



General Assembly

Amendment

February Session, 2014

LCO No. 4811

HB0558404811HDO

Offered by:

REP. ROJAS, 9th Dist.

SEN. OSTEN, 19th Dist.

To: Subst. House Bill No. 5584

File No. 511

Cal. No. 304

**"AN ACT CONCERNING REGIONALISM AND MAKING
TECHNICAL CHANGES TO STATUTES CONCERNING MUNICIPAL
TAX COLLECTION."**

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Subsection (a) of section 2-79a of the 2014 supplement to
4 the general statutes is repealed and the following is substituted in lieu
5 thereof (*Effective from passage*):

6 (a) There shall be a Connecticut Advisory Commission on
7 Intergovernmental Relations. The purpose of the commission shall be
8 to enhance coordination and cooperation between the state and local
9 governments. The commission shall consist of the president pro
10 tempore of the Senate, the speaker of the House of Representatives, the
11 minority leader of the Senate, the minority leader of the House of
12 Representatives, the Secretary of the Office of Policy and Management,
13 the Commissioners of Education, Energy and Environmental

14 Protection, and Economic and Community Development, or their
15 designees, and sixteen additional members as follows: (1) Six
16 municipal officials appointed by the Governor, four of whom shall be
17 selected from a list of nominees submitted [to him] by the Connecticut
18 Conference of Municipalities and two of whom shall be selected from a
19 list submitted by the Council of Small Towns. Two of such six officials
20 shall be from towns having populations of twenty thousand or less
21 persons, two shall be from towns having populations of more than
22 twenty thousand but less than sixty thousand persons and two shall be
23 from towns having populations of sixty thousand or more persons; (2)
24 two local public education officials appointed by the Governor, one of
25 whom shall be selected from a list of nominees submitted [to him] by
26 the Connecticut Association of Boards of Education and one of whom
27 shall be selected from a list submitted by the Connecticut Association
28 of School Administrators; (3) one representative of a regional council
29 of governments or a regional planning agency appointed by the
30 Governor; [from a list of nominees submitted to him by the Regional
31 Planning Association of Connecticut;] (4) five persons who do not hold
32 elected or appointed office in state or local government, one of whom
33 shall be appointed by the Governor, one of whom shall be appointed
34 by the president pro tempore of the Senate, one of whom shall be
35 appointed by the speaker of the House of Representatives, one of
36 whom shall be appointed by the minority leader of the Senate and one
37 of whom shall be appointed by the minority leader of the House of
38 Representatives; (5) one representative of the Connecticut Conference
39 of Municipalities appointed by said conference; and (6) one
40 representative of the Council of Small Towns appointed by said
41 council. Each member of the commission appointed pursuant to
42 subdivisions (1) to (6), inclusive, shall serve for a term of two years. All
43 other members shall serve for terms [which] that are coterminous with
44 their terms of office. The Governor shall appoint a chairperson and a
45 vice-chairperson from among the commission members. Members of
46 the General Assembly may serve as gubernatorial appointees to the
47 commission. Members of the commission shall not be compensated for
48 their services but shall be reimbursed for necessary expenses incurred

49 in the performance of their duties.

50 Sec. 2. Subsection (a) of section 2-79a of the 2014 supplement to the
51 general statutes, as amended by section 252 of public act 13-247, is
52 repealed and the following is substituted in lieu thereof (*Effective*
53 *January 1, 2015*):

