

Legislative History for Connecticut Act

SB 579

PA 82-411

House - 7011-7027

Senate - 2820-2831

Planning - 486, 551-556, 575-579, 616
+ Development

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CONNECTICUT
GEN. ASSEMBLY
HOUSE

PROCEEDINGS
1982

VOL. 25
PART 22

6888-7189

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House of Representatives

Monday, May 3, 1982

CLERK:

Senate Bill 654 as amended by Senate Amendments
Schedules "A" and "B".

Total number voting	146
Necessary for passage	74
Those voting yea	138
Those voting nay	8
Those absent and not voting	5

DEPUTY SPEAKER FRANKEL:

The bill as amended is passed.

CLERK:

Calendar 665, Substitute for Senate Bill 579, AN
ACT CONCERNING REGIONAL PLANNING AGENCIES as amended by
Senate Amendment Schedule "A", Favorable Report of the
Committee on Appropriations.

REP. GARAVEL: (110th)

Mr. Speaker.

DEPUTY SPEAKER FRANKEL:

Rep. Paul Garavel.

REP. GARAVEL: (110th)

Mr. Speaker, I move acceptance of the Joint Committee's
Favorable Report and passage of the bill in concurrence with
the Senate.

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DEPUTY SPEAKER FRANKEL:

The question is on acceptance and passage in concurrence with the Senate. Will you remark, sir.

REP. GARAVEL: (110th)

Yes, thank you, Mr. Speaker. The Clerk has an amendment, Senate Amendment "A", LCO No. 3472. I would ask that the Clerk please call and I be given leave of the Chamber for summarization.

DEPUTY SPEAKER FRANKEL:

The Clerk has LCO no. 3472, previously designated Senate Amendment Schedule "A". Would the Clerk please call the amendment?

CLERK:

LCO No. 3472 designated Senate Amendment Schedule "A" offered by Sen. Smith of the 2nd District.

DEPUTY SPEAKER FRANKEL:

The gentleman seeks permission to summarize this amendment in lieu of Clerk's reading. Is there objection? Hearing none, you may proceed, Rep. Garavel.

REP. GARAVEL: (110th)

Thank you, Mr. Speaker. Senate Amendment "A" would delete the requirement that local land use matters of significant regional impact be referred prior to final approval to regional planning agencies for advisory comment and

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recommendations. It also makes language corrections to indicate the new grant formula is based on local appropriations for RPA expenses. It increase from \$100,000 to \$122,000 the additional OPM appropriation and it provides each RPA with a minimum \$7,000.

It also allows RPA to perform administrative and management services and it extends the legislative study of regional planning agencies to January 5, 1983.

Mr. Speaker, I move adoption of the amendment.

DEPUTY SPEAKER FRANKEL:

The question is on adoption of Senate "A". Will you remark on its adoption? Will you remark on the adoption of Senate Amendment Schedule "A".

REP. CIBES: (39th)

Mr. Speaker.

DEPUTY SPEAKER FRANKEL:

Rep. William Cibes.

REP. CIBES: (39th)

Mr. Speaker, I oppose this amendment. I think that the sections of the bill which are stricken by this amendment are reasonable sections and can provide a great deal of benefit to the state.

As Rep. Garavel observed, the land use decisions which would have a regional effect ought to be reviewed, in

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my mind at any rate, by the regional planning agency if they so chose. They need not do so, but it nevertheless would provide a valuable regional input as to the concerning the regional land use, which has a regional impact.

I think that regional planning agencies at the moment cannot, at least in practical fact, review such land uses and this would be a valuable input into the decision of local zoning boards and local zoning agencies. It is not, Mr. Speaker, state zoning as has sometimes has been accused of happening. Those of you individuals on the Republican side of the aisle who were concerned about traffic and the impact of additional traffic in your community because some neighboring community has been able to attract a traffic generator of large proportion should be very concerned about striking this matter from the bill.

Those of you on this side of the aisle who are concerned about regional shopping centers and their potential impact on your downtowns, should at least be concerned to insure that regional planning agencies have a potential input into the decision.

This is not an onerous requirement and I would urge rejection of the amendment because the amendment strikes

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what is very valuable. Thank you.

DEPUTY SPEAKER FRANKEL:

The question before us is on the adoption of Senate "A". Will you remark on Senate "A".

REP. MEYER: (135th)

Mr. Speaker.

DEPUTY SPEAKER FRANKEL:

Rep. Meyer.

REP. MEYER: (135th)

Thank you, Mr. Speaker. Very reluctantly, I ask your support for Senate "A". I agree with the previous speaker that really the heart of the bill is in those first 2 sections and as one who worked during the interim period on this very problem with the regional planning agencies, I know that this was a very modest proposal.

However, I point out that in the amendment, this committee to study the regional planning agencies is to continue and hopefully we will be able to come out in our next session with something that will be agreeable to everyone. However, the regional planning agencies now having lost considerable funding from the federal government are very much in need of some of the additional state funding and in order to preserve that and in the hope that we can continue working to truly implement the kind of work that

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these planning agencies are doing, I would suggest that we go with Senate "A" so that at least we keep the regional planning agencies in business. They are very necessary, especially to the very small towns who do not have the expertise to do the kind of study that some of the planning agencies are doing.

Therefore, I urge your support.

REP. MANNIX: (142nd)

Mr. Speaker.

DEPUTY SPEAKER FRANKEL:

Rep. John Mannix.

REP. MANNIX: (142nd)

Mr. Speaker, Ladies and Gentlemen of the House, I frankly don't understand why this matter was amended out of the bill.

And through you, Mr. Speaker, a question to Rep. Garavel.

DEPUTY SPEAKER FRANKEL:

Would you state your question sir.

