

Legislative History for Connecticut Act

SB 1154	PA 261	1997
Senate - 1851, 3220-3331		(13)
Use: 6804-6816		(13)
Fin: 715, 718-719, 810-822, 899-907, 1014-1016, 1017-1019, 1020-1021		(33)
		Total - 59p

Transcripts from the Joint Standing Committee Public Hearing(s) and/or Senate  
and House of Representatives Proceedings

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S-408

CONNECTICUT  
GEN. ASSEMBLY  
SENATE

PROCEEDINGS  
1997

VOL. 40  
PART 6  
1796-2164

kmg

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Senate

Wednesday, May 14, 1991 001851

428, Substitute for SB1154, I move referral to the  
Committee on Appropriations.

THE CHAIR:

Without objection, so ordered.

SEN. JEPSEN:

Page 17, Calendar 429, Substitute for SB1176, I  
move referral to the Committee on Appropriations.

THE CHAIR:

Without objection, so ordered.

SEN. JEPSEN:

Calendar 430, Substitute for SB1183, I move  
referral to the Committee on Legislative Management.

THE CHAIR:

Without objection, so ordered.

SEN. JEPSEN:

Calendar 431, SB1221, I move to the Consent  
Calendar.

THE CHAIR:

Motion is to refer this item to the Consent  
Calendar. Without objection, so ordered.

SEN. JEPSEN:

Calendar 432 is PR.

Calendar 433, Substitute SB1266, I move referral  
to the Committee on Government Administration and  
Elections.

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GEN. ASSEMBLY  
SENATE

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Senate

May 30, 1997

003320

THE CHAIR:

Will you remark further? Will you remark further?  
If not, all those in favor indicate by saying "aye".

ASSEMBLY:

Aye.

THE CHAIR:

Opposed, "nay". Ayes have it. Senate "D" is  
adopted. Will you remark further on the bill as  
amended?

SEN. CIOTTO:

Yes, Madam President.

THE CHAIR:

Senator Ciotto.

SEN. CIOTTO:

With no further objection, can it be placed on the  
Consent Calendar.

THE CHAIR:

Without objection, so ordered.

SEN. CIOTTO:

Thank you very much, Madam President.

THE CHAIR:

You're very welcome, Sir.

THE CLERK:

Calendar Page 19, Calendar 428, File 702,  
Substitute for SB1154 An Act Concerning Expansion of

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Senate

May 30, 1997

003321

the State Payment in Lieu of Taxes Program to Include Municipally Owned Airports. Favorable Report of the Committee on Finance, Revenue and Bonding and Appropriations. The Clerk is in possession of one amendment.

THE CHAIR:

Senator Looney.

SEN. LOONEY:

Thank you, Madam President. Madam President, I move acceptance of the Joint Committee's Favorable Report and passage of the bill.

THE CHAIR:

The question is on passage. Will you remark?

SEN. LOONEY:

Yes, Madam President. The Clerk has an amendment, LC09205. If the Clerk may please call that amendment.

THE CLERK:

LC09205 which will be designated Senate Amendment Schedule "A". It's offered by Senator Looney of the 11th District.

SEN. LOONEY:

Madam President, I move adoption of the amendment and ask leave to summarize.

THE CHAIR:

Please proceed, Senator Looney.

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003322

SEN. LOONEY:

Yes, Madam President. What this amendment will do is alter the file copy which provides for the payment of, pilot for state owned property to include a municipal airport.

What the amendment will do is to clarify that the grant would go to any municipal, the first part of the amendment clarifies that the grant would go to any municipality in which the airport is located. That would apply to New Haven and East Haven in which the Tweed New Haven Airport is located, so that those two municipalities would share in the payment in proportion to the amount of airport property located in the municipality.

The second part of the amendment would deal with the issue of Sikorsky Airport and provide that half of the payment would go to Stratford and half to Bridgeport.

While Tweed New Haven Airport is located in the two municipalities of New Haven and East Haven, it is owned and operated by the City of New Haven. Sikorsky Airport is located in Stratford but is owned and operated by the City of Bridgeport.

The amendment tries to clarify that towns where there is both ownership and location would share in the

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003323

pilot formula.

THE CHAIR:

Will you remark further on Senate Amendment "A"?  
Will you remark further? If not, I'll try your minds.  
All those in favor indicate by saying "aye".

ASSEMBLY:

Aye.

THE CHAIR:

Opposed, "nay". Ayes have it. Senate "A" is  
adopted. Will you remark further on the bill as  
amended? Senator Looney.

SEN. LOONEY:

Yes, Madam President. Thank you. The bill as  
amended does provide that, it recognizes that municipal  
airports in the state do have an important function,  
the regional function, and recognizes that they would  
be covered under the formula for payment in lieu of  
taxes for the state owned property pilot, which is the  
20% reimbursement.

The impact, the fiscal note in the bill indicates  
that the bill is effective July of 97, so the grand  
list that first would be affected would be the October  
1, 1997 grand list and reimbursement for this pilot on  
that grand list would be in September of 99, so it  
would be, would not have a fiscal impact in the

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upcoming biennium, but would provide in the future for assistance to the municipalities and it is of special significance for those municipal airports that run at an operating deficit and would recognize the fact and the benefit which is provided to the region and to the entire state. Thank you, Madam President.

THE CHAIR:

Thank you, Sir. Will you remark further on the bill as amended? Senator Cook.

SEN. COOK:

Thank you. Through you a question to the proponent of the bill. I just want to make sure I understand this clearly.

We are now going to ask the taxpayers of the State of Connecticut to provide state taxpayers funds to municipally owned property. Is that correct?

THE CHAIR:

Senator Looney.

SEN. LOONEY:

Through you, Madam President, under this, those municipal airports would be recognized for the state economic development function which they provide and would enjoy that benefit of a 20% pilot reimbursement.

THE CHAIR:

Senator Cook.

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May 30, 1997

003325

SEN. COOK:

Would there be any reason why City Pier in New London, for instance, which also provides state economic development would be eligible for pilot funds in the future?

THE CHAIR:

Senator Looney.

SEN. LOONEY:

Madam President, I wouldn't speculate on the future, but certainly I think that an argument could be made in that area.

THE CHAIR:

Senator Cook.

SEN. COOK:

Thank you. Do the municipalities make any money from having a municipally run airport in their community?

THE CHAIR:

Senator Looney.

SEN. LOONEY:

Through you, Madam President. I believe it varies. I know that the City of New Haven has an operating loss of \$100,000 per year or more because of Tweed, so it is operated at a loss to the City of New Haven.

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Senate

May 30, 1997

003326

I'm not aware of the situation of the others, whether Bridgeport has a loss or whether Danbury or Meriden have a loss. But the City of New Haven does have an annual operating loss that is usually at least \$100,000 and sometimes more than that.

THE CHAIR:

Senator Cook.

SEN. COOK:

Might I ask what the economic development potential is of this? If it's running, if it's managed at an operating loss?

