place in each
585 district. Notwithstanding the provisions of this section or any charter
586 or home rule ordinance, such warning may be posted on the web site
587 of the town in lieu of publication in a newspaper, provided all other
588 requirements of this section with respect to such warning are met.

589 Sec. 16. Section 9-332 of the general statutes is repealed and the
590 following is substituted in lieu thereof (*Effective from passage*):

591 If the electors fail to choose a candidate for any office by reason of
592 an equality of votes at any election, and no provision is otherwise
593 made by law for the election of a candidate to such office, such election
594 shall stand adjourned for three weeks at the same hour at which the
595 first election was held. Ballot labels of the same form and description
596 as described in sections 9-250 to 9-256, inclusive, except that such ballot
597 labels shall contain only the names of the candidates for whom the
598 same are to be voted, shall be used in the election on such adjourned
599 day, and the election shall be conducted in the same manner as on the
600 first day, except that the votes shall be cast for such officer only. Ballot

601 labels for such election shall be provided forthwith by the clerk of the
602 municipality wherein such election stands adjourned, and such clerk
603 shall furnish the Secretary of the State with an accurate list of all
604 candidates to be voted for at such adjourned election. The clerk of the
605 municipality wherein such election so stands adjourned shall, at least
606 three days prior to the day of such adjourned election, give notice of
607 the day, hours, place and purpose thereof by publishing such notice in
608 a newspaper published in such municipality or having a circulation
609 therein. Notwithstanding the provisions of this section or of any
610 charter or home rule ordinance, such notice may be posted on the web
611 site of the municipality in lieu of publication in a newspaper, provided
612 all other requirements of this section with respect to such notice are
613 met. No such election shall be held if prior to such election all but one
614 of the candidates for such office die, withdraw their names or for any
615 reason become disqualified to hold such office, and, in such event, the
616 remaining candidate shall be deemed to be lawfully elected to such
617 office. No withdrawal shall be valid until the candidate who has
618 withdrawn has filed a letter of withdrawal signed by such candidate
619 with the Secretary of the State or, in the case of a municipal office, until
620 the candidate who has withdrawn has filed a letter of withdrawal
621 signed by such candidate with the municipal clerk. When such an
622 election is required to be held under the provisions of this section for
623 any office other than a municipal office, and prior to such election all
624 but one of the candidates for such office die, withdraw their names or
625 for any reason become disqualified to hold such office, the Secretary of
626 the State shall forthwith notify the clerk of each municipality wherein
627 such election was to have been held of such fact, and shall forthwith
628 direct each such clerk that such election shall not be held. In the case of
629 a multiple opening office only the names of those candidates whose
630 votes are equal shall be placed on the ballot label of the adjourned
631 election.

632 Sec. 17. Section 9-395 of the general statutes is repealed and the
633 following is substituted in lieu thereof (*Effective from passage*):

634 (a) Forthwith upon the certification provided in section 9-391, the
635 clerk of the municipality shall publish, in a newspaper having a
636 general circulation in such municipality, the fact of such certification
637 and that a list of the persons endorsed as candidates is on file in his
638 office and copies thereof are available for public distribution.
639 Notwithstanding the provisions of this section or of any charter or
640 home rule ordinance, notice of such certification and the availability of
641 copies of such list may be posted on the web site of the municipality in
642 lieu of publication in a newspaper, provided all other requirements of
643 this section with respect to such notice are met. If, with respect to any
644 office or position to be filled, the clerk of the municipality has failed to
645 receive the certification of the name of any person as a party-endorsed
646 candidate within the time limited in section 9-391, such fact shall be
647 published by the clerk of the municipality. Together with such
648 information, the clerk shall publish a notice that a primary will be held
649 for the nomination by such political party of a candidate for the offices
650 to be filled or for the election of members of the town committee, as the
651 case may be, if a candidacy is filed in accordance with the provisions of
652 sections 9-382 to 9-450, inclusive. Such notice shall specify the final
653 date for the filing of such candidacy and the date of the primary, shall
654 state where forms for petitions may be obtained and shall generally
655 indicate the method of procedure in the filing of such candidacy. The
656 Secretary of the State shall prescribe the form of such notice. The clerk
657 shall forthwith publish any change in the party-endorsed candidates,
658 listing such changes. As used in this section, the terms "publish" or
659 "publication" shall be construed to include the posting of information
660 on the web site of the municipality.

661 (b) In any year in which a state election is to be held, the notice
662 described in subsection (a) of this section shall: (1) Be published not
663 later than the seventy-sixth day preceding the day of the primary, (2)
664 indicate that the certification provided in section 9-391 can be made,
665 and (3) indicate that a list of persons endorsed as candidates will be on
666 file in the clerk's office, as provided in subsection (a) of this section.
667 The requirement contained in subsection (a) of this section to publish

668 the fact that the clerk of the municipality has failed to receive the
669 certification of the name of any person as a party-endorsed candidate
670 within the time limit in section 9-391, shall not apply to the notice
671 required by this subsection.