REP. MANNIX: (142nd)

Sir, do you happen to know why this was amended out of the bill?

DEPUTY SPEAKER FRANKEL:

Rep. Garavel.

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REP. GARAVEL: (110th)

Through you, Mr. Speaker, it's my understanding that it was part of a compromise which was reached in the Senate and not in the House with the original planning agencies and people who were opposing the inclusion of regional significance.

DEPUTY SPEAKER FRANKEL:

Rep. Mannix.

REP. MANNIX: (142nd)

Ladies and Gentlemen, I don't know if you realize what's happening in this state. I'll give you an example. It's too late for my town, but let me give you an example. There's a million square feet of office space planned within less than a half a mile of the town line of Wilton in Norwalk.

There's approximately 250,000 feet already up, an additional 200 to 250,000 feet under construction. What is asked here simply is if a development of such a magnitude is going to have an impact upon the region or neighboring town, the regional planning agencies have an opportunity to review it and make a recommendation to the zoning or planning board in the town in which the development is taking place.

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I don't know how far you want to water it down and that's what you've done. You've stricken that simple part of this bill which at least gives the neighboring town the opportunity to have some input into these huge developments that may take place close to your town someday, doesn't mean that they have to stop. It doesn't mean that they have veto powers, it's just that they can recommend.

Now at this time when you get a development like the one I'm referring to, on a state road, it has to in my understanding, it has to go to the state department of transportation for their review and report. Frankly, I in my wildest imagination, I don't know how the State Department of Transportation could have ever approved this without improving the present Route 7. There's no substantial improvement of the present Route 7 and a million square feet of office space eventually will be put on this stretch. 250 already in there and another 250 in the process of being developed

All we're asking is the neighboring town, too late for us let me say, it's too late for Wilton, it's too late for Rep. Cibes area to have an opportunity to have some input. I think the Senate did the wrong thing. In fact, I know they did.

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Let me say, incidentally --

DEPUTY SPEAKER FRANKEL:

Excuse me, sir. Will the House please come to order. Rep. Mannix, you have the floor.

REP. MANNIX: (142nd)

Thank you, Mr. Speaker. Two final things.

Incidentally, as a passing note, I read in the paper that the developer of this property on Route 7 offered his condominium to the ex-commissioner and apparently the ex-commissioner used it down in Florida. I'm not sure if that means anything, but I know there's going to be a tremendous development. It's going to hurt the traffic pattern on Route 7. The regional planning agency did not have any opportunity to make a recommendation. That's all it is.

Incidentally, the town of Wilton was one of the last towns to enter into the regional planning agency. I'm against state control or regional control of local planning. I was one of the individuals that fought that for that reason.

But this particular bill, unamended would not be regional planning. It would be not state control, it would not lead to state control. It's simply a recommendation. I think it's watered down enough as it is in the bill,

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striking as this amendment does, this important matter from the bill.

I believe it is a very bad mistake. I urge you to reject the Senate amendment.

REP. POLINSKY: (38th)

Mr. Speaker.

DEPUTY SPEAKER FRANKEL:

Rep. Janet Polinsky.

REP. POLINSKY: (38th)

Thank you, Mr. Speaker. I urge acceptance of the Senate amendment. Rep. Mannix says that without it regional planning agencies and towns cannot comment on major developments.

That's not quite true. Anybody at any time can go to a public hearing and comment. That includes another town and that includes regional planning agencies. Anyone at any time can go and get site plans, look at the material that has been provided by a proposed developer and make comment it.

This bill amended as it is, does not preclude that. We really don't need an extra layer of government and that's what this bill unamended would do, would start that move back towards county government, because you would be mandated, a town would be mandated to give the material to

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a regional planning agency which would only have the power to make advisory opinions.

And why do I say we should accept the Senate amendment which takes out that? Because those advisory opinions, and they're only advisory, are just the first step. What comes next. Not only that, those advisory opinions have bearing. If somebody wants to challenge in court, here's an advisory opinion. It's in the law. Nothing precludes a regional planning agency from coming into any town at a public hearing after reviewing the plans which are opened. Can't close them up, and commenting. The reason that they want the bill, unamended, is that they don't want to step on anybody's toes by going into a town and looking at those plans and commenting on them. They might make somebody mad.

Well, if they want to turn to us, or if anybody wants to turn to us because they're afraid to do it themselves, then there's something wrong. Let them do it themselves, they haven't even tried. And if they haven't tried already, why do we have to put it into law?

I don't believe that we should reject Senate "A". I think we should accept it. Certainly, they need the money which is also part of Senate "A". I don't think we have to start trying to make a third level of government

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bureaucracy and I think we can do quite well by accepting Senate "A". Thank you.

REP. CASEY: (118th)

Mr. Speaker.

DEPUTY SPEAKER FRANKEL:

Rep. T. J. Casey.

REP. CASEY: (118th)

Mr. Speaker, just briefly. I'm a little bit confused about the testimony that has been given so far. I know that in a known experience in a regional shopping plan that was for my town, which was almost a hundred million square feet worth of commercial shopping area, they did not take into consideration the effect on Bridgeport or New Haven, or the Valley, but myself as an elected official, I could request a regional survey and an unbiased report on that particular plan just by contacting the executive director of my particular region.

Now if he had the monies, which I think this amendment is offering, and I agree with Janet Polinsky, he would be able to do this for not only me, but he would be able to do it for other representatives as well. He provided my town which was only using the developer's plan and knowledge and background on all the surveys for their data in order to base their decision. Where the advisory

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board that came in from the planning region was definitely in opposite, in contrast to what the private enterprise was offering. It's something that you can get today as an elected official and that's for a point of information for this body.