THE CHAIR:

Senator Looney.

SEN. LOONEY:

Madam President. Of course the airports are, provide transportation, provide for an opportunity for businesses located in the area to take advantage of travel for conferences and all the rest so that there is, the airport is of course linked to economic development in each of the areas and regions where the airports are located.

And that it is certainly true that the potential of these airports has not always been reached in many cases.

THE CHAIR:

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Senator Cook.

SEN. COOK:

I'd like to go back to the underlying concept which is, now we're going to have state taxpayers paying for municipally owned property. There's lots of municipal parks which contribute to the quality of life in a community. Would we be expecting that now we're going to be providing at some point under this logic, payment in lieu of taxes for municipal parks?

THE CHAIR: (SENATOR COLEMAN)

Senator Looney.

SEN. LOONEY:

Mr. President. Yes, Mr. President, in response to Senator Cook's question, I would not speculate about what extensions might be made of this concept at a future time.

THE CHAIR:

Senator Cook.

SEN. COOK:

Thank you. I think I've explored my concerns deeply enough. I will be voting against the bill.

THE CHAIR:

Senator Gunther.

SEN. GUNTHER:

I better not call you Madam President.

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THE CHAIR:

Please don't.

SEN. GUNTHER:

How are you? I guess this is one of my nights. This is a bill which you might say I might look like an ungrateful stepson because the particular amendment that was placed on this of course affects the Town of Stratford and of course it gives half a loaf which is about 10% of the taxes that should be going to Stratford instead of no loaf at all.

The original bill called for the City of Bridgeport getting technically a \$65,000 in lieu of taxes payment. And the airport of the City of Bridgeport which is called Sikorsky Airport is totally within the boundaries of the Town of Stratford.

Since its inception, we have never received any taxes from the airport, with all the development or anything that's been done there. In fact, we have a restaurant in the control building which is a very nice restaurant, not an exceptional, but they actually bought the equipment for that restaurant, gave the equipment to the City of Bridgeport so it becomes city property and they don't even pay us the taxes on the particular equipment that's in that building.

You know, we hear little rumbles here and there

about home rule and how to project the home rule of towns and that. This is giving a pittance, because if you had the total value of the taxable property within the Bridgeport Airport from their own figures in this particular bill, it should be running about \$325,000.

Now, in lieu of taxes when the City of Stratford will get \$32,000 out of this, that might sound like a big deal because we haven't been getting anything for all these years. But I'll tell you, some one of these days when you take a look at what you do to these towns and especially in lieu of taxes, and I see Senator Cook's objection to sending money down from the state to help subsidize a community, Stratford happens to be one of those depressed communities, believe it or not.

We're losing a hell of a lot of jobs. We're losing a hell of a lot of taxpayers and we are having a little tough time of it. But the City of Bridgeport has laid in there. They've never shown a profit, and incidentally the state law, the State of Connecticut, says the City of Bridgeport doesn't pay any taxes to our town as long as it doesn't show making a profit.

So I say, I might look like an ungrateful stepson for the pittance you're throwing here, but really I think stop and think of it. If you'd like to have this done in your town with another town owning property out

of it, I think philosophically, it's absolutely wrong.

If you wanted to take and give a subsidy to the Town of Stratford, certainly we should have it because it certainly inhibits our ability to raise taxes in that town.

So I oppose this bill on that basis and I say, it's like spitting in the ocean for what we ought to be getting and instead, I think it would be nice to take and work up a bill that actually you'd give the town itself the subsidy for the total amount instead of just a portion of it to sort of appease the people in Stratford.

So I'd like a roll call vote when we have it.

THE CHAIR:

When the vote is taken, it will be taken by roll call. Will you remark further on the bill as amended? Will you remark further? If not, I'd ask that the Clerk announce the pendency of a roll call vote. The machine will be opened.

THE CLERK:

An immediate roll call has been ordered in the Senate. Will all Senators please return to the Chamber.

An immediate roll call has been ordered in the Senate. Will all Senators please return to the

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Senate

May 30, 1997

003331

Chamber.

THE CHAIR:

Have all members voted? Please check the board to see if the vote is properly recorded. If all members have voted, the machine will be locked and I'd ask that the Clerk please take a tally.

THE CLERK:

Motion is on passage of SB1154 as amended. Total number voting, 34; necessary for passage 18. Those voting "yea", 30; those voting "nay", 4. Those absent and not voting, 2.

THE CHAIR:

The bill as amended is passed.

THE CLERK:

Calendar Page 20, Calendar 433, File 687,  
Substitute for SB1266 An Act Concerning the Assessment  
of Personal Property. Favorable Report of the  
Committee on Finance, Revenue and Bonding and  
Government Administration and Elections.

THE CHAIR:

Senator Looney, I've woken them up for you. You have the floor.

SEN. LOONEY:

Thank you, Mr. President. Mr. President. I move

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CONNECTICUT  
GEN. ASSEMBLY  
HOUSE

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House of Representatives

Wednesday, June 4, 1997

please check the machine to make sure your vote is properly recorded, Representative Martinez. The machine will be locked, and the Clerk will take a tally. The Clerk will announce the tally.

CLERK:

House Bill 5186 as amended by House "A", "B" and "C".

Total Number Voting	141
Necessary for Passage	71
Those voting Yea	141
Those voting Nay	0
Those absent and not voting	10

DEPUTY SPEAKER HYSLOP:

Bill as amended passes. Representative Godfrey.

REP. GODFREY: (110th)

Thank you Mr. Speaker. I would move for the immediate transmission to the Senate of all items acted upon today that need further action by that body.

DEPUTY SPEAKER HYSLOP:

Are there any objections? Seeing none, so ordered. Clerk please call Calendar 680.

CLERK:

On page nineteen, Calendar 680, substitute for SB1154. AN ACT CONCERNING EXPANSION OF THE STATE PAYMENT IN LIEU OF TAXES PROGRAM TO INCLUDE MUNICIPALLY

006805

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House of Representatives

Wednesday, June 4, 1997

OWNED AIRPORTS. Favorable report of the Committee on Appropriations.

DEPUTY SPEAKER HYSLOP:

You did so well on the last one Representative Martinez, we'll give you a second chance.

REP. MARTINEZ: (95th)

Thank you Mr. Speaker. Mr. Speaker, I move acceptance of the Joint Committee's favorable report and passage of the bill.

DEPUTY SPEAKER HYSLOP:

Question is on acceptance and passage, will you remark further?

REP. MARTINEZ: (95th)

Basically Mr. Speaker this bill amended expands the pilot for state owned property which includes municipal airports located in more than one municipality. It's a good bill, it ought to pass, I move passage.

DEPUTY SPEAKER HYSLOP:

Will you remark on the bill? Will you remark on the bill? Representative Belden.

REP. BELDEN: (113th)

Mr. Speaker, I just wondered if anybody was going to offer the Senate amendment?