54 (a) There shall be a Connecticut Advisory Commission on
55 Intergovernmental Relations. The purpose of the commission shall be
56 to enhance coordination and cooperation between the state and local
57 governments. The commission shall consist of the president pro
58 tempore of the Senate, the speaker of the House of Representatives, the
59 minority leader of the Senate, the minority leader of the House of
60 Representatives, the Secretary of the Office of Policy and Management,
61 the Commissioners of Education, Energy and Environmental
62 Protection, and Economic and Community Development, or their
63 designees, and sixteen additional members as follows: (1) Six
64 municipal officials appointed by the Governor, four of whom shall be
65 selected from a list of nominees submitted [to him] by the Connecticut
66 Conference of Municipalities and two of whom shall be selected from a
67 list submitted by the Council of Small Towns. Two of such six officials
68 shall be from towns having populations of twenty thousand or less
69 persons, two shall be from towns having populations of more than
70 twenty thousand but less than sixty thousand persons and two shall be
71 from towns having populations of sixty thousand or more persons; (2)
72 two local public education officials appointed by the Governor, one of
73 whom shall be selected from a list of nominees submitted [to him] by
74 the Connecticut Association of Boards of Education and one of whom
75 shall be selected from a list submitted by the Connecticut Association
76 of School Administrators; (3) one representative of a regional council
77 of governments appointed by the Governor; [from a list of nominees
78 submitted to him by the Regional Planning Association of
79 Connecticut;] (4) five persons who do not hold elected or appointed
80 office in state or local government, one of whom shall be appointed by
81 the Governor, one of whom shall be appointed by the president pro

82 tempore of the Senate, one of whom shall be appointed by the speaker
83 of the House of Representatives, one of whom shall be appointed by
84 the minority leader of the Senate and one of whom shall be appointed
85 by the minority leader of the House of Representatives; (5) one
86 representative of the Connecticut Conference of Municipalities
87 appointed by said conference; and (6) one representative of the
88 Council of Small Towns appointed by said council. Each member of
89 the commission appointed pursuant to subdivisions (1) to (6),
90 inclusive, of this subsection shall serve for a term of two years. All
91 other members shall serve for terms which are coterminous with their
92 terms of office. The Governor shall appoint a chairperson and a vice-
93 chairperson from among the commission members. Members of the
94 General Assembly may serve as gubernatorial appointees to the
95 commission. Members of the commission shall not be compensated for
96 their services but shall be reimbursed for necessary expenses incurred
97 in the performance of their duties.

98 Sec. 3. Subsection (c) of section 13a-98n of the 2014 supplement to
99 the general statutes is repealed and the following is substituted in lieu
100 thereof (*Effective January 1, 2015*):

101 (c) The Department of Transportation shall accept applications for
102 such state funding from any eligible recipient, based on project
103 priorities, through the appropriate regional [planning agency] council
104 of governments. Any such state funding shall be provided to the
105 recipient through guidelines developed by the Department of
106 Transportation.

107 Sec. 4. Subsection (i) of section 12-157 of the 2014 supplement to the
108 general statutes is repealed and the following is substituted in lieu
109 thereof (*Effective from passage*):

110 (i) (1) If the sale realizes an amount in excess of the amount needed
111 to pay all delinquent taxes, interest, penalties, fees, and costs, the
112 amount of the excess shall be held in an interest-bearing escrow
113 account separate from all other accounts of the municipality. (A) If the

114 property is redeemed prior to the expiration of the redemption period,
115 the amount held in escrow shall, within ten days of the tax collector
116 receiving notice of redemption, be turned over to the purchaser. Any
117 interest earned shall be the property of the municipality. (B) If the
118 property is not redeemed in the redemption period, the amount held
119 in escrow may be used to pay the delinquent taxes, interest, penalties,
120 fees and costs on the same or any other property of the taxpayer,
121 including personal property and motor vehicles. In the case of
122 subparagraph (B) of this subdivision, the tax collector shall, within ten
123 days of the expiration of the redemption period, pay to the clerk of the
124 court for the judicial district in which the property is located the
125 amount held in escrow remaining after paying the delinquent taxes,
126 interest, fees, penalties and costs owed by the taxpayer to the
127 municipality. The tax collector shall, within five days of the payment,
128 provide notice to the delinquent taxpayer, any mortgagee, lienholder,
129 or other encumbrancer of record whose interest in such property is
130 choate and is affected by the sale, by certified mail, return receipt
131 requested of the name and address of the court to which the moneys
132 were paid, the person's right to file an application with the court for
133 return of said money, and the amount of money paid to the court.