If you have a question that regards a regional problem, ask a regional director and he'll assist you.

I support the amendment.

REP. MC CLUSKEY: (86th)

Mr. Speaker.

DEPUTY SPEAKER FRANKEL:

Rep. Dorothy McCluskey.

REP. MC CLUSKEY: (86th)

Thank you, Mr. Speaker. I'm in favor of the concept of the original bill the way we had it, but I'm going to support this amendment and I want to share with you the reasons that I'm going to support the amendment.

Rep. Polinsky had given her reasons for preferring the amendment to the file copy. I prefer the file copy but the amendment represents a compromise, a compromise that's been worked out between the people involved in this. The regional planning agencies provide very valuable technical information, particularly to the smaller towns that do not have the staff to research information on their

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own. I believe that this amendment will provide the funding that will enable the regional planning agencies to continue to give the local towns the information that will help them to base their decisions on major development projects within their community. To base their decisions on the best information that's available, rather than on the political aspect of the proposed developer, who he is or who he knows and for that reason I ask you all to support this very good compromise that continues to enable the regional planning agencies to provide this help.

REP. SAVAGE: (50th)

Mr. Speaker.

DEPUTY SPEAKER FRANKEL:

Rep. John Savage.

REP. SAVAGE: (50th)

Yes, Mr. Speaker. I rise to support this amendment. I believe it improves the bill and it improves its ability to help small communities and for that reason, I urge everyone to support it.

DEPUTY SPEAKER FRANKEL:

Rep. Anderson.

REP. ANDERSON: (45th)

I rise in support of this amendment. As a member

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of a zoning board in a small town, we find the services of the regional planning agency invaluable and I think this amendment offers the kind of support these agencies need. Thank you.

DEPUTY SPEAKER FRANKEL:

Will you remark further on Senate Amendment Schedule "A". Will you remark further on this amendment?

If not, all those in favor, please signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER FRANKEL:

Those opposed nay.

REPRESENTATIVES:

No.

DEPUTY SPEAKER FRANKEL:

The ayes have it. The amendment is adopted.

Will you remark further on this bill as amended?

REP. GARAVEL: (110th)

Mr. Speaker.

DEPUTY SPEAKER FRANKEL:

Rep. Garavel.

REP. GARAVEL: (110th)

Thank you, Mr. Speaker. I think that my explanation

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of the amendment thoroughly explained the bill and I would urge passage.

DEPUTY SPEAKER FRANKEL:

Will you remark further on this bill as amended? If not, would the staff and guests please come to the well of the house. Members please take your seats.

The machine will be opened.

The House of Representatives is now voting by roll. Would the members please return to the Chamber. There is a roll call vote in progress in the Hall of the House. Would the members return to the Chamber immediately.

Have all the members voted? Have all the members voted and is your vote properly cast. If so, the machine will be locked. The Clerk will please take a tally.

The Clerk will please announce the tally.

CLERK:

Senate Bill 579 as amended by Senate Amendment Schedule "A".

Total number voting	146
Necessary for passage	74
Those voting yea	143
Those voting nay	3
Those absent and not voting	5

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DEPUTY SPEAKER FRANKEL:

The bill as amended is passed.

CLERK:

Calendar No. 666, Substitute for Senate Bill 370,
AN ACT CONCERNING LICENSE PLATES FOR FORMER PRISONERS OF
WAR. Favorable Report of the Committee on Appropriations.

REP. DE ZINNO: (84th)

Mr. Speaker.

DEPUTY SPEAKER FRANKEL:

Rep. Benjamin DeZinno.

REP. DE ZINNO: (84th)

Mr. Speaker, I move for the Joint Committee's
Favorable Report and passage of the bill, sir in con-
currence with the Senate.

DEPUTY SPEAKER FRANKEL:

The question is on acceptance and passage in con-
currence with the Senate. Will you remark, Rep. DeZinno?

REP. DE ZINNO: (84th)

Yes, Mr. Speaker. Mr. Speaker, File No. 639
requests the commissioner of motor vehicle to issue at
the request of any member, former member of the armed
forces, that's devined by the way by statute, who is a
former prisoner of war, the ability to register his motor
vehicle and to be issued a special certificate of regis-

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thirteen, Cal. 489, File 686. Substitute for Senate
Bill 579. AN ACT CONCERNING REGIONAL PLANNING AGENCIES.

Favorable report of the Committee on Appropriations.

The Clerk has an amendment.

THE PRESIDENT:

Senator Wilber Smith.

SENATOR Wilber SMITH: (2nd)

Mr. President, I move for acceptance of the
Joint Committee's favorable report and passage of the
bill.

THE PRESIDENT:

The Clerk has an amendment.

THE CLERK:

The Clerk has Senate Amendment Schedule A.

LCO 3472 offered by Senator Smith of the 2nd District.

THE PRESIDENT:

Senator Wilber Smith.

SENATOR Wilber Smith:

Mr. President, I move the adoption of the amend-
ment and waive the reading.

THE PRESIDENT:

Without objection, you may proceed.

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SENATOR WILBER SMITH:

Mr. President, this amendment effective strikes Section 1 and 2 in their entirety. It eliminates the reference to regional significance referral request in the bill. There has been quite some opposition to that aspect and rather than jeopardize the entire bill, the amendment would strike those two sections.

There are some further recommendations in this amendment. It is merely a technical detail in lines 101. It is not necessary that this language be in. It refers to local dues of the towns, cities and boroughs that is provided for in Section 8-34a of the General Statutes.

Presently, which has to do with the existence of OPM grants, twenty thousand dollar minimum in that statute. And also Public Act 81-229, I believe which has the temporary borrow^{ing} /and liability for regional planning agencies.