DEPUTY SPEAKER HYSLOP:

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House of Representatives

Wednesday, June 4, 1997

Representative Martinez, are you going to call the Senate amendment? Thank you Representative Belden.

REP. MARTINEZ: (95th)

Thank you Representative Belden. Yes, the Clerk has LCO 9205, will he please call and allow me to summarize?

DEPUTY SPEAKER HYSLOP:

Clerk please call LCO 9205, Senate "A".

CLERK:

LCO 9205, House, excuse me, Senate "A" offered by Senator Looney.

DEPUTY SPEAKER HYSLOP:

Representative Martinez.

REP. MARTINEZ: (95th)

Yes, Mr. Speaker, this amendment provides a section for municipality owned airport shall be paid to any municipality in which the airport is located and the grant, this applies to Sekorski airport which will be paid half of the town of Stratford and half of the city of Bridgeport, I move adoption.

DEPUTY SPEAKER HYSLOP:

Questions on adoption of Senate "A" will you remark on Senate "A"? Will you remark on Senate "A"? Representative Miller.

REP. MILLER: (122nd)

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Thank you Mr. Speaker. I rise in support of the amendment. Sekorski airport is located entirely in the town of Stratford, so I think the monies that may be coming out of the grant should be entirely due to the town of Stratford. I recommend that everybody vote that way.

DEPUTY SPEAKER HYSLOP:

Will you remark further on Senate "A"?

Representative Hawkins.

REP. HAWKINS: (120th)

Thank you Mr. Speaker. I also rise in support of this amendment. This is one of the better amendments I've seen this evening and I urge support of it, thank you.

DEPUTY SPEAKER HYSLOP:

Will you remark further on Senate "A"?

Representative Tymniak.

REP. TYMNIAK: (133rd)

Through you Mr. Speaker, what is the fiscal note on this amendment?

DEPUTY SPEAKER HYSLOP:

Representative Martinez.

REP. MARTINEZ: (95th)

Yes, thank you Mr. Speaker, through you. The amendment will result in a revenue gain to Stratford.

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and a revenue loss to Bridgeport based on dated figures. At this point the amount of reimbursement is expected to be approximately \$170,000, therefore the gain to Stratford is expected to \$85,000.

DEPUTY SPEAKER HYSLOP:

Representative Tymniak.

REP. TYMNIAK: (133rd)

The fiscal note only applies to the City of Bridgeport, Sekorski Airport?

REP. MARTINEZ: (95th)

That's correct, through you Mr. Speaker.

DEPUTY SPEAKER HYSLOP:

Representative Tymniak.

REP. TYMNIAK: (133rd)

Thank you Mr. Speaker.

DEPUTY SPEAKER HYSLOP:

Will you remark further on Senate "A"?

Representative Backer.

REP. BACKER: (121st)

Thank you Mr. Speaker. Through you to the proponent of the amendment. Representative Martinez, is this bill, this payment is payment, for payment in lieu of lost taxes?

DEPUTY SPEAKER HYSLOP:

Representative Martinez.

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House of Representatives

Wednesday, June 4, 1997

REP. MARTINEZ: (95th)

Through you Mr. Speaker, that's correct.

DEPUTY SPEAKER HYSLOP:

Representative Backer.

REP. BACKER: (121st)

And does the proponent of the bill know that the airport in question is located wholly within the town of Stratford and that none of the tax loss occurs to the city of Bridgeport.

DEPUTY SPEAKER HYSLOP:

Representative Martinez.

REP. MARTINEZ: (95th)

Well, I just found that out, through you Mr. Speaker.

DEPUTY SPEAKER HYSLOP:

Representative Backer.

REP. BACKER: (121st)

Mr. Speaker, I have a further amendment, I won't waste our time here. I think Senate "A" is a good amendment, but I think the one I will call after this is better, thank you.

DEPUTY SPEAKER HYSLOP:

Representative Belden.

REP. BELDEN: (113th)

Thank you Mr. Speaker. Since we appear to be

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going to get into a very spirited debate, over a very small issue, a local issue, I would just like to explain to the Chamber what the issue really is. The bill essentially extends a pilot to regional airports.

It originally extended it only to Tweed airport in New Haven, we amended that to regional airports which included Sekorski and I think another one in Windsor Locks, not Bradley, another one somewhere else in the state. And.

DEPUTY SPEAKER HYSLOP:

Just a moment Representative Belden. I would ask the Chamber to come to order. Those of you who have conversations, I would ask that you take your conversations outside. Representative Belden is trying to explain the purpose of this amendment, and I believe there are some members who are trying to hear the explanation. So therefore, we'll ask you to take your conversations outside. Staff and guests if they would come to the well of the House. Representative Belden.

REP. BELDEN: (113th)

Thank you Mr. Speaker. So the file that came before us now established pilot for regional airports, and I must admit Mr. Speaker that in the Finance Committee I was looking out for the city of Bridgeport and specifically had the language drafted and the

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Wednesday, June 4, 1997

amendment offered there, that the pilot money would go to the city of Bridgeport.

Now, as Representative Backer indicated, the airport is located in the town of Stratford, and there has been, there was a court settlement back about the years ago that indicates that anything that happens in the future, who gets paid the taxes, etcetera.

But the city of Bridgeport, carries essentially the whole obligation of trying to keep a regional airport viable. So the Senate in its wisdom decided to share the wealth, to allow half the pilot to go to stratford because it's in their town, and half the pilot to stay with the city of Bridgeport because they're carrying the entire burden of keeping this airport up and going for the region.

Mr. Speaker, I think this is a fine amendment. It shares the wealth so to speak and it's something that I think most everybody can live with, without being "too greedy." So I would urge adoption of this amendment. And I'm sure I'm going to speak against the one that might be offered in the future. Thank you.

DEPUTY SPEAKER HYSLOP:

Will you remark on Senate "A"? Will you remark on Senate "A"? If not we'll try your minds. All those in favor signify by saying aye.

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House of Representatives

Wednesday, June 4, 1997

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER HYSLOP:

Those opposed? The ayes have it Senate "A" is  
adopted, will you remark further on the bill as  
amended? Representative Backer.

REP. BACKER: (121st)

Mr. Speaker the Clerk has LCO 9474, would he  
please call and I be allowed to summarize?

DEPUTY SPEAKER HYSLOP:

Clerk please call LCO 9474, to be designated House  
"A" the Representative has asked leave to summarize.

CLERK:

LCO 9474, House "A" offered by Representative  
Backer.

DEPUTY SPEAKER HYSLOP:

Representative Backer.

REP. BACKER: (121st)

Thank you Mr. Speaker. This amendment applies the  
intention of pilot correctly, which is to compensate  
the community which has lost its, lost its tax base due  
to nontaxable property. With all due respect to  
Representative Belden, who I admire greatly, the town  
of Stratford has already paid the price of the regional

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airport by contributing over 700 tax free acres to the regional airport where we receive no taxes.

Furthermore, the state several years ago removed our ability to tax the airplanes on the property.

