

PA 11-185

HB5256

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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2011**

**VOL.54
PART 6
1729 – 2054**

Thank you, Representative.

Would you care to remark further on the resolution? Would you care to remark further? If not, let me try your minds. All those in favor of the resolution, please signify by saying, aye.

REPRESENTATIVES:

Aye.

SPEAKER DONOVAN:

All those opposed, nay.

The ayes have it. The resolution is adopted.

Will the Clerk please call Calendar Number 109.

THE CLERK:

On page 7, Calendar 109, House Bill Number 5256,
AN ACT CONCERNING RECEIPT BY ELECTRONIC MAIL OF
MUNICIPAL TAX BILLS, favorable report of the Committee
on Planning and Development.

SPEAKER DONOVAN:

Representative Linda Gentile, you have the floor,
madam.

REP. GENTILE (104th):

Thank you, Mr. Speaker.

Mr. Speaker, I move for acceptance of the joint
committee's favorable report and passage of the bill.

SPEAKER DONOVAN:

The question is acceptance of the joint committee's favorable report and passage of the bill.

Will you remark?

REP. GENTILE (104th):

Thank you.

Mr. Speaker, the Clerk is in possession of LCO Number 5329. I would ask that the Clerk please call and I be granted leave to summarize.

SPEAKER DONOVAN:

Will the Clerk please call LCO 5329 which will be designated House Amendment Schedule "A."

THE CLERK:

LCO Number 5329, House "A," offered by
Representatives Aresimowicz and Olson.

SPEAKER DONOVAN:

The Representative seeks leave of the Chamber to summarize. Any objection? Hearing none, Representative Gentile, you may proceed with summarization.

REP. GENTILE (104th):

Thank you, Mr. Speaker.

This is just a technical amendment and all it does is establish procedural consistency for communities that so decide to do these electronic mailings.

I move adoption.

SPEAKER DONOVAN:

The question before the Chamber's adoption of House Amendment Schedule "A." Will you remark? Remark further?

Representative Aman.

REP. AMAN (14th):

Thank you, Mr. Speaker.

This amendment does deal with, I think, a very important issue of when notification has been done electronically, and there's been a variety of discussions of it, that the person receiving the e-mail or whatever on the bill, there's a procedure to be put forward that acknowledges receipt.

And I'm wondering if the chairman can go over what type of procedures may be satisfactory to meet the needs of this amendment for notification that a bill has been received.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Please proceed, sir.

Please proceed.

REP. AMAN (14th):

Through you, Mr. Speaker, to the chairman,

the -- one of the problems that have been in the electronic transfer of bills or other information is the -- how you guarantee that someone has received it. Under mail we do things like certified mail, return receipt requested. And this bill calls for established procedures.

And my question was, what type of procedures are envisioned under this bill that would meet the legislative intent of replying and having confirmed receipt?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Gentile.

REP. GENTILE (104th):

Thank you, Mr. Speaker.

Electronically a receipt can be requested when the transmission is sent out. That's one way. And the other way is to make sure that the proper electronic address is recorded for the community.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

Thank you, Mr. Speaker.

While I agree that this is something that's going

to be, unfortunately I also think that next year we may well be looking at this and similar bills trying to find out a better way of doing this.

But I will encourage voting for this amendment because I do think it starts to have the State enter the electronic age.

SPEAKER DONOVAN:

Thank you, Representative.

Representative Larry Miller.

REP. L. MILLER (122nd):

Thank you, Mr. Speaker.

I have a question to the proponent.

SPEAKER DONOVAN:

Please proceed, sir.

REP. L. MILLER (122nd):

In the same light as Representative Aman, with all the privacy laws that we have I know I have received some faxes, electronic mail that were not addressed to me, but for some reason they hit the wrong number and then I get some information about a person.

How do we protect against that? Is there some way we can guarantee that they're going to make sure that they get this fax in the proper place?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Gentile.