134 (2) If the tax collector pays to the court any moneys pursuant to
135 subparagraph (B) of subdivision (1) of this subsection, the delinquent
136 taxpayer, any mortgagee, lienholder or other encumbrancer whose
137 interest in such property is choate and is affected by the sale may,
138 within ninety days of the date the tax collector paid the moneys to the
139 court, file an application with the court for return of the proceeds. Any
140 person may make an application for payment of moneys deposited in
141 court as provided for in this subsection to the superior court for the
142 judicial district in which the property that is the subject of the
143 proceedings referred to is located, or if said court is not in session to
144 any judge thereof, for a determination of the equity of the parties
145 having an interest in such moneys. Notice of such application shall be
146 served in the same manner as to commence a civil action on all persons
147 having an interest of record in such property on the date the collector's

148 deed is recorded, provided the municipality shall not be a party to
149 such action without its consent. The court or judge upon such motion
150 or upon its own motion may appoint a state referee to hear the facts
151 and to make a determination of the equity of the parties in such
152 moneys. Such referee, after providing at least ten days' notice to the
153 parties interested of the time and place of hearing, shall hear the
154 applicant and any parties interested, take such testimonies as such
155 referee deems material and determine the equities of the parties having
156 a record interest in such moneys and immediately report to the court
157 or judge. The report shall contain a detailed statement of findings by
158 the referee, sufficient to enable the court to determine the
159 considerations upon which the referee based his conclusions. The
160 report may be rejected for any irregular or improper conduct in the
161 performance of the duties of such referee. If the report is rejected, the
162 court or judge shall appoint another referee to make such
163 determination and report. If the report is accepted, such determination
164 of the equities shall be conclusive upon all parties given notice of such
165 hearing, subject to appeal to the Appellate Court. If no appeal to the
166 Appellate Court is filed within the time allowed by law, or if one is
167 filed and the proceedings have terminated in a final judgment
168 determining the amount due to each party, the clerk shall send a
169 certified copy of the statement of compensation and of the judgment to
170 the prevailing party or parties, as the case may be, which shall, upon
171 receipt thereof, pay such parties the amount due them as
172 compensation.

173 (3) If no application is filed with the court, any moneys held by the
174 court shall escheat to the state pursuant to the provisions of part III of
175 chapter 32.

176 Sec. 5. Subsection (b) of section 12-130 of the 2014 supplement to the
177 general statutes is repealed and the following is substituted in lieu
178 thereof (*Effective from passage*):

179 (b) The mill rate to be inserted in the statement of state aid to
180 municipalities required by subsection (a) of this section shall be

181 computed on the total estimated revenues required to fund the
182 estimated expenditures of the municipality exclusive of assistance
183 received or anticipated from the state.

184 Sec. 6. Section 390 of public act 13-247 is repealed and the following
185 is substituted in lieu thereof (*Effective January 1, 2015*):

186 Sections 4-124c to 4-124f, inclusive, 4-124h, 4-124m, [4-124o,] 8-31a,
187 8-32a, 8-33a, 8-34a, 8-36a, 8-37a and 8-37b of the general statutes are
188 repealed.

189 Sec. 7. Section 4-124o of the 2014 supplement to the general statutes
190 is repealed and the following is substituted in lieu thereof (*Effective*
191 *October 1, 2014*):

192 [The planning duties and responsibilities of a regional council of
193 governments, including the making of a plan of development pursuant
194 to section 8-35a, may be carried out by the council or a regional
195 planning commission, acting on behalf of and as a subdivision of the
196 council.] A regional council of governments may, through its bylaws,
197 establish a regional planning commission to carry out the planning
198 duties and responsibilities of such regional council, including the
199 making of a plan of development pursuant to section 8-35a and the
200 issuance of advisory opinions where authorized or required by the
201 general statutes. Any such regional planning commission shall serve in
202 an advisory capacity and any recommendation from such regional
203 planning commission shall be endorsed by the regional council of
204 governments before becoming effective, except such endorsement shall
205 not be required for any report issued pursuant to section 8-3b or 8-26b.
206 Members of such regional planning commission shall be appointed
207 and serve in accordance with the bylaws, provided fifty per cent of the
208 members of such regional planning commission shall serve
209 concurrently as commissioners of member planning commissions,
210 zoning commissions or combined planning and zoning commissions.
211 Each member of such regional council shall be entitled to a
212 representative on the regional planning commission who shall be an