So we receive no taxes on the airplanes that are now based at the airport. Pilot is designed to reimburse a community and those in that community who have lost the taxes due to a facility that is for the betterment of the community, the whole community at whole.

Stratford is the town that has lost that money, not the city of Bridgeport. I support my neighbors in Bridgeport. I vote for everything they ask me to vote for. But now when you ask me to give up my taxpayer's money to the community next door that was intended for our taxpayers to compensate them for 800 acres of tax free land, no taxable airport, I have to say, that that's enough. I urge adoption of the amendment and hope you will support the intentions of pilot. thank you.

DEPUTY SPEAKER HYSLOP:

Questions on adoption of House "A." Will you remark further on House "A"? Will you remark further on House "A"? Representative Sawyer.

REP. SAWYER: (55th)

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House of Representatives

Wednesday, June 4, 1997

Mr. Speaker, a question for Representative Backer please.

DEPUTY SPEAKER HYSLOP:

Please state your question. Excuse me Representative Backer would you prepare yourself for a question? Representative Backer would you prepare yourself for a question? Representative Backer would you prepare yourself for the question? Please state your question.

REP. SAWYER: (55th)

Representative Backer, the issue was brought up in the prior amendment from the Senate that Bridgeport has many services that maintain this airport. Can you tell me what percentage that your town contributes to this airport, besides the land, what else do you contribute to this airport as a municipality?

DEPUTY SPEAKER HYSLOP:

Representative Backer.

REP. BACKER: (121st)

Through you Mr. Speaker, we do contribute a substantial road base that we pay for that allows people to get to the airport. We pay for police security around the airport like all communities. We by law are forbidden to charge taxes on the airport. So I would say that we also experience a lower value

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Wednesday, June 4, 1997

and equity around the homes of the airport, I would say we contribute a substantial amount. Thank you.

DEPUTY SPEAKER HYSLOP:

Representative Sawyer.

REP. SAWYER: (55th)

Mr. Speaker, I would ask Representative Backer then, what does Bridgeport contribute to the airport?

DEPUTY SPEAKER HYSLOP:

Representative Backer. Representative Sawyer, would you please restate your question?

REP. SAWYER: (55th)

Would you please describe to me what Bridgeport does for the airport? What their contribution is?

DEPUTY SPEAKER HYSLOP:

Representative Backer.

REP. BACKER: (121st)

Mr. Speaker, I'm going to ask to withdraw this amendment in order to protect the base bill. I will be happy to let Representative Sawyer know if she wants to take the 800 acres and put it in her district and loose the taxes she's welcome to it. I withdraw the amendment, for my friends.

DEPUTY SPEAKER HYSLOP:

Are there any objections to the withdrawal of House "A"? Seeing no objections House "A" is

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House of Representatives

Wednesday, June 4, 1997

withdrawn. Representative Sawyer? Will you remark further on the bill as amended? If not staff and guests to the well of the House the machine will be open.

CLERK:

The House of Representatives is voting by roll call, members to the Chamber. The House is voting by roll call, members to the Chamber please.

DEPUTY SPEAKER HYSLOP:

Have all members voted? If all members have voted and make sure your vote is properly recorded. The machine will be locked, the Clerk will take a tally. The Clerk will announce the tally.

CLERK:

Senate Bill 1154 as amended by Senate "A" in concurrence with the Senate.

Total Number Voting	146
Necessary for Passage	74
Those voting Yea	144
Those voting Nay	144
Those voting Nay	2
Those absent and not voting	5

DEPUTY SPEAKER HYSLOP:

Bill as amended passes. Clerk please call Calendar 108.

JOINT  
STANDING  
COMMITTEE  
HEARINGS

GOVERNMENT  
ADMINISTRATION  
AND  
ELECTIONS  
PART 3  
687-1051

1997

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GAE COMMITTEE

February 18, 1997

REP. DICKMAN: Thank you. One quick question. I guess the only problem I have is the cost of the plaques. I haven't seen the bill this year, but last year's as I remember was \$150. I think that is kind of expensive for a plaque. Maybe we could compromise it down a little bit. I'd be much happier.

I don't know what the figure is this year, but.

ALAN PLOFSKY: I couldn't agree more.

SEN. LEBEAU: I wanted to ask you, what do you think a reasonable compromise might be?

ALAN PLOFSKY: \$50., \$100. We had our annual conference this past year for the Executive Branch and since Dr. Lee came up, I should mention, we gave him an award for his outstanding service for the state over these many years and I believe we got him a very nice plaque for about \$55.

SEN. LEBEAU: Any further questions? Thank you.

ALAN PLOFSKY: Thank you Senator.

SEN. LEBEAU: Is Representative Chris Scalzo here? We will proceed to the public portion of the hearing. John Murphy.

JOHN MURPHY: Good afternoon. I'm here to speak about two particular bills today (inaudible). One is on the absentee ballots and the other is on the voter ID, so I think that we have some similarities between the two of them.

SB1025

SB1026

Part of what your committee does and part of what we all believe in is making democracy more accessible to people, and not making it less restrictive. We have heard about some of the problems we've had with absentee ballots in Hartford that Chief State's Attorney Bailey talked about. We also heard Representative Beals talk about people that really need access to their ballots and ballot applications.

I actually thought that Mr. Bailey made a perfect point for us. Why do we have to go through all this? Why does Mr. Garfield need all the ability to challenge

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GAE COMMITTEE

February 18, 1997

ballots will be mailed back. They actually provide a list, I know it, he was talking about Hartford. I know you can go to Hartford City Hall and pick up a print out of who was mailed ballots. You can pick that up and 10:00 a.m. and you can be at that person's door waiting for the mailman. You can knock on the door of the mailman, so maybe it would be that you would not reveal when the ballots are mailed.

Again, as for the voter ID stuff, they already have to fill out -- they have to sign an affidavit, and put down their address saying they are who they are. If there is problems with fraud you want to follow it up like Chief State's Attorney Bailey said, there is no way to follow it up. Why? Because they voted on the machine. Their vote is lost in the mix.

If you allow those people to vote by a challenge ballot and you set it aside, and there happens to be a contended election, you will have written documentation, proof. They can check out to see if these people actually exist. If they do not, the ballots can be thrown out. They can track them down and prosecute them, whatever. There would be a mechanism in place.

SEN. LEBEAU: To your knowledge, are the challenge ballots not used often?

JOHN MURPHY: Challenged ballots, the way the statutes are currently written, from what I've been told by Elections Enforcement Commissions and the Secretary of State's Office, are very narrow in their scope and purpose and would not cover that.

Where someone comes in, you can not use them at this point. But it would be a good way out to track later on whether or not these people are actually who they say they are, without the inconvenience of sending someone back because they happened to forget their ID.

SEN. LEBEAU: Thank you very much. Any further questions? Thank you John. Judy Beaudreau. Judy, how are you today?