672 Sec. 18. Section 9-433 of the general statutes is repealed and the
673 following is substituted in lieu thereof (*Effective from passage*):

674 After the deadline set forth in section 9-400 for filing candidacies,
675 and upon the completion of the tabulation of petition signatures, if
676 any, if one or more candidacies for nomination by a political party to a
677 state or district office have been filed in accordance with the provisions
678 of section 9-400, the Secretary of the State shall notify the clerk of each
679 town within the state or within the district, as the case may be, that a
680 primary is to be held by such party for the nomination of such party to
681 such office. Such notice shall include a list of all the proposed
682 candidates, those endorsed by the convention as well as those filing
683 candidacies, together with their addresses and the titles of the office
684 for which they are candidates and, if applicable, a statement that
685 unaffiliated electors may vote in the primary. The clerk of each such
686 town shall thereupon cause such notice to be published forthwith in a
687 newspaper having a general circulation in such town, together with a
688 statement of the date upon which the primary is to be held, the hours
689 during which the polls shall be open and the location of the polls.
690 Notwithstanding the provisions of this section or any charter or home
691 rule ordinance, such notice and statement may be posted on the web
692 site of the town in lieu of publication in a newspaper, provided all
693 other requirements of this section with respect to such notice and
694 statement are met.

695 Sec. 19. Section 9-435 of the general statutes is repealed and the
696 following is substituted in lieu thereof (*Effective from passage*):

697 Except as provided in sections 9-418 and 9-419, if in any
698 municipality, within the time specified in section 9-405, a candidacy for
699 nomination by a political party to any municipal office or for election

700 as a town committee member is filed with the registrar, in conformity
701 with the provisions of sections 9-405 to 9-412, inclusive, and section 9-
702 414, by or on behalf of any person other than party-endorsed
703 candidates, the registrar shall forthwith after the deadline for
704 certification of party-endorsed candidates notify the clerk of such
705 municipality that a primary is to be held by such party for the
706 nomination of such party to such office or for the election by such
707 party of town committee members, as the case may be. Such notice
708 shall include a list of all the proposed candidates, those endorsed as
709 well as those filing candidacies, together with their addresses and the
710 titles of the offices or positions for which they are candidates. In the
711 case of a primary for justices of the peace, such notice shall also contain
712 the complete ballot label designation of each slate pursuant to
713 subsection (h) of section 9-437. The clerk of the municipality shall
714 thereupon cause such notice to be published forthwith in a newspaper
715 having a general circulation in such municipality, together with a
716 statement of the date upon which the primary is to be held, the hours
717 during which the polls shall be open and the location of the polls, and
718 shall send a copy of such notice to the Secretary of the State and record
719 the same. Notwithstanding the provisions of this section or any charter
720 or home rule ordinance, such notice and statement may be posted on
721 the web site of the municipality in lieu of publication in a newspaper,
722 provided all other requirements of this section with respect to such
723 notice and statement are met. The clerk shall forthwith publish or post
724 on such web site any change in the proposed candidates, listing such
725 changes.

726 Sec. 20. Section 9-471 of the general statutes is repealed and the
727 following is substituted in lieu thereof (*Effective from passage*):

728 Forthwith upon determination of the order of candidates on the
729 ballot, the secretary shall send a notice of primary for each party to
730 each town clerk. Such notice shall include the names of the candidates
731 in the order so determined and their addresses. Such notice shall
732 conform, as nearly as may be, to the provisions of section 9-433, as

733 amended by this act, concerning notice of primary for nomination to a
734 state office. The town clerk shall, forthwith upon receipt of such notice,
735 cause it to be published in the manner provided in said section.
736 Notwithstanding the provisions of this section or any charter or home
737 rule ordinance, such notice may be posted on the web site of the town
738 in lieu of publication in a newspaper, provided all other requirements
739 of this section with respect to such notice are met.

740 Sec. 21. Section 12-40 of the general statutes is repealed and the
741 following is substituted in lieu thereof (*Effective from passage*):

742 The assessors in each town, except as otherwise specially provided
743 by law, shall, on or before the fifteenth day of October annually, post
744 on the signposts therein, if any, or at some other exterior place near the
745 office of the town clerk, or publish in a newspaper published in such
746 town or, if no newspaper is published in such town, then in any
747 newspaper published in the state having a general circulation in such
748 town, a notice requiring all persons therein liable to pay taxes to bring
749 in a declaration of the taxable personal property belonging to them on
750 the first day of October in that year in accordance with section 12-42
751 and the taxable personal property for which a declaration is required
752 in accordance with section 12-43. Notwithstanding the provisions of
753 this section or any charter or home rule ordinance, such notice may be
754 posted on the web site of the town in lieu of publication in a
755 newspaper, provided all other requirements of this section with
756 respect to such notice are met.

