



General Assembly

January Session, 2011

Committee Bill No. 5780

LCO No. 2982

02982HB05780PD_

Referred to Committee on Planning and Development

Introduced by:
(PD)

AN ACT CONCERNING INTERLOCAL AGREEMENTS.

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

1 Section 1. Section 7-148cc of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2011*):

3 Two or more municipalities may jointly perform any function that
4 each municipality may perform separately under any provisions of the
5 general statutes or of any special act, charter or home rule ordinance
6 by entering into an interlocal agreement pursuant to sections 7-339a to
7 7-339l, inclusive, as amended by this act. [Each participating
8 municipality shall approve any agreement entered into pursuant to
9 this section in the same manner as an ordinance is approved in such
10 participating municipality or , if no ordinances are approved by such
11 participating municipality, in the same manner as the budget is
12 approved. The terms of each agreement shall establish a process for
13 withdrawal from such agreement and shall require that the agreement
14 be reviewed at least once every five years by the body that approved
15 the agreement to assess the effectiveness of such agreement in
16 enhancing the performance of the function that is the subject of the

17 agreement.] As used in this section, "municipality" means any
18 municipality, as defined in section 7-187, [or] any district, as defined in
19 section 7-324, any metropolitan district or any municipal district
20 created under section 7-330 and located within the state of
21 Connecticut.

22 Sec. 2. Section 7-339a of the general statutes is repealed and the
23 following is substituted in lieu thereof (*Effective October 1, 2011*):

24 As used in sections 7-339a to 7-339l, inclusive, as amended by this
25 act, unless a different meaning clearly appears from the context:
26 "Public agency" means any [city, town or borough or any district as
27 defined in section 7-324 or any metropolitan district or any municipal
28 district created under section 7-330] municipality, as defined in section
29 7-148cc, as amended by this act, of the state of Connecticut, and any
30 local governmental unit, subdivision or special district of another state;
31 "interlocal agreement" means an agreement entered into pursuant to
32 said sections; "interlocal advisory board" means a board established
33 pursuant to said sections; "participating public agency" means a party
34 to an interlocal agreement; "legislative body" has the meaning assigned
35 to it by section 1-1 but, where the legislative body is the town meeting,
36 the requirements of said sections as to holding public hearings by a
37 legislative body shall not apply.

38 Sec. 3. Subsection (a) of section 7-339b of the general statutes is
39 repealed and the following is substituted in lieu thereof (*Effective*
40 *October 1, 2011*):

41 (a) Any public agency of this state may participate in developing
42 and implementing interlocal agreements with any public agency or
43 agencies of this state or any other state or states providing for any of
44 the following:

45 [(1) The exchange, furnishing or providing by one or more of the
46 participating public agencies to one or more of the other participating
47 public agencies, or the furnishing or providing for the joint use or

48 benefit of the several participating public agencies, of services,
49 personnel, facilities, equipment or any other property or resources for
50 any one or more of the following purposes or uses: Fire prevention and
51 fire fighting; police protection and police services; supply of water, gas
52 or electricity; garbage collection and disposal; sewer lines and sewage
53 treatment and disposal; refuse collection and disposal, and
54 establishment or use of public dumps; storm drainage; establishment
55 or use of airports or landing fields; public entertainment and
56 amusement; establishment or use of parks, public gardens,
57 gymnasiums, playgrounds, swimming pools, community centers,
58 recreation centers or other recreational areas or facilities; establishment
59 and preservation of open spaces; control of air and water pollution;
60 planning services; engineering services; lighting; ambulance service;
61 fire and police radio and communication systems, hospital service;
62 public health services; mental health services; establishment or care of
63 cemeteries; library or bookmobile services; suppression or control of
64 plant and animal pests or diseases; flood control; water conservation;
65 public shade tree protection services; traffic services; transportation
66 services; redevelopment services, and publicizing the advantages of
67 the region.]

68 (1) The joint performance of any function that each participating
69 public agency may perform separately under any provision of the
70 general statutes or of any special act, charter or home rule ordinance.

71 (2) The establishment of an interlocal advisory board or boards to
72 recommend programs and policies for cooperative or uniform action in
73 any fields of activity permitted or authorized hereunder for each
74 participating public agency, and from time to time to advise with the
75 appropriate officials of the participating public agencies in respect to
76 such programs, policies or fields of activity.

77 (3) The establishment and maintenance of interlocal employees or
78 officers of the participating public agencies for the purpose of
79 administering or assisting in any of the undertakings contemplated by

80 subdivision (1) [hereof] of this subsection or for the purpose of
81 performing services for an interlocal advisory board as authorized by
82 subdivision (2) [hereof] of this subsection. Such employees or officers,
83 if not continuing in or eligible for the merit system, insurance and
84 pension benefits and status of employment with a participating public
85 agency, may continue in such status or be made eligible therefor if the
86 interlocal agreement contains appropriate provisions to this effect. An
87 interlocal advisory board may enter into an agreement with the federal
88 Secretary of Health and Human Services to provide Old Age and
89 Survivors Insurance coverage to employees of such board.