REP. GENTILE (104th):

Thank you, Mr. Speaker. Through you.

Yes. To the good Representative, a fax would be different than an electronic transmission. An electronic transmission is sent directly to the individual's personal computer, so that only they would be opening it.

SPEAKER DONOVAN:

Representative Miller.

REP. L. MILLER (122nd):

And through you, Mr. Speaker.

There's no chance that it would go to somebody else by mistake.

SPEAKER DONOVAN:

Representative Gentile.

REP. GENTILE (104th):

Through you, Mr. Speaker.

As long as they've provided the current information on their ULR -- URL address. No.]

SPEAKER DONOVAN:

Representative Miller.

REP. L. MILLER (122nd):

Okay. Thank you, Mr. Speaker. And thank you.

SPEAKER DONOVAN:

You're welcome, Representative.

Representative Alberts.

REP. ALBERTS (50th):

Thank you, Mr. Speaker.

If I may, a question to the proponent of the amendment?

SPEAKER DONOVAN:

Please proceed, sir.

REP. ALBERTS (50th):

Thank you, Mr. Speaker.

As I look at the amendment I'm a little confused, and perhaps my question may have to be asked on the bill once the amendment is dealt with, the underlying bill. But am I to understand that when we use the language, "community," in line 2 and line 4 and line 8, that this is one of the 169 municipalities of the state and only that? Or is there another definition of community that we're employing?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Gentile.

REP. GENTILE (104th):

Thank you, Mr. Speaker.

Through you, I'm not aware of any other definition. It would be the towns and cities.

SPEAKER DONOVAN:

Representative Alberts.

REP. ALBERTS (50th):

Thank you, Mr. Speaker.

So for purposes of this discussion, this would not pertain to any fire tax district, or any other village, or center district that may have the right to collect taxes? This would only be one of those 169 communities. Is that not correct?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Gentile.

REP. GENTILE (104th):

Through you, Mr. Speaker, to the best of my knowledge that is correct.

SPEAKER DONOVAN:

Representative Alberts.

REP. ALBERTS (50th):

Thank you, Mr. Speaker.

I thank the gentlelady for her answers.

SPEAKER DONOVAN:

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Thank you, Representative.

Representative Srinivasan.

REP. SRINIVASAN (31st):

Thank you, Mr. Speaker. Good morning to you.

Thank you.

Through you, Mr. Speaker, if I can ask the
proponent of the bill.

SPEAKER DONOVAN:

Please proceed.

REP. SRINIVASAN (31st):

Yeah. Thank you, Mr. Speaker.

For my own clarification, when these bills are
sent electronically, which I think is a great way to
send the bills in this day and age, my concern or
question to you is, are also mails going to be sent by
the regular snail mail in case that we don't have any
of these addresses? Or is it going to be
electronically only?

And you know, so therefore, that option of snail
mail does not come into the picture at all, given the
fact that those people have both the addresses. Of
course, they have both of that on record.

Thank you.

SPEAKER DONOVAN:

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Representative Gentile.

REP. GENTILE (104th):

Thank you, Mr. Speaker.

It is an option and it would be by their personal choice.

SPEAKER DONOVAN:

Representative Srinivasan.

REP. SRINIVASAN (31st):

Through you, Mr. Speaker if I may?

And I just want to make sure this is not a mandate to the municipalities. This is going to be just optional for them to exercise in their good judgment.

SPEAKER DONOVAN:

Representative Gentile.

REP. GENTILE (104th):

Through you, Mr. Speaker, that is correct.

REP. SRINIVASAN (31st):

Yeah. Thank you, Mr. Speaker. Thank you.

SPEAKER DONOVAN:

Thank you, Representative.

Would you care to remark further on the amendment?

Representative Betts.

REP. BETTS (78th):

Actually, Mr. Speaker, I was going to speak to the

bill. So I'll hold. Thanks.