757 Sec. 22. Section 12-145 of the general statutes is repealed and the
758 following is substituted in lieu thereof (*Effective from passage*):

759 The tax collector of each municipality shall, at least five days next
760 preceding the time when each tax becomes due and payable, give
761 notice of the time and place at which the tax collector will receive such
762 tax by advertising in a newspaper published in such municipality or, if
763 no newspaper is published in such municipality, by advertising in any
764 newspaper of the state having a general circulation in such

765 municipality and by posting such notice on a signpost therein, if any,
766 otherwise on a signpost in the town within which such municipality is
767 situated, if any, or at some other exterior place near the office of the
768 town clerk. The tax collector shall repeat such advertising within one
769 week after such tax has become due and payable and, again, at least
770 five days before such tax becomes delinquent. Each such notice shall
771 give each date on which such tax shall become due and payable and
772 each date on which such tax shall become delinquent, and shall state
773 that, as soon as such tax becomes delinquent, it shall be subject to
774 interest at the rate of one and one-half per cent of such tax for each
775 month or fraction thereof which elapses from the time when such tax
776 becomes due and payable until the same is paid. Notwithstanding the
777 provisions of this section or any charter or home rule ordinance, such
778 notice may be posted on the web site of the municipality in lieu of
779 publication in a newspaper, provided all other requirements of this
780 section with respect to such notice are met. The tax collector of a
781 municipality may waive the interest on delinquent property taxes if
782 the tax collector and the assessor, jointly, determine that the
783 delinquency is attributable to an error by the tax assessor or tax
784 collector and is not the result of any action or failure on the part of the
785 taxpayer. The tax collector shall notify the taxing authority of the
786 municipality of all waivers granted pursuant to this section.

787 Sec. 23. Section 12-186 of the general statutes is repealed and the
788 following is substituted in lieu thereof (*Effective from passage*):

789 When the list has been thus marked, the clerk shall immediately
790 give notice in writing to the tax collector of such fact and the tax
791 collector shall, within one week of receipt of such notice, give notice of
792 the pendency of the petition for foreclosure by causing a copy of the
793 petition, with the parcels so marked "Withdrawn" deleted therefrom,
794 to be published at least once in a newspaper having a general
795 circulation in the municipality where the properties listed are located.
796 Such notice shall be preceded by the following statement: "Notice of
797 petition of foreclosure of tax liens by the collector of Under the

798 provisions of section 12-182 an action has been brought and is pending
799 in the superior court for the judicial district of ... to foreclose tax liens
800 upon the properties described below. No personal judgment will be
801 rendered in such proceeding for the payment of such taxes against the
802 owner or any person having an interest in any of such properties. All
803 persons having or claiming an interest in any of them are hereby
804 notified of the pendency of the action. With the exception of any
805 properties withdrawn from said proceeding in accordance with the
806 provisions of sections 12-185 and 12-187, the right, title or interest of
807 any person in any of said properties will be foreclosed unless the
808 amounts due upon the tax lien or liens against the same, with any
809 interest, fees and other charges thereon which have accrued since the
810 bringing of the action, shall be paid before the expiration of the period
811 designated therein for the redemption of such property."
812 Notwithstanding the provisions of this section or any charter or home
813 rule ordinance, such notice may be posted on the web site of the
814 municipality in lieu of publication in a newspaper, provided all other
815 requirements of this section with respect to such notice are met. The
816 tax collector shall, on or before the date of publication or posting of the
817 notice, cause a copy of such notice to be filed in the office of the town
818 clerk of the town in which the property is situated and such filing shall
819 have the same force and effect as the filing of a notice of lis pendens in
820 accordance with the provisions of section 52-325 and such notice shall
821 be kept by the town clerk as part of the land records and be indexed in
822 the same manner as a lis pendens as to the property being foreclosed
823 and the names of the owners thereof or of any interest therein or
824 encumbrances thereon as recited in such petition. The tax collector
825 shall also, within such time, post a copy of such notice in some
826 conspicuous place in the office of the town clerk and in his own office
827 and shall cause a notice of the pendency of such action to be sent by
828 registered or certified mail, postage prepaid, to the owner or owners of
829 each of such properties and of any encumbrance thereon or interest
830 therein, as they appear in such petition, directed to the best address of
831 each that he is able to obtain from known and readily available

832 sources, including city directories.

833 Sec. 24. Section 14-67t of the general statutes is repealed and the
834 following is substituted in lieu thereof (*Effective from passage*):

835 Any ordinance, order, rule or regulation creating a restricted district
836 or districts within which any motor vehicle recycler's yard or business
837 shall not be located or established under the provisions of this subpart
838 (H) shall, forthwith, be filed with the clerk of the municipality and said
839 clerk shall, within ten days thereafter, cause such ordinance to be
840 published once in a newspaper having a circulation in such
841 municipality. Notwithstanding the provisions of this section or any
842 charter or home rule ordinance, any ordinance, order, rule or
843 regulation creating such a restricted district or districts may be posted
844 on the web site of the municipality in lieu of publication in a
845 newspaper, provided all other requirements of this section with
846 respect to such notice are met.