90 Sec. 4. Section 7-339c of the general statutes is repealed and the
91 following is substituted in lieu thereof (*Effective October 1, 2011*):

92 [(a) The public agencies proposing an interlocal agreement shall
93 submit to the legislative body of each participating public agency a
94 copy of the proposed interlocal agreement as it may have prepared.
95 Within thirty days after receipt thereof, the legislative body of each
96 participating public agency shall hold at least one public hearing on
97 the proposed agreement and, within fifteen days after such hearing, or
98 the last of such hearings, submit to each other participating public
99 agency any recommendations for changes in the proposed agreement
100 that it may deem desirable.

101 (b) If no recommendations for changes are submitted to the public
102 agency, the agreement shall be deemed final. If recommendations for
103 changes are submitted within such time, after consideration thereof,
104 the public agencies shall submit a final report to the legislative body of
105 each participating public agency, together with a copy of its proposed
106 agreement, if it has been revised in any respect.

107 (c) Within thirty days after an agreement has become final, it shall
108 be either ratified or rejected by vote of the legislative body of each
109 participating public agency. If, by any general or special law,
110 ordinance, charter provision, bylaw, corporate article or district rule or
111 regulation, any subject contained in an interlocal agreement must be

112 submitted to a referendum before being undertaken individually by
113 such agency or jointly by such agency and any other public agency, the
114 agreement shall be submitted to a referendum of the electors of such
115 public agency and shall not be deemed ratified by such public agency
116 until approved at such referendum.

117 (d) Unless an interlocal agreement requires ratification by a specific
118 number of participating public agencies, it shall take effect as to
119 ratifying agencies at such time as it shall provide, when ratified by any
120 two participating agencies. Rejection by any participating agency shall
121 not void an agreement as to other ratifying agencies, unless the
122 agreement so provides.]

123 Interlocal agreements shall be negotiated and shall contain all
124 provisions on which there is mutual agreement between the
125 participating public agencies. Such agreements shall establish a
126 process for amendment, termination and withdrawal. The public
127 agencies proposing an interlocal agreement shall submit to the
128 legislative body of each participating public agency a copy of the
129 proposed interlocal agreement for ratification or rejection. The
130 legislative body of each participating public agency shall provide the
131 opportunity for public comment before voting to ratify or reject such
132 proposed agreement. For purposes of this section, providing the
133 opportunity for public comment does not require a legislative body to
134 conduct a public hearing.

135 Sec. 5. Subsection (a) of section 12-62q of the general statutes is
136 repealed and the following is substituted in lieu thereof (*Effective*
137 *October 1, 2011*):

138 (a) Notwithstanding the provisions of subdivision (1) of subsection
139 (b) of section 12-62, any two or more towns may enter into an
140 agreement, as provided in section 7-148cc, as amended by this act, and
141 sections 7-339a to 7-339l, inclusive, as amended by this act, to establish
142 a regional revaluation program. Towns participating in such an
143 agreement shall provide for the revaluation of all parcels of real

144 property encompassed within such towns at the same time and not
 145 less than once every five years, or shall annually revalue
 146 approximately one-fifth of all such parcels over a five-year period.

147 Sec. 6. Section 7-339f of the general statutes is repealed. (*Effective*
 148 *from passage*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2011</i>	7-148cc
Sec. 2	<i>October 1, 2011</i>	7-339a
Sec. 3	<i>October 1, 2011</i>	7-339b(a)
Sec. 4	<i>October 1, 2011</i>	7-339c
Sec. 5	<i>October 1, 2011</i>	12-62q(a)
Sec. 6	<i>from passage</i>	Repealer section

Statement of Purpose:

To clarify existing statutes, simplify the process for regionalization, and encourage municipalities to work together to find efficiencies and reduce the cost of delivering important municipal services.

[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.]

Co-Sponsors: REP. BECKER, 19th Dist.; REP. FLEISCHMANN, 18th Dist.
 SEN. BYE, 5th Dist.; REP. GENTILE, 104th Dist.
 SEN. CASSANO, 4th Dist.; REP. GROGINS, 129th Dist.
 REP. O'BRIEN E., 61st Dist.; SEN. COLEMAN, 2nd Dist.
 SEN. KISSEL, 7th Dist.; REP. WALKER, 93rd Dist.
 REP. ROWE, 123rd Dist.; REP. STEINBERG, 136th Dist.
 REP. ROVERO, 51st Dist.; REP. ALTOBELLO, 82nd Dist.
 REP. REED, 102nd Dist.; REP. JOHNSON, 49th Dist.
 REP. CARTER, 2nd Dist.; REP. BARAM, 15th Dist.
 REP. SAYERS, 60th Dist.; REP. LEMAR, 96th Dist.
 REP. BOUKUS, 22nd Dist.; REP. AMAN, 14th Dist.
 REP. HAMM, 34th Dist.; REP. ROJAS, 9th Dist.
 REP. FLEXER, 44th Dist.; REP. PERONE, 137th Dist.

H.B. 5780