SPEAKER DONOVAN:

Thank you, Representative.

Would you care to remark on the amendment? Would you care to remark on the amendment? If not, let me try your minds. All those in favor of the resolution -- of the amendment, please indicate by saying, aye.

REPRESENTATIVES:

Aye.

SPEAKER DONOVAN:

All those opposed, nay.

The ayes have it. The amendment is adopted.

Would you care to remark on the bill as amended?

Representative Aman.

REP. AMAN (14th):

Thank you, Mr. Speaker.

Yes, as I stated under the amendment, I think this does help to move the municipalities and the communities into the electronic age. But however, on the discussion of the amendment, for purpose of a legislative intent I would like to ask the chair a couple of questions regarding the concept of community.

Through you, Mr. Speaker.

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SPEAKER DONOVAN:

Please proceed, sir.

REP. AMAN (14th):

Yes. To the chairman, if you look at -- in the bill itself, I believe it's in the vicinity of lines 8 or 9, it talks about, the community except otherwise provided by law, shall make out and sign bill -- the tax rate bills containing a proportion which each is -- individual is to pay.

I'm interpreting that to mean that something like a fire district or if there's a separate district tax of some sort, that they would also be able to follow the same electronic transfer or notification of the bills. And again, for legislative intent I would request that the chairman address that particular issue.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Gentile.

REP. GENTILE (104th):

Through you, Mr. Speaker.

Since it is enabling legislation they may be able to do that if they so choose.

SPEAKER DONOVAN:

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Representative Aman.

REP. AMAN (14th):

I thank the chair for clarification, because that was my interpretation that this was to cover wherever possible when someone is willing to receive a bill electronically; notifies the tax authority that they want to receive it this way.

And also probably confer -- conforms to current practice. Many of the banks and escrow companies do not particularly want to get hundreds of pieces of paper in the mail. They would much rather prefer to get some sort of a legal spreadsheet that spreads out, explains what each of the taxpayers that they're escrowing for must pay.

So again, I think this is a step forward to having the State enter the electronic age.

Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Thank you, Representative.

Representative Betts.

REP. BETTS (78th):

Thank you, Mr. Speaker.

Very briefly I just rise to urge support for this. It seems like a very good, commonsense idea and it was

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proposed by several of the municipalities. I'm sure it will be very beneficial to them. And it was stated before, it will be voluntary. So I urge adoption by my colleagues and everybody here.

Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Thank you, Representative.

Would you care to remark further on the bill as amended? Would you care to remark further? If not, would staff and guests please come to the well of the House. Members take their seats. The machine will be open.

THE 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.

SPEAKER DONOVAN:

Have all the members voted? Have all the members voted? Please check the roll call board to make sure you vote has been properly cast. If all members have voted, the machine will be locked. The Clerk will please take a tally. The Clerk, please announce the tally.

THE CLERK:

House Bill 5256 as amended by House "A."

Total Number voting 141

Necessary for adoption 71

Those voting Yea 141

Those voting Nay 0

Those absent and not voting 10

SPEAKER DONOVAN:

The bill as amended is passed.

Will the Clerk please call Calendar Number 112.

THE CLERK:

On page 8, Calendar 112, House Bill Number 5472,

AN ACT AUTHORIZING LOCAL AND REGIONAL AGRICULTURAL
COUNCILS, favorable report of the Committee on Planning
and Development.

(Deputy Speaker Kirkley-Bey in the Chair.)

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Flexer, you have the floor, ma'am.

REP. FLEXER (44th):

Thank you, Madam Speaker.

Madam Speaker, I move for acceptance of the joint
committee's favorable report and passage of the bill.

DEPUTY SPEAKER KIRKLEY-BEY:

**JOINT
STANDING
COMMITTEE
HEARINGS**

**PLANNING AND
DEVELOPMENT
PART 2
288 – 627**

2011

Senator Hartley? Okay.