847 Sec. 25. Subsection (b) of section 19a-320 of the 2010 supplement to
848 the general statutes is repealed and the following is substituted in lieu
849 thereof (*Effective from passage*):

850 (b) Application for such approval shall be made in writing to the
851 local authority specified in subsection (a) of this section and a hearing
852 shall be held within the town, city or borough in which such location is
853 situated within sixty-five days from the date of receipt of such
854 application. Notice of such hearing shall be given to such applicant by
855 mail, postage paid, to the address given on the application, and to the
856 Commissioner of Public Health, and by publication twice in a
857 newspaper having a substantial circulation in the town, city or
858 borough at intervals of not less than two days, the first being not more
859 than fifteen days or less than ten days, and the second being not less
860 than two days before such hearing. Notwithstanding the provisions of
861 this subsection or any charter or home rule ordinance, notice of such
862 hearing may be posted on the web site of the town, city or borough in
863 lieu of publication in a newspaper, provided all other requirements of

864 this section with respect to such notice are met. The local authority
865 shall approve or deny such application within sixty-five days after
866 such hearing, provided an extension of time not to exceed a further
867 period of sixty-five days may be had with the consent of the applicant.
868 The grounds for its action shall be stated in the records of the
869 authority. Each applicant shall pay a fee of ten dollars, together with
870 the costs of the publication of such notice in a newspaper, if any, and
871 the reasonable expense of such hearing, to the treasurer of such town,
872 city or borough.

873 Sec. 26. Subsection (c) of section 22a-42a of the 2010 supplement to
874 the general statutes is repealed and the following is substituted in lieu
875 thereof (*Effective from passage*):

876 (c) (1) On and after the effective date of the municipal regulations
877 promulgated pursuant to subsection (b) of this section, no regulated
878 activity shall be conducted upon any inland wetland or watercourse
879 without a permit. Any person proposing to conduct or cause to be
880 conducted a regulated activity upon an inland wetland or watercourse
881 shall file an application with the inland wetlands agency of the town or
882 towns wherein the wetland or watercourse in question is located. The
883 application shall be in such form and contain such information as the
884 inland wetlands agency may prescribe. The date of receipt of an
885 application shall be determined in accordance with the provisions of
886 subsection (c) of section 8-7d, as amended by this act. The inland
887 wetlands agency shall not hold a public hearing on such application
888 unless the inland wetlands agency determines that the proposed
889 activity may have a significant impact on wetlands or watercourses, a
890 petition signed by at least twenty-five persons who are eighteen years
891 of age or older and who reside in the municipality in which the
892 regulated activity is proposed, requesting a hearing is filed with the
893 agency not later than fourteen days after the date of receipt of such
894 application, or the agency finds that a public hearing regarding such
895 application would be in the public interest. An inland wetlands agency
896 may issue a permit without a public hearing provided no petition

897 provided for in this subsection is filed with the agency on or before the
898 fourteenth day after the date of receipt of the application. Such hearing
899 shall be held in accordance with the provisions of section 8-7d, as
900 amended by this act. If the inland wetlands agency, or its agent, fails to
901 act on any application within thirty-five days after the completion of a
902 public hearing or in the absence of a public hearing within sixty-five
903 days from the date of receipt of the application, or within any
904 extension of any such period as provided in section 8-7d, as amended
905 by this act, the applicant may file such application with the
906 Commissioner of Environmental Protection who shall review and act
907 on such application in accordance with this section. Any costs incurred
908 by the commissioner in reviewing such application for such inland
909 wetlands agency shall be paid by the municipality that established or
910 authorized the agency. Any fees that would have been paid to such
911 municipality if such application had not been filed with the
912 commissioner shall be paid to the state. The failure of the inland
913 wetlands agency or the commissioner to act within any time period
914 specified in this subsection, or any extension thereof, shall not be
915 deemed to constitute approval of the application.

916 (2) An inland wetlands agency may delegate to its duly authorized
917 agent the authority to approve or extend an activity that is not located
918 in a wetland or watercourse when such agent finds that the conduct of
919 such activity would result in no greater than a minimal impact on any
920 wetland or watercourse provided such agent has completed the
921 comprehensive training program developed by the commissioner
922 pursuant to section 22a-39. Notwithstanding the provisions for receipt
923 and processing applications prescribed in subdivision (1) of this
924 subsection, such agent may approve or extend such an activity at any
925 time. Any person receiving such approval from such agent shall,
926 within ten days of the date of such approval, publish, at the applicant's
927 expense, notice of the approval in a newspaper having a general
928 circulation in the town wherein the activity is located or will have an
929 effect. Any person may appeal such decision of such agent to the
930 inland wetlands agency within fifteen days after the publication date

931 of the notice and the inland wetlands agency shall consider such
932 appeal at its next regularly scheduled meeting provided such meeting
933 is no earlier than three business days after receipt by such agency or its
934 agent of such appeal. The inland wetlands agency shall, at its
935 discretion, sustain, alter or reject the decision of its agent or require an
936 application for a permit in accordance with subdivision (1) of
937 subsection (c) of this section. Notwithstanding the provisions of this
938 section or any charter or home rule ordinance, notice of such approval
939 may be posted on the web site of the municipality in lieu of publication
940 in a newspaper, provided all other requirements of this section with
941 respect to such notice are met.