JUDY BEAUDREAU: Fine. Members of the committee, my name is Judy Beaudreau. I am President of the Registrar of

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Voters Association. I am here today to testify on three bills. Are we allowed to do three at a time or are we going to go bill by bill?

SEN. LEBEAU: In this case, because I think you are testifying on SB1024, SB1025 & SB1026 and since they are (inaudible) related, yes.

JUDI BEAUDREAU: Close, I'm doing SB1025, SB1026 & SB1028. Is that Okay?

SEN. LEBEAU: We'll do SB1025 & SB1026 first then we'll...

JUDI BEAUDREAU: SB1026 first?

SEN. LEBEAU: SB1025 & SB1026.

JUDI BEAUDREAU: Okay SB1025 an ACT CONCERNING THE VOTER IDENTIFICATION. Although registrars across the street would welcome and agree whole-heartedly that we would love to have ID present on getting people restored from inactive to active, we can not do this because of the NVRA law, but would if that was ever rejected, love to have it back.

Eliminating the sign-in procedure at the checker's table, we testified in the very beginning on this that we did not want to have a sign-in. We wanted to have voter ID and we would welcome this very much.

We find that there is a potential fraud here of people coming in without ID, signing in, voting and leaving and nobody is knowing who is who.

We question why a new voter of six months or less is being restricted to showing ID on absentee voting. I can understand some of it but I think it is also penalizing the new voter.

SB1026 an ACT CONCERNING REFORMING THE ABSENTEE LAWS TO PREVENT ABUSE, Section D line 60-61, where you are -- to include the absentee application as being available to the political parties, I think you were totally crippling them. I have talked with several of the registrars, and feel that maybe if you looked into bringing back signing on the application, or maybe keeping the list of who gets ballots, confidential. It



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*Bill # 1087*

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	<i>Sidney Garris - Common Cause</i>	<i>1087 PRO</i>
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Bill #  
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GOVERNMENT ADMINISTRATION AND ELECTIONS  
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	NAME	SUBJECT AND POSITION
1.	Wickhambeau Middle School	1088
2.	Beth Larkins - Teacher	1088
3.	Veronica Yestrumkas	1088
4.	Amy Nyitray	1088
5.	Jessika Swainbank	1088
6.	Greg Howland	
7.	Rajiv Iyer	
8.	Liz Zander	
9.	Phil Platt	
10.	Chrissy Fremagli	
11.	Tamie Belgrin	
12.	Jay Wein	
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Bill # 1089

	NAME	SUBJECT AND POSITION
1.	<i>Victoria M. Githale</i>	<i># 1089</i>
2.	<i>Rae Bramontano</i>	<i>1089</i>
3.	<i>Tony Meiri</i>	<i>1089</i>
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Bill #  
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	NAME	UBJECT AND POSITION
1.	Sandra Hutton	1091 Against
2.	Lois Pontbriant Town	1091 "
3.	<del>Bascom</del> Clerk	1091 "
4.	Bernadette Dillon	1091 "
5.	Leslie Cotton Town Clerk	1091 Against
6.	Dorcas McHugh Town Clk.	1091 "
7.	SABINA ADDICIONA	In favor
8.	James Ward	1091 Against
9.	Town Clerk	
10.	Judi Bradburn	
11.	Gene R. Ferraro	1091 Against
12.	Rachel Haggerty Town Clerk	1091 Against
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	NAME	SUBJECT AND POSITION
1.	Donna C. DiMartino	1092
2.	Tony Mein	1092
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Bill #  
5546

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	NAME	SUBJECT AND POSITION
1.	Rob Daves	✓ 5843 speaker 1
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Bill #  
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NOT ON) to testify at this point on HB6350.  
(INAUDIBLE - MICROPHONE NOT ON) HB6049 (INAUDIBLE -  
MICROPHONE NOT ON)

SIDNEY GERVAIS: Okay. You don't want to hear about  
direct primary?

SEN. LEBEAU: (INAUDIBLE - MICROPHONE NOT ON)

SIDNEY GERVAIS: Okay. Alright.

SEN. LEBEAU: (INAUDIBLE - MICROPHONE NOT ON)

SIDNEY GERVAIS: Alright. Okay.

SEN. LEBEAU: (INAUDIBLE - MICROPHONE NOT ON)

SIDNEY GERVAIS: Yeah. This started out with Common  
Cause as somewhat of an apology because we normally  
favor measures calling for disclosure and this is -  
- the skeletal form of the bill appeared to be a  
disclosure bill and then looking into it further,  
reading the Section 9-369b of the General Statutes,  
and then hearing further what was discussed today  
in this hearing, I realize that we've stepped into  
somewhat of a hot bed of controversy, but I still  
feel that there should be no expenditure of public  
funds unless both sides of a question can be  
presented to the public and it would have to be  
worked out extremely carefully and also, for just  
about any referendum that might come along, if  
there was a mandate that the municipality had to  
spend considerable amounts of money to disseminate  
information that could be had because the freedom  
of information laws do guarantee that the  
information is available, I don't believe that is  
fair to the municipality.

So I am glad to hear that there may be compromises  
coming out of further discussion of it. I think  
you have to be very careful in -- when you do  
disseminate information that it not be weighted  
just on one side of an issue or one side of  
question. And I think the public deserves to hear  
all the information that is available.

So I will leave it at that because you are going on

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with - to look into this.

Representative Thompson's bill, AN ACT CONCERNING HB5546 SAME DAY VOTER REGISTRATION. Over the past 25 years, Common Cause has supported just about every measure dealing with qualifications and admission of electorates. As an example, we advocated moving registration from 30 days to 21 days before election day. Then moving from 21 to 14 days. And currently we are prepared to support HB5456 which proposes same day voter registration, especially now that computerized voter lists throughout the State are either a reality or close to becoming a reality.

We are also interested in SB1087 and HB6049 which accomplish just about the same thing, establishing a task force to study elections by mail or voting by mail. The Senate bill calls for a study of the feasibility of conducting one or more elections entirely by mail. The House bill seems to be somewhat more specific in that it calls for establishing a task force to study the feasibility of implementing a statewide system of voting by mail as has been implemented in Oregon.

And then I go on to say in as much as Connecticut residents are already subscribing to electronic services such as banking, shopping, filing of income tax returns, paying taxes, with the use of their personal computers at home, shouldn't this same task force be researching the feasibility of electronic voting or computerized voting as well as voting by mail? This is no longer a futuristic concept.

We do favor the establishing of a task force which we hope will study all conceivable possibilities in this area.

We did, for the time being, or we do, for the time being, oppose the HJR96 which proposes a constitutional amendment concerning voting without appearing at a polling place. But having heard comments by our Secretary of the State, on the constitutional amendment, I recognize the importance of getting the structure in place, at

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least getting structure in place so that at a later date, the General Assembly would be able to implement either voting without appearing at a polling place either through mail or through computer.