Lieutenant Rebecca Sweeney.

Representative Betts?

REUBEN RUPERT: Good morning. My name is Reuben Rupert, with the office of (inaudible). And I'm here to read into record the testimony of Representative Whit Betts, who had planned to be here today to testify on House Bill 5256, but unfortunately could not attend. He is appreciative of the committee's understanding in this regard.

On that note, I'll be reading Representative Betts's testimony verbatim.

Good morning, Senator Casano, Representative Gentile, Senator Coleman, Representative Grogins, Senator Fasano, Representative A -- Aman, and the Planning and Development Committee membership.

I am here today to submit testimony on House Bill 5256, AN ACT CONCERNING RECEIPT BY ELECTRONIC MAIL OF MUNICIPAL TAX BILLS. I submitted this proposal at the request of Bristol local officials who are looking for ways to reduce their operating expenses.

The idea of replacing the mailings of tax bills on a voluntary basis by e-mailing tax bills to taxpayers is appealing on several levels and makes a lot of sense.

First, the elimination of postage, printing, paper, envelopes, and other administrative costs of tax bills, will result in substantial savings for towns and municipalities. Leo (inaudible), CFO of Quality Data Service, recently informed me that about four million

real estate, motor vehicle, and personal property tax bills are mailed annually. Excluding all those expenses and postage costs for mailing these bills is approximately \$1.6 million. Even though towns are able to get reduced postage at 40 cents, we know that prices for postage will be increasing shortly, thereby increasing postage expenses.

If 33 percent of the taxpayers sign up for the e-mails, towns will save over \$500,000 on postage alone. Of course the savings can and will be higher if more taxpayers switch to receiving their tax bills via e-mail.

Second, the software for institution of this program exists now, and safeguards are in place to ensure there are repeated and secure verifications of e-mail addresses.

Third, Massachusetts now e-mails tax bills to taxpayers, and information is available to attest to the success of the program.

Fourth, e-mail is being used by the IRS and taxpayers in the filing of income tax returns, and based on their experience, it seems only logical to apply this technology to the local level.

Given the critical need for everyone to reduce expenses, this idea seems timely, and clearly will result in substantial savings for both municipalities and ultimately our taxpayers.

I ask for your support and vote to act favorably on moving this proposal forward, consideration by the full Legislature. Thank you for allowing me to speak on this bill today.

REP. GENTILE: Thank you, sir.

REP. GENTILE: Good afternoon, Ron.

RONALD THOMAS: -- members of the P and D committee.

My name is Ronald Thomas. I'm Manager of State and Federal Relations for the Connecticut Conference of Municipalities. Connecticut's a -- statewide association of towns and cities, and I'm happy to be here to testify in favor of the bills regarding reform of the Recreational Land Use Act.

SB 43 SB 90
HB 5254

These bills will provide the same protection from liability to municipalities that's currently enjoyed by the State and private landowners for certain cases involving injuries as a result of recreational activities -- on certain lands made available as open space.

We believe the protection should be provided to municipalities for the following reasons. Conway v Wilton caused a chilling effect with towns curtailing the use of recreational facilities. Even with the partial immunity offered by the act, municipalities have spent significant dollars in efforts to make recreational areas safe for their citizens.

Failure to add legal protection to municipalities cost hard-pressed property taxpayers' money and services. And the recent out -- outcome from the MDC has increased fears for local officials that individuals will take advantage of the perceived deep pockets of municipalities and exploit their volunteer use of public open space lands.

With your permission, I'd like to use the rest of my three minutes to talk about a few other bills that are before the committee.

HB 5256 SB 501
SB 499 SB 402
SB 519

See -- with regard to 5178, notice of zone changes to be sent by electronic mail, and

5256, regarding electronic mail of municipal tax bills, we think they could help municipalities and regional entities operate more efficiently by allowing material currently sent via mail to be sent via electronic mail.