The amended portion of line 102 would sort of raise the level on the minimum floor grant to each RPA from the present range of about one thousand seven dollars

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to three thousand dollars in some cases to a minimum of seven thousand dollars.

Now the Appropriations Committee saw fit to somewhat cut much of the formula that we had incorporated into the bill and what we are attempting to do with the restoring the administrative and management functional powers to the RPAs is to give them that additional power so that if the cities and municipalities do utilize the agencies under contract, at least they would be able to make some additional monies on that work.

We are also raising, ah, with this amendment would also add twenty-two thousand dollars to the one hundred thousand dollars appropriated by the Appropriations Committee or recommended by the Appropriations Committee rather. It would raise it from one hundred thousand to one hundred twenty-two thousand which would again allow for the establishment of the minimum of seven thousand dollars.

And also the Section 5 recommendation in concurrence with OPM and regional planning agencies would call for a continued study.

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I think that per se explains the amendment,
Mr. President, and I would move its adoption.

THE PRESIDENT:

Will you remark further on the amendment?

All those in favor of Senate Amendment Schedule A signify
by saying Aye. Those opposed Nay. The Ayes have it.

SENATE AMENDMENT SCHEDULE A IS ADOPTED.

Senator Wilber Smith.

SENATOR WILBER SMITH:

Mr. President, I move adoption of the bill as
amended.

THE PRESIDENT:

Do you wish to remark?

SENATOR WILBER SMITH:

Yes, Mr. President. I have explained the amend-
ment, Mr. President, and I would like to go into the bill
itself, if only by virtue of the fact that the Committee
did undertake a study which had not been undertaken in
the twenty years of the existence of regional planning
agencies.

The existing law which authorizes the Office of

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Policy and Management to pay from a current appropriation of three hundred fifty thousand dollars in annual basic grant of twenty thousand dollars to each of the fourteen eligible existing RPAs, the Council of Government and the Council of Elected Officials plus a formula based bonus grant to any agency which raises local dues from its member towns in excess of twenty thousand dollars. This bill would provide a separate additional state grant to each regional planning agency or council which apply to OPM. The grant would be based on fifteen cents per each dollar an agency raised by local dues from its voluntary participating members. Under this bill, no single agency could receive more than thirty-five thousand dollars in any year and for this purpose the bill earmarks an appropriation of one hundred twenty-two thousand dollars to OPM for the fiscal year ending June 30, 1983.

The present statutes allow RPAs to provide contractually and be compensated for technical assistance to their members and other public agencies. They are also authorized to assist upon request any two or more

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municipalities which are considering joint development or operation of physical facilities and services by contracting to make studies and recommendations concerning joint projects.

This bill, Mr. President, enables an RPA to provide planning, administrative and managerial services as well as technical assistance to its members and other public agencies and to contract with a single municipality seeking its aid in operating a facility or service.

I would like to comment just a second, Mr. President, I think it is important that we do know and I apprized the members of the background, that it embodies some of the concepts developed during the seventeen-month legislatively mandated study of the statutory authority and effectiveness of RPAs conducted by our committee, in consultation with representatives of RPAs and OPM. The municipalities voluntarily and by ordinance join the agency designated for their geographical area by OPM and may withdraw from an RPA six months after adopting an ordinance to that effect. Now the statute authorizes municipal appropriations for RPA expenses but contains no provision

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for any specific local level funding mechanism. It allows each agency to devise its own method of raising voluntary local contributions for its support. Historically, RPAs have received up to seventy percent of their operating expenses through contracts under eighteen federal and federal-state programs for study and planning activities for their regions and member municipalities, and most of these programs have been or will be eliminated by Federal budget cuts. And state grant assistance has amounted to about twenty percent of their funding while municipal contributions account for about ten percent of their financial base.

In conclusion, Mr. President, I would like to bring to the members' attention that it was our effort as we conducted this study to send, through the mails, to every legislator and update on the study that we were conducting during the interim so that they would not be confronted with reading an entire report of our activities once this session convened and legislators began getting all types of mail only to have the study end up in a wastepaper basket. We also attempted to release certain

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news statements concerning the study so that we could get that out to the public, in some instances, particularly locally and that was to no avail except that we were able to send to the legislators at least in advance a copy of this report and also we provided each legislator with a synopsis of the highlights of the regional planning agency report.

I am requesting support for this bill as amended and I want to thank those members of the Planning and Development Committee that spent so much time and effort in assisting in this study.

If there is no objection, Mr. President, I would move the bill to the Consent Calendar.

THE PRESIDENT:

Excuse me, there is objection. Senator Matthews.

SENATOR MATTHEWS: (26th)

Mr. President, in reading the bill in the file, the fiscal impact statement on this includes the statement that in Section 3 of the bill which talks about the amount of monies which must be contributed, it states it should be noted that the language in the bill in Section 3 would

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obligate the state for up to four hundred and ninety thousand dollars in additional grant payments over present grant payments if municipalities drastically increase their support of regional planning agencies. This four hundred and ninety thousand maximum obligation is based on the fourteen operating regional entities, agencies.

Now all I can say is if that's going to be a mandated expense on the municipalities, if they participate as fully as they may, then I think this is an extravagant situation to place on the municipalities and I would object to it

THE PRESIDENT;

Senator Wilber Smith.

SENATOR WILBER SMITH:

Mr. President, if I may. Initially, through you to Senator Matthews, Senator Matthews, the bill called for mandating membership in the RPAs. This was rejected, the idea was rejected and now, membership is not mandated, So the municipalities may, if they wish to belong, if they don't wish to belong they don't have to. And therefore,

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it seems to me that if a municipality decides that they want to do something and they do it that we, in the state government, should not look at that as being mandatory or as putting an extra burden on them. We have conducted a long, exhaustive study. All of the association and RPAs have agreed on this compromise. The amendment has eliminated the remaining opposition to this bill and, of course, you have every right, ah, suppose an obligation, if you perceive it as being one, of opposing this bill or opposing any measure of it but there is not a smigen of opposition to this bill from the towns and municipalities or the regions throughout this state.