Okay. You want me to reserve my comments on --

SEN. LEBEAU: (INAUDIBLE - MICROPHONE NOT ON)

SIDNEY GERVAIS: Alright. Okay.

SEN. LEBEAU: HB6744. (INAUDIBLE - MICROPHONE NOT ON)  
But before I do that, (INAUDIBLE - MICROPHONE NOT ON)

SIDNEY GERVAIS: Nope. Okay.

SEN. LEBEAU: Any questions (INAUDIBLE - MICROPHONE NOT ON)

SIDNEY GERVAIS: I haven't commented on that.

SEN. LEBEAU: (INAUDIBLE - MICROPHONE NOT ON)

SIDNEY GERVAIS: Not necessarily.

SEN. LEBEAU: (INAUDIBLE - MICROPHONE NOT ON)

SIDNEY GERVAIS: I do feel - I do feel that it would be a step backward to do it.

SEN. LEBEAU: Thank you. (INAUDIBLE - MICROPHONE NOT ON)

UNIDENTIFIED SPEAKER: (INAUDIBLE - NOT USING A MICROPHONE - TALKING FROM THE AUDIENCE)

SEN. LEBEAU: Okay. (INAUDIBLE - MICROPHONE NOT ON)

UNIDENTIFIED SPEAKER: I already spoke.

SEN. LEBEAU: (INAUDIBLE - MICROPHONE NOT ON) Roberta Jenkins on HB6745.

ROBERTA JENKINS: Thank you. Good afternoon. I have two, HB6746 and HB6745.

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SEN. LEBEAU: (INAUDIBLE - MICROPHONE NOT ON)

ROBERTA JENKINS: I thought I could sneak them together, nobody would notice.

SEN. LEBEAU: (INAUDIBLE - MICROPHONE NOT ON)

ROBERTA JENKINS: HB6746 is basically just a small fee increase for vital statistic records that are kept in the Town Clerk's office. I found -- I am sure others can testify that what one of the things that are happening, in particular on death records because we have a VA Hospital in Newington, is we are finding a lot of errors and when you correct an error you have to send out additional copies to other towns and other people and the work involved in filing vital statistics is increasing for some reason or another as time goes on.

And so the Town Clerks Association was hoping to get a fee increase for the filing of these records in order to cover some of the costs of handling them.

HB6745 which is AN ACT CONCERNING RECORDING, COPYING, MAINTENANCE OF CERTAIN PUBLIC RECORDS. This kind -- I think this as sort of my baby. There was a committee which worked for two years to try to get wording in this bill to allow for a little modernization by including the word "electronic imaging" along with "micrographic" and other processes and photographic and that type of thing so that we could become somewhat, now that we are heading towards the 21st century, perhaps we could come into the 20th century with some of our records keeping.

One of the things I hear very often is that government should be more like business, more efficient, more like business. Well, we need some of the newer tools that businesses have in order to act like business.

The Public Records Administrator was a member of the committee that helped us put this bill together and all we have done is include the word "electronic imaging" and her approval of any new

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system would be needed in order for us to be able to use it.

Thank you.

SEN. LEBEAU: (INAUDIBLE - MICROPHONE NOT ON)  
Bernadette Dillon. (INAUDIBLE - MICROPHONE NOT ON)

BERNADETTE DILLON: HB6745, HB6746 and SB1090 and then SB1091, if I may, please?

SEN. LEBEAU: Sure.

BERNADETTE DILLON: Just briefly --

REP. BYSIEWICZ: Bernadette, how are you?

BERNADETTE DILLON: Okay, to the Chairman of this committee and all the members.

HB6745 -- Roberta just spoke to that. The act of making technical changes to the statute to allow for this state of the art methods.

SB1090, an act for a filing fee for trade name certificates. The technical change was omitted in the last revision of Town Clerks Fees in 7-34a when land records went up to \$10 for the first page, \$5 for any additional pages. They failed to include trade name certificates for \$10. So we are just asking that these be included and many people now do send \$10 checks because they feel it is a land record and they are sending us \$10. So it is just a matter of having to send checks back and forth. So if we could unify this system, we would be happy with that.

HB6746 speaks to \$10 for vital records, copies of vital records and Roberta spoke to that one quite well, too.

Then SB1091 and as a former Registrar of Voters in a Deputy for almost a decade, I am compelled to speak out against this bill. I have researched the position of Registrar of Voters. I have gone back as far as the year 1860 and there were Registrars of Voters.

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To remove this position from the statute would be a political disaster. The people who serve as Registrars of Voters are political and they should be. They represent the democratic and republican party members of the State of Connecticut. These Registrar of Voters are people who are held in high esteem. Registrar of Voters are elected by their own peers, at democratic and republican caucuses. These people work hard for their respective parties and deserve these positions. To take these positions away from them would be unfair.

Registrar of Voters are responsible for voter registration, party enrollment and to maintain the caucus list of their political parties.

They are responsible for the city/town voter list as a whole. They conduct the yearly canvass of their districts to help maintain the impeccable list. This was always what I took my pride in.

To remove voters who have moved out of town and of course, our deceased (INAUDIBLE). Registrars are responsible for hiring the election and referendum personnel, the reason being that the poll workers represent their respective political parties. The workers are divided evenly between democrats and republicans. The moderator is the election official in any election and our primary referendum.

The moderator is appointed by the Registrars. They too are chosen to equally represent the political parties.

I strongly urge this committee to vote down this proposal. Save the two-party system and retain the position of Registrar of Voters in the Connecticut General Statutes.

I foresee the next proposal being to have one Registrar. What political party will that person come from? I can only think that a very few ambitious people have a political agenda. If so great, but more on to other offices and do not destroy what is in place and works.

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Thank you. Any questions?

SEN. LEBEAU: (INAUDIBLE - MICROPHONE NOT ON) I messed up. Judy Beaudreau. (INAUDIBLE - MICROPHONE NOT ON)

JUDY BEAUDREAU: Which bills do you want me to testify on?

SEN. LEBEAU: Judy, go for it.

JUDY BEAUDREAU: Okay.

SEN. LEBEAU: (INAUDIBLE - MICROPHONE NOT ON)

JUDY BEAUDREAU: Okay. I am going start on -- good afternoon, members of the committee.

My name is Judy Beaudreau. I am the President of the Registrar of Voters Association. I am going to start by just going over my whole testimony.

SEN. LEBEAU: (INAUDIBLE - MICROPHONE NOT ON)

JUDY BEAUDREAU: Do you want me to start with that one?

SEN. LEBEAU: (INAUDIBLE - MICROPHONE NOT ON)

JUDY BEAUDREAU: Okay. Names of the seventeen year olds positions on the list.

HB6744

This is needed because of the pre-registration of the 17 year olds. Right now the law says that they have to go on where they live, with the date of birth after them, which means, that on election day there are 17 year olds who are not qualified to vote and they are on this list. It should not be left up to the official checker to determine whether that person is eligible to vote or not. By leaving it at the end of the list, gives us, as Registrars, a category to say no, these are not eligible people to vote.