942 Sec. 27. Subsection (f) of section 22a-109 of the general statutes is
943 repealed and the following is substituted in lieu thereof (*Effective from*
944 *passage*):

945 (f) The zoning commission shall set forth the reasons for any
946 decision to deny, modify or condition a coastal site plan submitted
947 under this section. A copy of any decision shall be sent by certified
948 mail to the person who submitted such plan within fifteen days after
949 such decision is rendered. A copy of any decision on a coastal site plan
950 for a shoreline flood and erosion control structure shall be sent to the
951 Commissioner of Environmental Protection within fifteen days after
952 such decision is rendered. The commission shall publish notice of the
953 approval or denial of a coastal site plan, in a newspaper having a
954 general circulation in the municipality, not more than fifteen days after
955 such decision is rendered. Notwithstanding the provisions of this
956 subsection or any charter or home rule ordinance, notice of such
957 approval or disapproval may be posted on the web site of the
958 municipality in lieu of publication in a newspaper, provided all other
959 requirements of this section with respect to such notice are met.

960 Sec. 28. Section 22a-354p of the general statutes is repealed and the
961 following is substituted in lieu thereof (*Effective from passage*):

962 (a) The aquifer protection agency authorized by section 22a-354o

963 shall, by regulation, provide for (1) the manner in which the
964 boundaries of aquifer protection areas shall be established and
965 amended or changed, (2) the form for an application to conduct
966 regulated activities within the area, (3) notice and publication
967 requirements, (4) criteria and procedures for the review of
968 applications, and (5) administration and enforcement.

969 (b) No regulations of an aquifer protection agency shall become
970 effective or be established until after a public hearing in relation
971 thereto is held by the agency at which parties in interest and citizens
972 shall have an opportunity to be heard. Notice of the time and place of
973 such hearing shall be published in the form of a legal advertisement,
974 appearing at least twice in a newspaper having a substantial
975 circulation in the municipality at intervals of not less than two days,
976 the first not more than twenty-five days or less than fifteen days, and
977 the last not less than two days, before such hearing, and a copy of such
978 proposed regulation shall be filed in the office of the town, city or
979 borough clerk, as the case may be, in such municipality, for public
980 inspection at least ten days before such hearing, and may be published
981 in full in such paper. Notwithstanding the provisions of this subsection
982 or any charter or home rule ordinance, notice of the hearing may be
983 posted on the web site of the municipality in lieu of publication in a
984 newspaper, provided all other requirements of this subsection with
985 respect to such notice are met. A copy of the notice and the proposed
986 regulations or amendments thereto shall be provided to the
987 Commissioner of Environmental Protection, the town clerk and any
988 affected water company at least thirty-five days before such hearing.
989 Such regulations may be from time to time amended, changed or
990 repealed after a public hearing in relation thereto is held by the agency
991 at which parties in interest and citizens shall have an opportunity to be
992 heard and for which notice shall be published or posted in the manner
993 specified in this subsection. Regulations or changes therein shall
994 become effective at such time as is fixed by the agency, provided a
995 copy of such regulation or change shall be filed in the office of the
996 town, city or borough clerk, as the case may be. Whenever an agency

997 makes a change in regulations, it shall state upon its records the reason
998 why the change was made. All petitions submitted in writing and in a
999 form prescribed by the agency requesting a change in the regulations
1000 shall be considered at a public hearing in the manner provided for
1001 establishment of such regulations within ninety days after receipt of
1002 such petition. The agency shall act upon the changes requested in the
1003 petition within sixty days after the hearing. The petitioner may consent
1004 to extension of the periods provided for a hearing and for adoption or
1005 denial or may withdraw such petition.

1006 (c) Pursuant to municipal regulations adopted under subsection (b)
1007 of this section, no regulated activity shall be conducted within any
1008 aquifer protection area without a permit. Any person proposing to
1009 conduct or cause to be conducted a regulated activity within an aquifer
1010 protection area shall file an application with the aquifer protection
1011 agency of each municipality wherein the aquifer in question is located.
1012 The application shall be in such form and contain such information as
1013 the agency may prescribe. The date of receipt of an application shall be
1014 determined in accordance with the provisions of subsection (c) of
1015 section 8-7d, as amended by this act. The agency may hold a public
1016 hearing on such application. Such hearing shall be held in accordance
1017 with the provisions of section 8-7d, as amended by this act. In addition
1018 to the requirements of section 8-7d, as amended by this act, the agency
1019 shall send to any affected water company, at least ten days before the
1020 hearing, a copy of the notice by certified mail, return receipt requested.