Some things might need to be cleaned up in the bills, especially in terms of what happens when people are sending particular types of tax information electronically, to have some kind of process whereby there's some sort of verification to ensure that someone is saying they sent it and the town didn't receive it and complications associated with that.

Bill 501, audit of certain municipalities, CCM has some concerns with that bill. The -- the -- with all due respect to the proponent, local -- officials are willing to work with legislators to find appropriate ways to increase efficiency and accountability, when there's significant reconfiguration of the property tax system. Absent that, this bill seems duplicative of a present municipal audit requirements, audits that are filed with the State.

With regard to wastewater treatment, 499, we support voluntary mechanisms to encourage municipal cooperation. We think that anything like this should be incentive-based to help municipalities see the advantage of working cooperatively.

With regarding of the e-mail Web postings -- not Web postings, I'm sorry. I'm thinking of Friday.

With regard to Bills 402 and 519, with regard to e-government, we think these are some intriguing ideas to help municipalities provide

they have to wait until the next year, or what happens to their benefits?

PATRICIA WALLACE: What happens is that they get to apply to the Secretary of OPM for an extension of time to apply, and --

REP. AMAN: For each individual?

PATRICIA WALLACE: Yes. The -- Secretary has to decide and then notify us and notify the recipient, and normal -- the -- the presumption in the way that -- that the materials published by OPM are written is that is you have a medical excuse then the Secretary will -- will grant it. The Secretary can grant it for other purposes, but that's historically been the most common reason for doing so.

But it would be helpful to just have a slightly longer time period.

REP. AMAN: Okay. Thank you.

REP. GENTILE: Thank you, Patricia.

Any other questions from our committee members?

Thank you.

PATRICIA WALLACE: Thank you.

REP. GENTILE: Leo DiNicola? And Bill Donlin? Are you coming together or separately? Separately.

LEO DINICOLA: Good afternoon.

My name is Leo DiNicola. I'm the Chief Financial Officer for Quality Data Service. I'm here to support bill, House Bill 5256, AN ACT CONCERNING RECEIPT BY ELECTRONIC MAIL OF MUNICIPAL TAX BILLS.

Mr. Betts -- Representative Betts introduced this bill. What I found out about a week ago - - I met with him, just to give him some information.

Quality Data Service does work for 125 municipalities as far as producing -- providing software and producing their tax bills, and I gave him some information about what this may save in the long run, the municipalities. And at that point -- that was more off the top of my head, so I decided to actually do a little more searching and I -- I apologize for not knowing the protocol of 35 copies and all, but I submitted something where it shows the cost savings that the towns can anticipate.

And basically, in Massachusetts, the -- which adopted something similar, the -- there's about a -- once people find out about the service, they -- the first year, about 20 percent of people sign up for -- e-mailing of bills, which in Connecticut if that were the case, we'd save about \$1 million for Connecticut municipalities.

And the e-mailing actually is cumulative. As the years go by, more people add on, so I think this is an area that we should look at as far as cost savings for municipalities across the board.

If there's any questions.

REP. GENTILE: Thank you, Leo. Appreciate your testimony.

Representative Aman.

REP. AMAN: Yeah, the banks and mortgage companies are the ones that are receiving the majority of

bills. Are they currently getting hundreds of envelopes in the mail? Or are they getting an electronic transfer with all of it in one?

LEO DINICOLA: The larger banks get it electronically -- through the escrows?

REP. AMAN: Right.

LEO DINICOLA: Yeah, there's banks and companies that escrow bills. And our company provides those things electronically.

REP. AMAN: Okay. If those companies can receive it electronically, why would the legislation be necessary for a town if they wanted to send it out electronically to an individual?

LEO DINICOLA: Because the law, I believe, says you must mail it, a tax bill, as it's currently written. The -- I have -- gentleman -- Mr. Donlin from the Tax Collector Association can probably elaborate on that.