We will also fit into the new data base that we are designing with the State because this is where we have put these people to be, at the end of the voter list.

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SEN. LEBEAU: Judy, I wanted to raise a question on that. Why are they are on the list when they can't vote?

JUDY BEAUDREAU: Because the law says they have to on the list.

SEN. LEBEAU: The law says they have to go on the list when they register--

JUDY BEAUDREAU: Yes.

SEN. LEBEAU: -- even though they have --

JUDY BEAUDREAU: Yes. Yes.

SEN. LEBEAU: -- have not matured yet?

JUDY BEAUDREAU: Yes. Yes. So this just clarifies where we can put them because we don't want them in the whole body of that check off list.

SEN. LEBEAU: (INAUDIBLE - MICROPHONE NOT ON)

JUDY BEAUDREAU: Well, yes, but --

SEN. LEBEAU: (INAUDIBLE - MICROPHONE NOT ON)

JUDY BEAUDREAU: I would say that's pretty good, but I'm not the one who makes and breaks the laws. I mean, I have to go by what is in writing and that's what's in writing right now.

SEN. LEBEAU: (INAUDIBLE - MICROPHONE NOT ON)

JUDY BEAUDREAU: Okay.

SEN. LEBEAU: (INAUDIBLE - MICROPHONE NOT ON)

JUDY BEAUDREAU: Tell me which ones and I will go for it.

SEN. LEBEAU: (INAUDIBLE - MICROPHONE NOT ON)

JUDY BEAUDREAU: SB1092? Okay. AN ACT CONCERNING AMENDING THE ELECTION LAWS. The Registrar of Voters Association is in favor of everything in

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this bill. The activities allowing inside or near the polling area is something that needs to be looked at, but it gives the Registrar of Voters to the discretion of not or to have it, which is very nice if somebody wants to have a food drive. Incidentally, I did have one in Vernon last election and it did produce a lot of canned goods for the needy and it was a very worthwhile thing.

As far as the ballots and everything, we definitely, we were going to come forward with the presidential ballot type thing also because we had many voters who came forward prior to the cut off of presidential ballots. I mean, after the cut off of the presidential ballots and couldn't vote because they couldn't get a ballot and we felt bad about that and sent them over to the Town Clerk's office and the Town Clerk offices, no you can't have one. So it just opens the process.

SEN. LEBEAU: (INAUDIBLE - MICROPHONE NOT ON)

JUDY BEAUDREAU: Okay. SB1088, AN ACT CONCERNING OLDER CHILDREN TO ACCOMPANY VOTERS INTO THE BOOTH. Well, we aren't strongly opposed to this, but what we would like to see happen -- because we have restricted our teachers and we said to our teachers who educate our children, you can only come in during certain hours and you can only bring certain children in. And these are the ones who are supposed to be teaching our children. The Registrar of Voters make themselves very available to the school systems to do education. They very rarely call. There are kids voting. There is a lot of mechanism there for teaching children how to vote. If this is to go in, that 17 year old -- up to 17 year olds can, we want to see it similar to what I testified the other day on the assisting in the voting booth, that it be a prescribed form from the Secretary of State's office that the voter signs that says that they are taking this person into the voting booth with them. We want some kind of paper trail because now we have nothing.

Does this mean by this bill because there is no limitation, that we are going to have -- how many kids can we stuff in a voting booth? I can see

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For one thing, this took many, many months to negotiate. And in the process had the information been a little more available, the company's long and very unsatisfactory track record in financial as well as environmental areas, may have come to the surface and prevented the state, the town and many private contractors for million dollars worth of loss.

And, secondly, I think accountability is important as a preventive measure. I think knowing we're going to be responsible for something makes us think twice about what and how we do things. And I think when we have public dollars that's important.

The quasi-public, quasi-private situation, I think presents some potential problems of its own. The CDA is empowered to act as a bank, however, it's a bank with the public's money. And I think that calls for a different kind of consideration.

REP. FLEISCHMANN: Thank you.

REP. BYSIEWICZ: Further questions? Seeing none, thank you very much, Representative Kerensky.

REP. KERENSKY: Thank you.

REP. BYSIEWICZ: We'll go to Senator Fonfara, if he's here. If not, Don Downes, to be followed by Bud Cohn, to be followed by Roy Breward.

DON DOWNES: Good afternoon, Chairman Bysiewicz, Chairman LeBeau, distinguished members of the GAE Committee. And I'll strike the microphone here.

My name is Don Downes. I'm the Deputy Secretary of the Office of Policy and Management.

As you know, one of OPM's current efforts is to organize and move along the process of turning surplus state real property into cash.

SB1151, An Act Exempting Agency Real Estate Transactions From Disclosure Under the FOI Act was raised by the Committee at the request of OPM.

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OPM, in coordination with DPW is working to dispose of real property that the state no longer needs. Many of these properties are quite valuable. Their disposal will result in significant revenue to the general fund, reduction in holding costs and the return of the property to the municipal tax rolls.

The Governor's budget recently transmitted to you assumes some 25 millions in general fund receipts from such sales. The marketing of these properties is quite complicated. Many of these are very large properties involving many, many buildings. The structures on the Norwich campus, for example, are over 80 individual structures; the Fairfield Hill situation is slightly smaller, but nonetheless, very complex. And there are a variety of others.

Sophisticated marketing and negotiating strategies are necessary for the state to obtain a good return on these properties.

Under current law it appears that any potential buyer can require us to fully disclose our appraisals and any written materials involving negotiating strategy before or during the negotiations. This is an untenable situation that would cause us to leave millions of dollars on the table.

Appraisals for property acquisition are already exempt from FOI, as executive director Pearlman indicated. And that has worked very well for some period of time.

The bill would extend then exemption to disposition, as well as acquisition. In addition, documents relative to strategy or negotiation on the purchase or disposition of property would be exempt from FOI until the transaction to which they relate has been completed, at which point all of those documents would, in fact, become public record and available under FOI.

The effect of the legislation, in other words, would be to place the state on the same footing as any counter-party in negotiations without sacrificing full accountability. We need this to

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do our jobs properly and to protect the best interests of the state.

I was interested in Executive Director Pearlman's comments. If I understood him correctly, I think he was relating to -- relating his opposition primarily to the language regarding the disclosure of the documents involving negotiating strategy.

I'd suggest to you that the disposition of a property is a somewhat different kind of activity than the acquisition of a property is and that obviously, since title is often held by one agency, but the property is being used by another, it's almost essential for agencies to communicate with each other, generally speaking, in writing about the uses of that property and whatever advantages there may be to disposition in a certain form or in a certain time.

I'd respectfully urge the Committee to offer a favorable report and I would be happy to take your questions.

REP. BYSIEWICZ: Don, let's just take a situation which you mentioned. Say the state was going to sell the Norwich property, then just what documents are you proposing to exempt from FOI?