THE PRESIDENT:

Senator Matthews.

SENATOR MATTHEWS:

Thank you. Mr. President, I understand that my wording may have been more generous than I should have made, what I meant to indicate was that if the municipality desired to join then it was mandated that they would be willing to pay this amount of money, and I think that's what

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the bill actually says and for that reason, I believe it is not an equitable thing.

I would also say relative to the factors of who has opposed the bill and who hasn't. The vote in the committee was 19 to 16 so there were an awful lot of people, like myself, I guess, who were not very happy with it.

I would oppose the bill.

THE PRESIDENT:

Will you remark further on the bill? There is opposition. A roll call is in order. The Clerk please make the announcement for an immediate roll call.

THE CLERK:

An immediate roll call has been called for in the Senate. Will all senators please take their seats. An immediate roll call in the Senate. Will all senators please be seated.

THE PRESIDENT:

The question before the chamber is the motion to adopt Cal. 489, Substitute for Senate Bill 579, as amended by Senate Amendment Schedule A.

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The machine is open. Please record your vote.

The machine is closed. The Clerk please tally the vote.

Result of the Vote: 25 Yea. 9 Nay. THE BILL

AS AMENDED IS ADOPTED.

THE CLERK:

Continuing on Page twenty, Cal.542, File 763.

Senate Bill 46. AN ACT CONCERNING MOTOR VEHICLES LEASED
TO STATE AGENCIES. Favorable report of the Committee on
Appropriations. The Clerk has an amendment.

THE PRESIDENT:

Senator Schneller, this is a bill, I assume
Senator Fahey would report.

SENATOR SCHNELLER:

I think Senator Serrani might, it deals with
motor vehicles. Is Senator Serrani here please.

Mr. President, can be pass that temporarily.

THE PRESIDENT:

It may be passed temporarily.

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SEN. SMITH: All right, the next speaker is Representative John Mannix.

REPRESENTATIVE JOHN F. MANNIX: Senator Smith and Distinguished Members of the Committee, my name is John Mannix and I represent Wilton and a part of New Canaan, as you know. I have been asked by the First Selectperson of Wilton to appear before the Committee this afternoon in support of Committee Bill 579.

Principally the area that Mrs. Gayle is interested in is lines -- are lines 24, 25 and a half. This deals with broadening the scope of influence of the Regional Planning Authority. What it really does -- and I'll quote from the statutes. I believe it says: Development generating large volumes of traffic must show their operation "will not peril the safety of the public." What this does, ladies and gentlemen, is permits regional planning organizations to have input on major -- major developments in the -- within the region.

I think it's a worthwhile amendment to this Bill and I urge you all to support it.

Thank you.

SEN. SMITH: Are there any questions by Committee Members? All right, thank you very much Representative Mannix. Are there any more legislators in the room. There are none signed up on this list that I can determine.

: Jamie McLaughlin was here for --

SEN. SMITH: Representative whom?

: McLaughlin.

SEN. SMITH: Not on this list.

: Oh, he signed somewhere.

SEN. SMITH: Are there any representatives -- did you sign this list? Just sign this list. All right, the next speaker is Representative Parker.

MR. LYDEN: (continued)

office. The training of the fire marshall inspectors known as the certification cause, has improved greatly and is considered one of the best presently in the country. It has credability with all educators as well. It is apparent after reading the Fire Service Study we thought that the committee survey was not prepared that made this report and little knowledge they have with the fire marshalls of the State of Connecticut. They have whatsoever no input from the State Fire Marshalls Association, is obviously never listening to a certain few. Certainly they weren't fire marshalls. The Association voted unanimously to remain status quo with the State Police Department. It appears that another bureaucracy is being proposed that is quite evident will not be operative nor effective as relating to the fire marshalls and the building inspectors.

Several positions are being created plus others start to man this department. Savings of \$60,000 for the State is a tragedy as I foresee this department costing thousands of dollars for the tax paper and certainly just added confusion putting us back at least 30 years. In conclusion, we trust Bill 141 takes an early retirement and if you are really concerned in fire safety and building problems, we will gladly review constructively with any legislative committee. I thank you, Senator Smith.

SENATOR SMITH: Any questions by the committee members? Thank you very much, sir. Our next speaker, Mr. James Doherty. Oh, that was the one. OK. Mr. Jim Aiken. The clerk please note Senator Smith, Second District resume the chair. Mr. Aiken.

JIM AIKEN: Senator Smith and distinguished members of this committee. My name is Jim Aiken. I am the vice chairman of the Northwest Connecticut Regional Planning Agency. I am here on behalf of the members of that Regional Planning Agency. We have given considerable study to Raised Committee Bill #579 and request your positive action on this bill for the benefit of the town and the Regional Planning Program in Connecticut. There are four features of the bill that are of immediate importance to our region. Section 1, major developments of regional significance will be sent to RPA's for review and comment. This will be accomplished within existing time limits. This will give the region and the adjacent towns an opportunity to learn more about significant projects and comment. Section 2

JIM AIKEN: (continued)

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We have given considerable study to Raised Committee Bill #579 and request your positive action on this bill for the benefit of the Town and the Regional Planning Program in Connecticut. There are four features of the bill that are of immediate importance to our region. Section 1, major developments of regional significance will be sent to RPA's for review and comment. This will be accomplished within existing time limits. This will give the region and the adjacent towns an opportunity to learn more about significant projects and comment.