1021 (d) In granting, denying or limiting any permit for a regulated
1022 activity the aquifer protection agency shall state upon the record the
1023 reason for its decision. In granting a permit the agency may grant the
1024 application as filed or grant it upon such terms, conditions, limitations
1025 or modifications of the activity as are intended to carry out the policies
1026 of section 22a-354g. No person shall conduct any regulated activity
1027 within an aquifer protection area which requires zoning or subdivision
1028 approval without first having obtained a valid certificate of zoning or
1029 subdivision approval, special permit, special exception or variance, or

1030 other documentation establishing that the proposal complies with the
1031 zoning or subdivision requirements adopted by the municipality
1032 pursuant to chapters 124 to 126, inclusive, or any special act. The
1033 agency may suspend or revoke a permit if it finds, after giving notice
1034 to the permittee of the facts or conduct which warrants the intended
1035 action and after a hearing at which the permittee is given an
1036 opportunity to show compliance with the requirements for retention of
1037 the permit, that the applicant has not complied with the conditions or
1038 limitations set forth in the permit or has exceeded the scope of the
1039 work as set forth in the application. The agency shall send to any
1040 affected water company a copy of the notice at least ten days before the
1041 hearing by certified mail, return receipt requested. Any affected water
1042 company may, through a representative, appear and be heard at any
1043 such hearing. The applicant or permittee shall be notified of the
1044 agency's decision by certified mail, return receipt requested, within
1045 fifteen days of the date of the decision and the agency shall cause
1046 notice of its order in the issuance, denial, revocation or suspension of a
1047 permit to be published in a newspaper having a general circulation in
1048 the municipality in which the aquifer protection area is located.
1049 Notwithstanding the provisions of this subsection or any charter or
1050 home rule ordinance, notice of any such order in the issuance, denial,
1051 revocation or suspension of a permit may be posted on the web site of
1052 the municipality in lieu of publication in a newspaper, provided all
1053 other requirements of this subsection with respect to any such order
1054 are met.

1055 (e) The aquifer protection agency may require a filing fee to be
1056 deposited with the agency. The amount of such fee shall be sufficient
1057 to cover the reasonable cost of reviewing and acting on applications
1058 and petitions, including, but not limited to, the costs of certified
1059 mailings, publications of notices and decisions, and monitoring
1060 compliance with permit conditions, regulations adopted pursuant to
1061 sections 19a-37, 22-6c, 22a-354c, 22a-354e, 22a-354g to 22a-354bb,
1062 inclusive, 25-32d, 25-33h, 25-33n and subsection (a) of section 25-84, or
1063 agency orders.

1064 (f) Any regulations adopted by an agency under this section shall
1065 not be effective unless the Commissioner of Environmental Protection
1066 determines that such regulations are reasonably related to the purpose
1067 of groundwater protection and not inconsistent with the regulations
1068 adopted pursuant to section 22a-354i. A regulation adopted by a
1069 municipality shall not be deemed inconsistent if such regulation
1070 establishes a greater level of protection. The commissioner shall
1071 provide written notification to the agency of approval or the reasons
1072 such regulations cannot be approved within sixty days of receipt by
1073 the commissioner of the regulations adopted by the agency.

1074 (g) (1) Notwithstanding any other provision of the general statutes,
1075 the commissioner shall have sole authority to grant, deny, limit or
1076 modify, in accordance with regulations adopted by him, a permit for
1077 any regulated activity in an aquifer protection area proposed by (A)
1078 any person to whom the commissioner has issued an individual permit
1079 for the subject site under the national pollutant discharge elimination
1080 system of the federal Clean Water Act (33 USC 1251 et seq.) or under
1081 the state pollutant discharge elimination system pursuant to section
1082 22a-430 or any person to whom the commissioner has issued a permit
1083 for the subject site under the provisions of the federal Resource
1084 Conservation and Recovery Act (42 USC 6901 et seq.) for a treatment,
1085 storage or disposal facility, (B) any public service company, as defined
1086 in section 16-1, providing gas, electric, pipeline, water or telephone
1087 service, (C) any large quantity generator, as defined in regulations
1088 adopted by the commissioner under section 22a-449, or (D) any state
1089 department, agency or instrumentality, except any local or regional
1090 board of education. Such authority may be exercised only after an
1091 advisory decision on such permit has been rendered to the
1092 commissioner by the aquifer protection agency of the municipality
1093 within which such aquifer protection area is located or thirty-five days
1094 after receipt by the commissioner of the application for such permit,
1095 whichever occurs first. The commissioner shall provide prompt notice
1096 of receipt of an application to the municipal aquifer protection agency.