REP. AMAN: Okay, fine. I was just confused on the -- the difference between it. Now I can find out from someone else what -- what we're looking at.

LEO DINICOLA: Okay.

REP. GENTILE: Any other questions?

Thank you, Leo.

LEO DINICOLA: Thank you.

REP. GENTILE: Bill Donlin.

WILLIAM DONLIN: Good afternoon. My name is William HBSD56 HBSD52 Donlin. I'm Revenue Collector for the Town of Cheshire, and I'm Legislative Cochair for the

Connecticut Tax Collectors Association. Thank you for allowing me to speak today.

First, I'm here to support 5256, which is receipt over electronic mail of municipal tax bills. Currently State statute is specific that we must mail a tax bill, so for us to -- to get into the new technology era, to be able to e-mail would be a tremendous savings on the part of municipalities.

Already, many of our -- our taxpayers are paying online, e-checks, credit cards, and oftentimes they're always asking for, are we able to get our tax bills by electronic mail. And to -- to date, the answer has been no. We can send them copies, but it's not a formal process.

What Quality Data is doing, which is the largest software vendor for the State, is -- would be providing a service that would be a -- a big cost savings for all municipalities. As we already e-mail a file to the largest banks and escrow companies, we'd like this -- the capability of a taxpayer upon their request. We'd like to get a written request so that we know that if you're asking for the bill we have documentation because failure to receive a bill and not pay the taxes does not relieve you of paying the interest due when the bill comes late.

So, we want to have the safeguards in place so that -- that if you're asking for the tax bill, we have the documentation that we're sending it -- to you electronically.

One -- on -- I'd like -- I think that the committee would like to have this legislation permit, but not require, municipalities to provide this service, simply because some of

the smaller municipalities do not have the capability of -- of the technology that's out there. Currently, in Hartford -- New Haven County, for example, there are five municipalities that do not have e-mail. We have to fax them. The Town of Wallingford, for example, does not have e-mail capability, so there are some municipalities that it's going to be a handcuff to.

So I'm here on behalf of the Connecticut Tax Collectors Association, and we'd like to endorse the receipt of electronic mail of municipal tax bills.

I'm also here for 5250 -- 5052, AN ACT CONCERNING JEOPARDY COLLECTION OF TAXES. My testimony today is in opposition to jeopardy collection of taxes.

Connecticut general statutes, 12-163 allows -- or is referred to as jeopardy collection of local property taxes. It allows a tax collector to enforce collection of taxes not yet due in situations where the taxes -- the tax collector determines that the collection of a tax may be jeopardized by delay. A common situation is evoked when a business is moving out of a municipality after the assessment date of October 1st, but prior to July 1st date, which is nine months later. We'd like to have the capability of -- to be able to produce the bills now.

Last week, for example, there's a business in Cheshire that was in the newspaper that was closing. They were there as of October 1st, so we have an assessment, the Town's going to be due \$1,200 next July. They're closing the doors at the end of February; all the equipment's going to be gone.

I walked over to the business on Thursday and I gave them a jeopardy collection demand, explained to the property owner that as the business was assessed on October 1st, and you're not going to be here in July next year when the bill comes due, the Town of Cheshire would like to get paid before you close your doors.

This is an example of jeopardy collection of taxes. It's a tool that we need. Currently the assessors do not allow proration of taxes, so even though the business is going to be leaving in February, the whole assessment is going to be due nine months later after the assessment date.

Any questions?

REP. GENTILE: Thank you, William.

Yes, I do have a question. You mentioned that you are part of the Taxpayers Association?

WILLIAM DONLIN: Connecticut -- Connecticut Tax Collectors Association.

REP. GENTILE: Okay. And does the majority of your membership support this?

WILLIAM DONLIN: Absolutely. That's why I'm here today.

REP. GENTILE: And do you have any idea how many of the municipalities in the state of Connecticut already have the capability of doing this, and would be able to do it without -- mandating it?

