



General Assembly

**Amendment**

January Session, 2015

LCO No. 8087



Offered by:

SEN. MOORE, 22<sup>nd</sup> Dist.

SEN. GOMES, 23<sup>rd</sup> Dist.

To: Senate Bill No. 882

File No. 135

Cal. No. 136

**"AN ACT CONCERNING MUNICIPAL INFRASTRUCTURE."**

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

3 "Section 1. Subsection (e) of section 7-421 of the general statutes is  
4 repealed and the following is substituted in lieu thereof (*Effective*  
5 *October 1, 2015*):

6 (e) Any municipal employee shall have the right to serve on any  
7 governmental body of the town in which such employee resides except  
8 any body which has responsibility for direct supervision of such  
9 employee. Notwithstanding the provisions of this subsection, (1) no  
10 such employee shall serve on [any of the following] any board of  
11 finance created pursuant to chapter 106 or any special act or municipal  
12 charter or any body exercising the powers of a board of finance unless  
13 such employee is permitted to serve pursuant to the provisions of a  
14 municipal charter or home rule ordinance or serves because of  
15 membership on the legislative body of [the] a municipality [: (A) Any

16 board of finance created pursuant to chapter 106 or any special act or  
17 municipal charter; (B) any] having a population of less than one  
18 hundred forty thousand as shown by the most recent federal decennial  
19 census; (2) no such employee shall serve on any of the following unless  
20 such employee is permitted to serve pursuant to the provisions of a  
21 municipal charter or home rule ordinance or serves because of  
22 membership on the legislative body of the municipality: (A) Any body  
23 exercising zoning powers pursuant to chapter 124 or any special act or  
24 municipal charter; [(C)] (B) any body exercising land use powers  
25 pursuant to chapter 125a or any special act or municipal charter; [(D)]  
26 (C) any body exercising planning powers pursuant to chapter 126 or  
27 any special act or municipal charter; or [(E)] (D) any body regulating  
28 inland wetlands and watercourses pursuant to chapter 440 or any  
29 special act or municipal charter; [and (2)] (3) any municipality may, by  
30 ordinance adopted by its legislative body, authorize such employees to  
31 serve on (A) any body exercising zoning powers pursuant to chapter  
32 124 or any special act or municipal charter; (B) any body exercising  
33 land use powers pursuant to chapter 125a or any special act or  
34 municipal charter; (C) any body exercising planning powers pursuant  
35 to chapter 126 or any special act or municipal charter; or (D) any body  
36 regulating inland wetlands and watercourses pursuant to chapter 440  
37 or any special act or municipal charter.

38 Sec. 2. Subsection (a) of section 8-19 of the general statutes is  
39 repealed and the following is substituted in lieu thereof (*Effective*  
40 *October 1, 2015*):

41 (a) Any municipality may create by ordinance a planning  
42 commission, which shall consist of five members, who shall be electors  
43 of such municipality and whose terms of office and method of election  
44 or appointment shall be fixed in the ordinance. The ordinance may  
45 provide that members may be municipal employees if the municipality  
46 has adopted an ordinance authorizing such membership pursuant to  
47 the provisions of subparagraph (C) of subdivision [(2)] (3) of  
48 subsection (e) of section 7-421, as amended by this act. The chief

49 executive officer of the municipality and the engineer thereof or  
50 commissioner of public works, if any, shall also be members of the  
51 commission, without voting privileges. The terms of office shall be so  
52 arranged that the terms of not more than three members shall expire in  
53 any one year. Unless otherwise provided by charter, vacancies shall be  
54 filled by the commission for the unexpired portion of the term. Upon  
55 the adoption of this section by ordinance as herein provided, and the  
56 appointment or election of a commission thereunder, any planning  
57 commission in the municipality established under any previous act of  
58 the General Assembly shall cease to exist, and its books and records  
59 shall be turned over to the commission established under this section,  
60 provided all regulations promulgated by such planning commission  
61 prior to that time shall continue in full force and effect until modified,  
62 repealed or superseded in accordance with the provisions of this  
63 chapter. The area of jurisdiction of a planning commission created by a  
64 town includes any city or borough therein without a legally  
65 constituted planning commission for all planning purposes except  
66 those specified in sections 8-24 and 8-29. Powers granted under said  
67 sections may be delegated by the legislative body of such city or  
68 borough to the planning commission of the town in which such city or  
69 borough is situated. Any city or borough in which a planning  
70 commission has been previously established may, by ordinance,  
71 designate the commission established under this section in the town in  
72 which such city or borough is situated to be the planning commission  
73 of such city or borough, and such commission shall supersede the  
74 planning commission previously established in such city or borough.  
75 The commission shall elect a chairman and a secretary from its  
76 members, shall adopt rules for the transaction of business and shall  
77 keep a public record of its activities. The planning commission of each  
78 municipality shall file an annual report with the legislative body  
79 thereof."

This act shall take effect as follows and shall amend the following sections:

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Section 1	<i>October 1, 2015</i>	7-421(e)
Sec. 2	<i>October 1, 2015</i>	8-19(a)