1097 (2) If the commissioner requires the submission of a registration or
1098 other document under regulations adopted pursuant to section 22a-
1099 354i, such submission shall be made to the commissioner by any
1100 person to whom the commissioner has issued an individual permit
1101 under the national pollutant discharge elimination system of the
1102 federal Clean Water Act, or an individual permit under the state
1103 pollutant discharge elimination system pursuant to section 22a-430, or
1104 by any person to whom the commissioner has issued a permit under
1105 the provisions of the federal Resource Conservation and Recovery Act
1106 for a treatment, storage or disposal facility, or any public service
1107 company, as defined in section 16-1, providing gas, electric, pipeline,
1108 water or telephone service, or a large quantity generator, as defined in
1109 regulations adopted by the commissioner under section 22a-449, or
1110 any state department, agency or instrumentality, except any local or
1111 regional board of education.

1112 Sec. 29. Section 50-11 of the general statutes is repealed and the
1113 following is substituted in lieu thereof (*Effective from passage*):

1114 The police department shall, commencing within one week from the
1115 date of receipt of any lost article, advertise a general description of
1116 such article once a week for at least two successive weeks in a
1117 newspaper having a circulation in such municipality and shall retain
1118 custody of such article for six months from the date of receipt thereof,
1119 unless it is claimed by the rightful owner within such six months'
1120 period. Notwithstanding the provisions of this section or any charter
1121 or home rule ordinance, such advertisement may be posted on the web
1122 site of the police department or on the web site of the municipality in
1123 lieu of publication in a newspaper, provided all other requirements of
1124 this section with respect to such advertisement are met. The
1125 requirement of advertising may be omitted when the value or
1126 estimated value of the article is less than [two] fifty dollars. Perishable
1127 or obnoxious property or articles of a dangerous or harmful nature
1128 may be sold or otherwise disposed of as soon as practicable on the best
1129 terms available.

1130 Sec. 30. (NEW) (*Effective from passage*) (a) As used in this section,
1131 "agency of this state" means any executive, administrative or
1132 legislative office of the state and any state agency, department,
1133 institution, bureau, board, commission, authority or official of the
1134 state, including any committee of, or committee created by, any such
1135 office, agency, department, institution, bureau, board, commission,
1136 authority or official.

1137 (b) Notwithstanding the provisions of any section of the general
1138 statutes, or regulation adopted thereunder, or any public or special act
1139 that requires an agency of the state to publish a notice or any other
1140 information in a newspaper, such agency may post such notice or
1141 information on the web site of the agency of the state, in lieu of
1142 publication in a newspaper, provided all other requirements of law
1143 with respect to such notice or information are met.

1144 (c) Each agency of this state shall, to the extent practicable and
1145 within available appropriations, provide for the acceptance of
1146 electronic records from any town, city, borough, municipal
1147 corporation, school district, regional district or other district or other
1148 political subdivision of this state, and records bearing the electronic
1149 signature of officials of such political subdivisions and any
1150 departments, institutions, bureaus, boards, commissions or authorities
1151 thereof. The provisions of this subsection shall be applicable with
1152 respect to any statement, list, report or other information required by
1153 any section of the general statutes, or any regulations adopted
1154 thereunder, including, but not limited to, sections 9-301, 9-314, 9-322a,
1155 9-371, 9-440, 14-150, 14-227i, 15-140q, 15-149b, 17a-101, 17a-101c, 19a-
1156 200, 19a-204, 22a-109, 26-67c, 29-254, 29-296, 29-303 and 29-305 of the
1157 general statutes, as amended by this act, or by any public or special act.

1158 Sec. 31. Subsection (g) of section 10-233c of the 2010 supplement to
1159 the general statutes is repealed and the following is substituted in lieu
1160 thereof (*Effective from passage*):

1161 (g) On and after July 1, [2010] 2012, suspensions pursuant to this

1162 section shall be in-school suspensions, unless during the hearing held
1163 pursuant to subsection (a) of this section, the administration
1164 determines that the pupil being suspended poses such a danger to
1165 persons or property or such a disruption of the educational process
1166 that the pupil shall be excluded from school during the period of
1167 suspension. An in-school suspension may be served in the school that
1168 the pupil attends, or in any school building under the jurisdiction of
1169 the local or regional board of education, as determined by such board.

1170 Sec. 32. Section 1-2 of the general statutes is repealed and the
1171 following is substituted in lieu thereof (*Effective from passage*):

1172 Each provision of the general statutes, the special acts or the charter
1173 of any town, city or borough which requires the insertion of an
1174 advertisement of a legal notice in a daily newspaper shall be construed
1175 to permit such advertisement to be inserted in a weekly newspaper [;
1176 but] or posted on the web site of the town, city or borough. The
1177 provisions of this section shall not be construed to reduce or otherwise
1178 affect the time required by law for giving such notice. Whenever notice
1179 of any action or other proceeding is required to be given by
1180 publication in a newspaper, either by statute or order of court, the
1181 newspaper selected for that purpose, unless otherwise expressly
1182 prescribed, shall be one having a substantial circulation in the town in
1183 which at least one of the parties, for whose benefit such notice is given,
1184 resides.

