



General Assembly

Amendment

February Session, 2016

LCO No. 5125



Offered by:
REP. ROVERO, 51st Dist.

To: House Bill No. 5488

File No. 288

Cal. No. 212

**"AN ACT CONCERNING VOTING REQUIREMENTS FOR
ESTABLISHING A SPECIAL TAXING DISTRICT TO MAINTAIN
WATER QUALITY IN A LAKE."**

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

3 "Section 1. Section 7-325 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective October 1, 2016*):

5 (a) Upon the petition of fifteen or more voters [, as defined by
6 section 7-6,] of any town, specifying the limits of a proposed district for
7 any or all of the purposes set forth in section 7-326, the selectmen of
8 such town shall call a meeting of the voters residing within such
9 specified limits to act upon such petition, which meeting shall be held
10 at such place within such town and such hour as the selectmen
11 designate, within thirty days after such petition has been received by
12 such selectmen. Such limits shall contain only contiguous property,
13 except any proposed district which is proposed to be established only
14 to plan, lay out, acquire, construct, reconstruct, repair, maintain,
15 operate and regulate the use of a community water system or to

16 construct and maintain drains and sewers or both and which does not
17 exercise any of the other powers enumerated in section 7-326, may
18 contain noncontiguous properties if the properties proposed to be
19 included are, or are to be, served by a common water or sewer main.
20 Such meeting shall be called by publication of a written notice of the
21 same, signed by the selectmen, at least fourteen days before the time
22 fixed for such meeting in two successive issues of some newspaper
23 published or circulated in such town. Not later than twenty-four hours
24 before such meeting, (1) two hundred or more voters or ten per cent of
25 the total number of voters, whichever is less, may petition the
26 selectmen in writing for a referendum, or (2) the selectmen in their
27 discretion may order a referendum, on the sole question of whether
28 the proposed district should be established. Any such referendum
29 shall be held not less than seven nor more than fourteen days after the
30 receipt of such petition or the date of such order, on a day to be set by
31 the selectmen for a vote by paper ballots or by a "yes" or "no" vote on
32 the voting machines, during the hours between twelve o'clock noon
33 and eight o'clock p.m.; except that any town may, by vote of its
34 selectmen, provide for an earlier hour for opening the polls but not
35 earlier than six o'clock a.m., notwithstanding the provisions of any
36 special act to the contrary. If two-thirds of the voters, or, in the case of
37 a proposed district to maintain water quality in a lake, a majority of
38 voters, casting votes in such referendum vote in favor of establishing
39 the proposed district, the selectmen shall reconvene such meeting not
40 later than seven days after the day on which the referendum is held.
41 Upon approval of the petition for the proposed district by two-thirds
42 of the voters present at such meeting, or in the case of a proposed
43 district to maintain water quality in a lake, upon approval of a majority
44 of such voters present at such meeting, or if a referendum is held, upon
45 the reconvening of such meeting after the referendum, the voters may
46 name the district and, upon the vote of a majority of such voters,
47 choose necessary officers therefor to hold office until the first annual
48 meeting thereof; and the district shall, upon the filing of the first report
49 required pursuant to subsection (c) of this section, thereupon be a body
50 corporate and politic and have the powers, not inconsistent with the

51 general statutes, in relation to the objects for which it was established,
52 that are necessary for the accomplishment of such objects, including
53 the power to lay and collect taxes. The clerk of such district shall cause
54 its name and a description of its territorial limits and of any additions
55 that may be made thereto to be recorded in the land records of each
56 town in which such district is located.

57 (b) Any district may enlarge or reduce its territorial limits if the
58 board of directors of the district approves a resolution proposing such
59 an enlargement or reduction and stating the proposed boundaries of
60 the area proposed to be included or excluded, as the case may be,
61 provided: (1) The board of directors of the district shall call a meeting
62 of voters of the area proposed to be included or excluded, which
63 meeting shall be held within thirty days of the board of directors'
64 approval of such resolution and shall be called by publication of a
65 written notice of the same, signed by the members of the board of
66 directors of the district, at least fourteen days before the time fixed for
67 such meeting in two successive issues of some newspaper published or
68 circulated in such town, provided not later than twenty-four hours
69 before any such meeting, two hundred or more such voters or ten per
70 cent of the total number of such voters, whichever is less, may petition
71 the clerk of the district, in writing, that a referendum on the question
72 of whether the area proposed to be included or excluded should join or
73 leave the district be held in the manner provided in section 7-327; (2) a
74 two-thirds majority of the voters of the area proposed to be included or
75 excluded in attendance at such meeting, or, if a referendum is held,
76 two-thirds of such voters casting votes in such referendum, vote in
77 favor of joining or leaving such district; (3) that any area to be added is
78 contiguous with some portion of the existing district; [] and (4) if the
79 enlargement of the territorial limits of the district will overlap the
80 territorial limits of another district within the town, the legislative
81 body of the town approves such enlargement. If any district enlarges
82 or reduces its territorial limits, the clerk of such district shall notify the
83 town clerk of each town affected by such enlargement or reduction
84 within thirty days after the vote.

85 (c) The clerk of each district created pursuant to this chapter or any
 86 provisions of the general statutes or any special act, shall report to the
 87 town clerk of each town in which such district is located: (1) If created
 88 by approval of a petition pursuant to subsection (a) of this section on
 89 or after July 1, 1987, within seven days of such approval; and (2) on or
 90 before July 31, 1993, and annually thereafter for each such district,
 91 irrespective of the date of creation. The first report filed after the
 92 creation of a district shall include a list of the officers of such district, a
 93 copy of the charter or special act of such district and such other
 94 information on the organization and the financial status of such district
 95 as the Secretary of the Office of Policy and Management may
 96 recommend. A copy of the charter or special act of such district shall
 97 be included in any subsequent report if such charter or special act was
 98 amended after the date of the previous filing. No district, irrespective
 99 of the date of creation, created by approval of a petition pursuant to
 100 subsection (a) of this section shall exist as a body corporate and politic
 101 until the clerk of such district has filed at least one report required by
 102 this subsection. If a district is located in more than one town, the report
 103 shall be filed by the district clerk with the town clerk of each town in
 104 which the district is located.

105 (d) Any fine imposed on and after July 1, 1992, on a clerk for failure
 106 to file a report required pursuant to subsection (c) of this section shall
 107 be waived.

108 (e) For the purposes of this section, "voter" means a person
 109 authorized to vote pursuant to section 7-6, except that, in the case of a
 110 proposed district to maintain water quality in a lake, a person is not
 111 required to be an elector of the town in which such district is
 112 proposed."

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2016	7-325