213 elector of such member. [and on its planning commission. Such
214 representative shall be appointed by such planning commission, with
215 the concurrence of the appointing authority of such member. Each
216 member may also appoint an alternate representative who shall be an
217 elector of such member and who shall be appointed by its planning
218 commission, with the concurrence of the appointing authority of such
219 member. Such alternate representative shall, when the representative
220 of the member from which he or she was appointed is absent, have all
221 the powers and duties of such representative. Each regional planning
222 commission representative shall be entitled to one vote in the affairs of
223 such commission but shall not otherwise be entitled to vote in the
224 affairs of the council. All matters referred to the council which by
225 statute or otherwise are required to be referred to and considered by a
226 regional planning agency shall be considered and commented upon by
227 the council or regional planning commission in accordance with
228 procedures recommended by such commission and adopted by the
229 council with the concurrence of such commission. The council shall
230 have the authority, at the request of a party having referred any such
231 matter to the council's attention, to review and revise, in whole or in
232 part, the comments and recommendations of the regional planning
233 commission as to such matter. If at any time the council is deemed a
234 regional council of elected officials under subsection (d) of section 4-
235 124l, the existence of such regional planning commission shall
236 terminate forthwith.]

237 Sec. 8. Subsection (c) of section 4-66k of the 2014 supplement to the
238 general statutes is repealed and the following is substituted in lieu
239 thereof (*Effective from passage*):

240 (c) Beginning in the fiscal year ending June 30, 2015, and annually
241 thereafter, funds from the regional planning incentive account shall be
242 distributed to each regional council of governments formed pursuant
243 to section 4-124j, in the amount of one hundred twenty-five thousand
244 dollars plus fifty cents per capita, using population information from
245 the most recent federal decennial census. Any regional council of

246 governments that is comprised of any two or more regional planning
 247 organizations, as defined in section 4-124i, revision of 1958, revised to
 248 January 1, 2013, that voluntarily consolidated on or before December
 249 31, 2013, shall receive a payment in the amount of one hundred
 250 twenty-five thousand dollars for each such regional planning
 251 organization that voluntarily consolidated on or before said date. Any
 252 regional council of governments located within a planning region that
 253 was redesignated by the secretary pursuant to section 16a-4c shall
 254 receive an additional pro rata share of such payment for each
 255 municipality redesignated to its region, provided the secretary
 256 eliminated the former planning region of such redesignated
 257 municipality. The pro rata share shall be calculated by dividing the
 258 population of each redesignated municipality by the total population
 259 of the former planning region of such municipality, using population
 260 information from the most recent federal decennial census, and
 261 multiplying the result by one hundred twenty-five thousand dollars.
 262 The secretary may, at his or her discretion, provide an additional one-
 263 hundred-twenty-five-thousand-dollar payment to any regional council
 264 of governments that did not voluntarily consolidate on or before
 265 December 31, 2013, and that is located within a planning region that
 266 was not redesignated by the secretary pursuant to section 16a-4c.

267 Sec. 9. Subsection (d) of section 10-397 of the general statutes is
 268 repealed and the following is substituted in lieu thereof (*Effective from*
 269 *passage*):

270 (d) Each tourism district shall adopt a charter and bylaws governing
 271 its operation and may establish an Internet web site to promote
 272 tourism in the district."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	2-79a(a)
Sec. 2	<i>January 1, 2015</i>	2-79a(a)
Sec. 3	<i>January 1, 2015</i>	13a-98n(c)

Sec. 4	<i>from passage</i>	12-157(i)
Sec. 5	<i>from passage</i>	12-130(b)
Sec. 6	<i>January 1, 2015</i>	PA 13-247, Sec. 390
Sec. 7	<i>October 1, 2014</i>	4-124o
Sec. 8	<i>from passage</i>	4-66k(c)
Sec. 9	<i>from passage</i>	10-397(d)