1185 Sec. 33. Section 8-12a of the general statutes is repealed and the
1186 following is substituted in lieu thereof (*Effective October 1, 2010, and*
1187 *applicable to causes of action arising on or after said date*):

1188 (a) Any municipality may, by ordinance adopted by its legislative
1189 body, establish penalties for violations of zoning regulations adopted
1190 under section 8-2 or by special act. The ordinance shall establish the
1191 types of violations for which a citation may be issued and the amount
1192 of any fine to be imposed thereby and shall specify the time period for
1193 uncontested payment of fines for any alleged violation under any such

1194 regulation. No fine imposed under the authority of this section may
1195 exceed one hundred fifty dollars for each day a violation continues.
1196 Any fine shall be payable to the treasurer of the municipality.

1197 (b) The hearing procedure for any citation issued pursuant to this
1198 section shall be in accordance with section 7-152c except that no zoning
1199 enforcement officer, building inspector or employee of the municipal
1200 body exercising zoning authority may be appointed to be a hearing
1201 officer.

1202 (c) Any zoning enforcement officer who issues a citation pursuant to
1203 an ordinance adopted under this section shall be liable for [treble]
1204 damages in any civil action if the court finds that such citation was
1205 issued frivolously or without probable cause.

1206 Sec. 34. (NEW) (*Effective from passage*) (a) Not later than July 1, 2011,
1207 the State Employees Retirement Commission shall establish a new
1208 municipal employee retirement program, to be known as the
1209 Connecticut Municipal Employee Retirement Fund C, and shall
1210 establish benefits, costs and procedures for said fund. The purpose of
1211 the fund shall be to allow all member communities to provide
1212 retirement benefits to employees in a less expensive and more cost-
1213 effective manner.

1214 (b) Not later than January 15, 2011, the State Employees Retirement
1215 Commission shall, in consultation with the State Comptroller, State
1216 Treasurer and Secretary of the Office of Policy and Management, or
1217 their designees, report to the Governor and the General Assembly
1218 concerning the planned benefits and costs of the Connecticut
1219 Municipal Employee Retirement Fund C, including any legislation that
1220 the commission believes is necessary to implement the provisions of
1221 this section.

1222 Sec. 35. (NEW) (*Effective from passage*) Not later than January 1, 2011,
1223 the Real Property Electronic Recording Advisory Committee
1224 established under section 7-35ee of the general statutes shall make

1225 recommendations to reduce, by five years, the time period that
 1226 municipalities must maintain or store any public record for which the
 1227 retention period is currently twenty years, even if such record is not
 1228 recorded on the land records. Said committee shall develop such
 1229 recommendations after considering suggestions solicited from the
 1230 chief executive officer of each municipality. The Public Records
 1231 Administrator shall revise the retention schedule to reflect any of such
 1232 recommendations of which the Public Records Administrator
 1233 approves.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>January 1, 2011</i>	New section
Sec. 2	<i>from passage</i>	7-406
Sec. 3	<i>July 1, 2010</i>	47a-42
Sec. 4	<i>from passage</i>	49-22
Sec. 5	<i>from passage</i>	7-3
Sec. 6	<i>from passage</i>	8-3
Sec. 7	<i>from passage</i>	8-7d
Sec. 8	<i>from passage</i>	8-26(d)
Sec. 9	<i>from passage</i>	8-28
Sec. 10	<i>from passage</i>	9-16
Sec. 11	<i>from passage</i>	9-37
Sec. 12	<i>from passage</i>	9-53
Sec. 13	<i>from passage</i>	9-164
Sec. 14	<i>from passage</i>	9-225
Sec. 15	<i>from passage</i>	9-226
Sec. 16	<i>from passage</i>	9-332
Sec. 17	<i>from passage</i>	9-395
Sec. 18	<i>from passage</i>	9-433
Sec. 19	<i>from passage</i>	9-435
Sec. 20	<i>from passage</i>	9-471
Sec. 21	<i>from passage</i>	12-40
Sec. 22	<i>from passage</i>	12-145
Sec. 23	<i>from passage</i>	12-186
Sec. 24	<i>from passage</i>	14-67t
Sec. 25	<i>from passage</i>	19a-320(b)
Sec. 26	<i>from passage</i>	22a-42a(c)

Sec. 27	<i>from passage</i>	22a-109(f)
Sec. 28	<i>from passage</i>	22a-354p
Sec. 29	<i>from passage</i>	50-11
Sec. 30	<i>from passage</i>	New section
Sec. 31	<i>from passage</i>	10-233c(g)
Sec. 32	<i>from passage</i>	1-2
Sec. 33	<i>October 1, 2010, and applicable to causes of action arising on or after said date</i>	8-12a
Sec. 34	<i>from passage</i>	New section
Sec. 35	<i>from passage</i>	New section

Statement of Purpose:

To implement the Governor's budget recommendations.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]