Section 2, if a town votes to belong to an RPA, the town should pay its fair share of the duties or vote itself out. Membership in the RPA was accomplished in a town meeting through ordinance and a fiscal vote of the RPA should not take place just because the selectman of Board of Finance doesn't put the RPA into the budget. The Northwest Connecticut Regional Planning Agency does not support required membership. But when a town votes to be a member of the RPA, then they should also vote out if that best serves their town's interest.

Section 4, the RPA program has been limited by lack of statutory authority to planning only. This has prevented some RPA's from providing requested services to member towns. During the period of scarce financial resources, the towns and the regions should have the opportunity to undertake programs in an efficient manner. Section 5, this requested change in the statutes will allow RPA's to provide in selected cases the key development work for intertown projects and similar to the point made for Section 4, structural limitations in the statute should not prevent the most efficient methods of implementation.

As written, Section 3 calls for increased funding for RPA's. I would like to respectfully request that this section on a separate bill number be referred to the Appropriations Committee. I would like to thank you for this opportunity to present the Northwest Connecticut Regional Planning Agency position of support for Raised Bill #579. The continued working relationship with your committee has been an important part of developing this very constructive bill. The Regional Planning Agency intends to keep on these issues and speak in favor of the bill as it continues its way through the legislative process. I thank you.

SEN. SMITH: Thank you very much, Mr. Aiken. Any questions by our Committee Members. Representative Rybak.

REP. RYBAK: Just one question, Mr. Aiken. As someone who suffered through the demise of the Litchfield Hills Regional Planning Agency, do you think it's the business of a Regional Planning Agency to get into things such as running CETA programs or running elderly buses or all the things that are active governmental functions that are provided by the State and years past were provided by County government until fortunately we got rid of it. Do you think Regional Planning Agencies should go beyond the scope of planning and technical planning assistance?

MR. AIKEN: Representative Rybak, my feeling is very strong in that regard. We represent nine towns in that western region. The requests that come to those towns are as diverse as anything that one can imagine. For the services of an engineer. For the services of a building inspector. We don't have those things. As you are certainly well aware of out in that -- to answer your question directly, I think sometimes it becomes a necessity for us, even though we're listed as a planning agency, to become involved in the transportation system.

REP. RYBAK: Experience of Litchfield Hills Regional Planning Agency --

MR. AIKEN: I could make a caustic remark here by saying that being swamp Yankees that we are out in the country. We have stayed solvent thanks to part of the -- of first director or second director. Our figures are in the black, they're not in the red and we intend to -- as swamp Yankees out there to keep them that way.

SEN. SMITH: Any further questions?

REP. JOHNSTON: Mr. Aiken, just as a legislator from the northeast, who had your second director prior to you getting him, I agree with you. He did a fine job out there too.

MR. AIKEN: Thank you Representative Johnston.

SEN. SMITH: Thank you very much sir.

MR. AIKEN: I have some copies here for --

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PLANNING AND DEVELOPMENT

March 9, 1982

SEN. SMITH: Thank you. The next speaker would be Virginia -- it looks like Z-a-w-o-y, is it?

MS. VIRGINIA ZAWOY: Correct.

SEN. SMITH: Followed by Mr. Robert Ostergren.

MS. ZAWOY: Honorable members of the Committee, my name is Virginia Zawoy. That's Z-a-w-o-y. Chairman of the Connecticut River Estuary Planning Region. I'm a seventeen year resident of Clinton and have served on the RPA Board for seven years.

I wish to go on record as being in favor of Committee Bill 408, trusting, of course, that the Appropriation Committee approves the additional funds. In regard to Bill, 579, the inclusion of the RPA is a matter dealing with development applications for approval by the State Traffic Commission, is an important step towards the expansion of regional review responsibilities to include all projects of regional significance.

Also, the expansion of Section 8-35A to include administrative management or planning, as well as technical assistance to municipalities and the technical changes in 8-35C and 8-34A I would readily endorse.

For reasons previously stated by Mr. Bodkin I am opposed to Section 3 in its present language. I must also restate, since my appearance here on February 11th before you, my concern over the financial site of the RPA's of Connecticut. I personally feel their services to the communities must not be allowed to erode due to a lack of financial support from the State. In serving the communities, after all, the RPA's are serving the State by working directly through and with the communities and the various State agencies. I strongly believe weakening that link would prove to be a mistake we could ill afford to make.

Thank you.

SEN. SMITH: Are there any questions by Committee Members. All right, hearing none, thank you very much.

MS. ZAWOY: Thank you.

SEN. SMITH: Mr. Robert Ostergren.

MR. ROBERT OSTERGREN: Thank you Senator Smith. Members of the Committee. I'll be very brief. My name is Robert Ostergren. I come from East Hampton, Connecticut. I subscribe to the comments that have been made by previous speakers, concerning Senate Bill -- or Committee raised Bill No. 579, with regards to the Regional Planning Agency. And I believe that I will also agree with what future speakers are going to say here.

Now, the point that I would like to stress is that my relationship has not been as a member of a Regional Planning Agency but as a town official in both planning and zoning and on the Board of Selectmen in my town of East Hampton. And that seven of the eight towns in the Mid-State Regional Planning Agency are considered small towns and East Hampton, being one of those, we found that the services rendered by our friends at Mid-State were excellent and services that we really could not, in many instances, provide for ourselves.

All of the towns, to the best of my knowledge, in our area have had very good relations with Mid-State agency and that anything I believe that can strengthen their role in providing services to the communities is in the best interest of not only the communities but the State at large and, certainly, I subscribe and hope that the Committee will take favorable action on Bill No. 579.