DON DOWNES: Well, first there have, in fact, been appraisals done of the Norwich property. We would propose to exempt those appraisals just as the appraisals currently are exempt with respect to acquisition.

Secondly, because a disposition requires coordination between line agencies and OPM and the Governor's office in order to arrive at a strategy and develop a negotiating posture, we would also propose that the memoranda and the documents between those agencies developing the strategy and outlining it would also be exempt.

REP. BYSIEWICZ: So internal memoranda with respect to sales strategy plus appraisals?

DON DOWNES: Is essentially what we're looking for.

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Yes, ma'am.

REP. BYSIEWICZ: Right. And their interagency memorandum that you talk about?

DON DOWNES: Yes. If these were documents -- if these documents were solely within one agency, our understanding is that they probably would not be available as public records under current law. But because they are, in fact, distributed outside of a particular agency, they then become disclosable.

REP. BYSIEWICZ: And you say current law exempts appraisals with respect to acquisition, but not disposition?

DON DOWNES: That's correct. That's correct. And that provision has been in place for some time.

REP. BYSIEWICZ: Why do you think that disposition was never included?

DON DOWNES: You know, that's a good question. We spent some time and went back and looked at the legislative history and, you know, interestingly enough, in the debate and consideration of the bill at the time that it was adopted, we can't find any specific reference to disposition in any way, shape or form.

Furthermore, our investigation of the state's patterns of acquisition and disposition indicate that the state has not attempted to dispose of a property on the magnitude of either of the Fairfield Hills or Norwich pieces, for example, at all. In fact, I think the last time we attempted to dispose of any sizable piece of property was the exercise involving Cedarcrest, is my recollection.

So the point is that the state -- the state has been very active in the process of acquisition for quite some time. We have acquired a great many properties, some of which are quite large and quite complex.

The state has not been involved in the process of disposition. In fact, our investigation indicates

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that the dispositions that the state has done are almost invariably small parts of property that were originally acquired as parts of rights of way or similar kinds of situations which then were determined to be surplus to those rights of way and disposed of. Those appear to be the vast majority of them.

And, frankly, the small transactions are not really the ones we're particularly interested in here. The large transactions involve many, many millions of dollars.

And quite often, if I might, just one last thing, appraisals on the disposition side run a substantial risk of not being terribly accurate in terms of fair market value in the real world, since the market for a used mental health facility is fairly small and fairly tenuous.

Chances are a person or an entity wishing to acquire this property probably has some other use for that property whose valuation would probably be substantially different.

So we're particularly leery about those situations since our experience shows that at times appraisals can come back with artificially low numbers which then, in effect, operate as the ceiling on the price, if you will.

REP. BYSIEWICZ: I guess I have a concern that particularly -- this concern is sort of less for the smaller properties that you're talking about. But with respect to the larger properties that could potentially involve millions of dollars that it's in the interest of the taxpayers to know perhaps what the value of a property is.

And so I'm just wondering from a public policy standpoint --

DON DOWNES: Well, for example, in the Norwich situation, any person -- or the Fairfield Hills situation, any person who is interested in obtaining a valuation of the property can go directly to the Office of the Assessor and look at

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the assessed value that is assigned there, just as any individual can with any parcel of property in the State of Connecticut.

I'll say we have no objection to that process. And, in fact, lots of people have done it.

A VOICE: (Inaudible - whispering and not into a microphone)

DON DOWNES: Right. And in any event, Bud is pointing out to me that -- that the appraisals that we contract for on a separate basis would then become available to the public as soon as the transaction is completed.

I respectfully suggest to you that there is kind of a balancing of interest here. On the one hand, taxpayers certainly want to be assured that the state is not selling an asset for substantially less than its value.

On the other hand, taxpayers also have an interest in having the state dispose of this property at the highest possible sales price.

And frankly, our experience is that particularly with large scale state properties that may have many buildings and various other kinds of facilities on them, appraisals tend to come in artificially low. This would have the effect of driving the sales price down and so taxpayers would find themselves in the position of having subsidized somebody's purchase of this property.

REP. BYSIEWICZ: And have there been any FOI requests for disposition related appraisals?

DON DOWNES: Yes, there have.

REP. BYSIEWICZ: And so you've handed them over?

DON DOWNES: Not to date. We are currently considering at least one of those circumstances. We believe that it is not in the best interest of the state to disclose this information at this point.

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REP. BYSIEWICZ: And so the Attorney General's office then has advised you to do what then?

DON DOWNES: We're still in consultation. We're also in consultation with Mr. Pearlman and the Commission. So --

REP. BYSIEWICZ: Thank you. Senator LeBeau?

SEN. LeBEAU: Yeah. Just if you'd refresh my memory, Don (inaudible) if you're selling property, does this have to go out to bid? Is this a bid process?

DON DOWNES: I'm not sure about that, Senator. The Attorney General's office has indicated to us that there are probably several acceptable ways to go here.

In any event, obviously, we would want as much competition as possible on --

SEN. LeBEAU: How would a potential buyer know -- this really gets to my question, how does a potential buyer know that the property is available for sale?

DON DOWNES: Well, as you know, the State Surplus Property Statutes require us to go through a fairly complicated process wherein we have to, first the agency which holds title has to declare that it's surplus to their needs, then the property is offered to other state agencies, then, in turn, to municipalities.

I think there are a couple stops in the middle there, Senator and then finally they're available to the public. So we go through a notice process to each of these kinds of entities.

SEN. LeBEAU: So when it goes public, there's a notice to the public.

DON DOWNES: Our intention would be to do exactly that. In fact, we might very well decide to hire some entity to go out and conduct the marketing and sale of this kind of a piece of property, for example, if we're talking about something like Norwich or Fairfield.

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SEN. LeBEAU: But how would the community of Norwich or Fairfield, how would those communities have some input into what they want to see happen to those properties and to who might purchase those properties?

DON DOWNES: Well --

SEN. LeBEAU: Let's say a big amusement park wants to purchase, but that may not be in the interest of the community that -- or whatever the community deems is not part of their interest in terms of their community plan for its vision of its future?

DON DOWNES: Yeah. Well, with respect to both of those properties, in particular, Norwich and Fairfield, you may recall that the legislation required us to develop an oversight committee and, in fact, that was simply a legislative recognition of what had already happened.

There has, in fact, been an oversight committee in both of those cases. Both of those oversight committees have conducted extensive investigations and literally dozens of public hearings. We have lots of input, not only from the municipalities themselves, but also from various other entities within and surrounding the area.

So we're certainly in no lack of input from those folks on how they view an appropriate re-use to be. And obviously we're doing the best we can to cooperate with them in the sense of trying to find some sort of a re-use that would fit in with the plans that they're indicating.

SEN. LeBEAU: Thank you.

REP. BYSIEWICZ: Thank you. Further questions? Representative Dickman, to be followed by Representative Powers.

REP. DICKMAN: Thank you. Don --

DON DOWNES: Yes?

REP. DICKMAN: -- we also have a bill before us that