Thank you Senator Smith.

SEN. SMITH: Thank you, sir. Any questions? Hearing none, thank you very much. The next speaker would be Therese Massicotte. Mr. Ted Scheidel. S-c-h-e-i-d-e-l. Milo Wilcox. G. L. Colgrove. The snow didn't run you away, did it?

MR. GEOFFREY L. COLGROVE: Pardon.

SEN. SMITH: The snow didn't stop you?

MR. COLGROVE: No. My name is Geoffrey L. Colgrove. I'm Director of the Mid-State Regional Planning Agency and Vice Chairman of the Regional Planning Agency Association of Connecticut. You've heard a number of speakers in support of Bill 579 and also Bill 408.

MR. COLGROVE: (continued)

I would like to offer a couple of comments. One is that, in lines 116 and 121, of Bill 579, there is reference to contracting with municipalities and public and quasi-public agencies. It was brought to my attention by Mr. Van Arsdale from the Office of Policy Management that maybe we should consider the addition of the word, private. Apparently some agencies have entered new contracts with essentially private organizations to provide certain kinds of services. I thought that was a technical type of suggestion. It would be in line with our service responsibilities.

We also note that, in Section 4 on funding, which some people have spoken to before, would not be workable in the State of Connecticut only because no Regional Planning Agency currently raises a dollar per capita and I think a more appropriate relationship would be some ratio of State dollars to the total number of local dollars raised by the Regional Planning Agencies in the State.

A number of -- numbers have been kicked around and, at a meeting, a hearing on February 11th, a number of people testified for the need for an additional \$350,000 to support regional planning. The economic climate is such that I don't think it's feasible and, since in a number of discussions, have evolved around 35 cents per dollar raised, local dollar raised; every possible number that could be sold in past and in the session, in addition to the current funds that are in the Governor's budget for regional planning.

Concerning Bill 408, there is four areas that I see that the Committee needs to look at and I think they're all aware that one is a long term RPA funding relationship in the State. The role of RPA's in the process. The delivery of certain State services by Regional Planning Agencies and also the consolidation of the RPA legislation into one chapter would be extremely helpful to eliminate confusion.

I'd like to leave with you summaries of two meetings that were held concerning Regional Planning Agencies by your Subcommittee; the first one was on November 12, 1981 in which approximately ten participants were invited to come

MR. MACIONUS: (continued)

Technology of Bridgeport. Carpenter considers such Legislation would duplicate efforts that are currently being addressed by the Office of Job Training and Skill Development and would not be in the best interest of the manufacturers of the State of Connecticut. Thank you for your attention.

SEN. SMITH: Thank you. Any questions? Thank you very much, sir.

MR. MACIONUS: Thank you.

SEN. SMITH: Are there -- are there any persons who are waiting to speak? I've run out of names on the list.

: You've got here is -- you're a very patient man.

MR. JERRY SCHNURE: Senator Smith, Members of the Committee, my name is Jerry Schnure, and I'm with the Office of Policy and Management. I had passed earlier in anticipation of Undersecretary Heitz being able to come, but he's snowbound, or he's still someplace else, so I will present his testimony here, if I may.

Okay. And I'm speaking for Undersecretary Stephen Heitz at this time. I'm appearing in general support of raised Committee Bill 579, an Act Concerning Regional Planning Agencies. In accordance with existing statutes, the Office of Policy and Management is responsible for defining planning regions promoting the establishment of regional planning agencies within those regions and providing technical assistance to agencies, as well as administering financial assistance to them. OPM has worked with the Planning and Development Committee and the Regional Planning Agency in the study during the past year, which has led to this proposed Legislation.

As the study progressed, OPM offered its position regarding various matters which were considered. I think that all concerned agreed that certain of those matters required Legislation, and we are pleased to see the approaches that have now been proposed in Senate Bill 579 to deal with these. I feel that various changes in the proposed Bill that would alter or clarify the role of the agencies responsible for regional planning are appropriate and

MR. SCHNURE: (continued)

desirable. These include referral of projects of regional significance, requiring participating municipalities to pay agency dues, assuring the right to contract with various bodies, indicating member municipality liability for agency debts, clarifying the type of assistance an agency can render, allowing an agency to assist in individual and individual municipality when it is considering development or operate facilities or services.

One question I might raise is that with regard to Sections 2 and 4 the Committee want wish to consider adding private agencies to the expanding list of added with which a regional agency might contract or enter into agreements for assistance. While I believe that the emphasis of regional agencies should be on the public and quasi-public sector, there might be times when their planning agency would judge it to be appropriate to also be involved with the private sector.

For example, a company might, for expansion or marketing purposes, arrange with -- for a regional agency to do needed traffic or population analytical work. Section 4 deals with funding. I do not wish to comment on the level of funding provided by the State to the Regional Planning Agencies, since, at this point, this is a Legislative prerogative, I am sure it is a need expressed by the Regional Agencies will be considered within the larger context of other needs and the overall financial situation of the State. I do feel that the wording in Section 4 of the proposed Legislation needs further consideration. I am not certain that this language would provide a workable funding mechanism. Perhaps the existing statutory language found in Section 4-124Q should be amended.

I wish to assure the Committee that if Legislation is passed, OPM will do all that it can appropriately to do to assist the Regional Planning Agencies to implement the Act in furtherance of the responsibilities of OPM with regard to regional planning.

Undersecretary Heinz goes on and says that I am also aware of raised Committee Bill 408, An Act Concerning the Study of Regional Planning Agencies, which would extend the current study and allow further work in this matter. I simply wish to assure you that if the General Assembly

MR. SCHNURE: (continued)

acts favorably on this Legislation, OPM will cooperate in any way we can in the further study. Are there any questions?

SEN. SMITH: Any questions? Miss Stockton?

MS. STOCKTON: I have just one brief -- Senator, I know you want to leave. Yes, sir. At no time in the course of this study was there any suggestion about contracting with private agencies. I would like to know what private agencies -- business?

MR. SCHNURE: It was intended primarily businesses that would need the type of work the Regional Planning Agency does on a continuing basis. The examples were given of traffic studies. They would do this as a -- part of doing their TIP, their Transportation Improvement Plan. They're also heavily involved in the dissemination of census work, or 1980 census information. An example of this would be a special analysis that could more easily be done in conjunction with something else that they're doing, you know, and it would up -- it would be private firm could come to the Regional Planning Agency and ask for assistance. This would provide the opportunity for actually agreeing to a fee to do something which be beyond the normal course of the work that they would do in conjunction with municipal activities or their regional planning activities, or relationship to the State in some of the work that we do.

MS. STOCKTON: You don't believe that would be a strain on the capabilities of giving them a whole lot of other optional service expenses. Do you think they could handle responding to corporate requests, and so on?

MR. SCHNURE: Okay, in each case, they'll -- in terms of the -- a regional planning agency agreeing to -- to do work for a private agency, there would have to be a position of the Board to -- to -- adopting a position saying that they indeed would do this. And they would, you know -- in the normal management, and our administration with regional planning agencies, we have encouraged them, the agencies, to have a position that we set parameters under which they would, you know, exercise into an agreement.

And most of the agency bylaws, and I would have to check

MR. SCHNURE: (continued)

them specifically, do require that there be an agency action in order to enter into an agreement with some entity. There either has to be agency actions to enter into agreement with the State. There has to be agency actions to enter into an agreement with municipalities. So, there would be -- you would be under full recognition of the membership of the agency before there would be any authorization to enter into a contract.

I think there are enough safeguards, you know, to cause a thorough evaluation of the capabilities in terms of carrying out that work with private agencies.

MS. STOCKTON: Thank you.

SEN. SMITH: Any further questions?

: Did I hear him say his name is Terry Shore?

MR. SCHNURE: Okay, my name is Terry Schnure, S-c-h-n-u-r-e, and I'm speaking for Undersecretary Heitz.

SEN. SMITH: Any additional questions? All right, thank you very much.

MR. SCHNURE: I have one more point. We were informed that there would be opportunity to provide testimony on the resolution to adopt the Conservation and Development Policies Plan, which is presently under consideration by this Committee.

SEN. SMITH: Who told you that?

MR. SCHNURE: It was based upon a phone call to the Committee Staff, I believe.

SEN. SMITH: What Committee staff?

MR. SCHNURE: I don't know the name of the person, but, you know the testimony was prepared for today.

SEN. SMITH: Do we have any Committee Staff here who might have told him -- yes.

MS. STOCKTON: No, not I, sir, but I think at the end of the hearing they were invited to submit written testimony from the

MS. STOCKTON (continued)

hearing that we had last week on the --

SEN. SMITH: Oh, yeh. That's different.

MR. SCHNURE: I brought it along --

SEN. SMITH: Oh, okay, you -- you can submit the written testimony. You don't have to do it here. You can just submit it.

MR. SCHNURE: Okay, fine.

SEN. SMITH: And a cover letter should come from whomever is submitting it and representing OPM simply requesting that the written testimony be added to the other hearing on the Committee's consideration.

MR. SCHNURE: Okay, fine, thank you for the clarification on that point.

SEN. SMITH: We can't add it to this one because officially we have to give notice that we would receive testimony on it.

MR. SCHNURE: So, as I understand it, at the previous hearing there was provision made for written testimony --

SEN. SMITH: Right, but not at another public hearing.

MR. SCHNURE: Okay, then I have that written testimony, and I will leave it with you.

MS. STOCKTON: That is on February 23rd.

SEN. SMITH: Undersecretary Heinz, we were told that you were in the hospital in an accident.

MR. SCHNURE: I didn't say that.

(GROUP LAUGHTER)

MR. HEINZ: I just got out of a meeting, and I'm sorry.

SEN. SMITH: Let the record show that the Chair was only joking. All right, any additional witnesses or persons to testify? Then hearing none others, hearing stands adjourned. Thank you.

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SEN. DIBELLA: I think you'll find that the larger the geographical concentration of people and the larger the promotion of facilities such as civic centers, coliseums, hotels, the larger the expenditure and the administrative side of the issue would be. And I share the same sentiments you do, Mr. Hampton, thank you.

MR. HAMPTON: Thank you.

SEN. DIBELLA: Larry Brazell? Connecticut Contractors Association.

LARRY BRAZELL: Senator and members of the committee, I'm here to testify in favor of Bill No. 579. This is a bill requiring insurance certificates before issuance of a permit for an electrical contract. We have hundreds of licensed men in factories around the state who are not carrying on legitimate businesses and offering services on weekends, nights and selling their licenses throughout the state to out-of-state contractors and they're carrying no liability insurance whatsoever.

The only difference we'd like to see in this law would be adding complete operations coverage. Once the guy is off the job with regular liability there is no insurance protection.

SEN. DIBELLA: That's it?

MR. BRAZELL: That's it.

Are there questions. Go ahead.

REP. MEYER: I'm Rep. Meyer. Is there a requirement on insurance coverage on plumbers, carpenters and other people?

MR. BRAZELL: I don't think there's any statutes that would require insurance for any licensed contractor. Our trade's been electrical and in the most danger, so we feel that it's compelling.

Yesterday you had a fire in Bozrah that killed a 51 year old woman, contributed to electrical. These are things that we have to see in our industry that we have to protect the public from.