WILLIAM DONLIN: Which -- which bill are we talking about?

REP. GENTILE: I'm sorry, the electronic mail.

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WILLIAM DONLIN: The electronic bill, nobody's doing it right now. As you heard earlier, Leo is the software vendor for Quality Data. They're in the process of -- of getting this online, and I think there's something that they're shooting for for July. So it's a very ambitious schedule.

And again, it -- we'd like to so that it -- it permits the towns to do it, not requires us to, so it's almost like a local option for those individuals -- because we would advertise that this is out there for us through our Websites, through a -- fliers that we have, because the less bills that I send out, the -- the less postage, less envelopes. It's -- it's a lot easier to do clean payments through the mail, and it would just kind of make things a lot streamlined line for us.

REP. GENTILE: I do have one other question, and I don't know whether -- I apologize. I don't know whether it would be for you, William, or Leo.

But with regard to the electronic mailing, I would like to understand, if you have the capability with this software of doing electronic mailing of a tax bill, would you also be able to hook that up to electronic payment with a credit card?

WILLIAM DONLIN: Absolutely. We have that capability today. If you go on my Website, you have the option of paying either by -- by credit card, or e-check, and it's -- it's a far more convenient -- in fact the e-check is less -- there's less of a fee. Town Assessor charges you a dollar, whereas if you use a credit card, it's going to be a percentage of

the bill, so we encourage people to use the e-check.

REP. GENTILE: Thank you.

Any questions from our members?

Senator Fasano.

SENATOR FASANO: Yes, thank you.

On this double jeopardy, here's the concerns we kind of talked about. The double jeopardy statute says, if between the assessment date and the tax due date, and tax collector believes the collection of any tax would be in jeopardy by delay. It's just that that language is so broad that a tax collector could say, you know what, you've been late for your July taxes, you were late for your January taxes, I'm using the double jeopardy statute to collect more.

HB5052

And -- and the problem being is, in this economy we have a lot of people who are having very difficult times scraping up cash to pay taxes and other things that are going on, with everything else going on in their life, and there's no provision that sort of, with all due respect, says, you have a higher burden other than a belief, without -- nowhere in the statute does it identify the belief.

And if the taxpayer says, well, you're wrong, on the statute, the only way I get out from under it is by getting a bond, which is going to be higher than the taxes, something less than double, but something more than the tax for the upcoming list year. And if you can get a bond for anything in this market, God bless you because you -- bonds are extraordinarily difficult. You've got to do one-for-one cash

- nothing more than a pound of flesh. I -- but I have a goal at the end of a year to generate 78 percent of that -- of the revenue. If we fall short, then services suffer. That's -- that's where we are.

SENATOR FASANO: I appreciate your comments. Thank you for coming to testify.

WILLIAM DONLIN: Thank you.

Anybody else?

REP. GENTILE: Thank you.

Representative Davis.

REP. DAVIS: If I could bring you back to the e-mailing of the tax bills if you don't mind.

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WILLIAM DONLIN: Thank you.

REP. DAVIS: Do you currently have a process of when you mail out a tax bill and then it gets -- the address doesn't exist or something along those lines? The person's not there and it gets returned to you, what you do then?

WILLIAM DONLIN: Oh, bills normally go out during the month of June, and then during the month of July, you're spending most of the month -- redirecting bills.

REP. DAVIS: Yeah.

WILLIAM DONLIN: A lot happens in nine months. The bills are assessed in October 1st. Nine months later is when I send my file from Quality Data out to the taxpayers. My State statute requires to advertise in the newspaper. Five days -- seven days -- five days before the bill comes due, seven days -- five, seven, five.

So there's three advertisements that go in the paper during the month of -- of June and July, and also in -- in January. I -- you know, I advertise on the Website, I advertise on television. You know, that's the biggest thing is returned mail, and -- and not -- not as much as the problem with real estate because real estate's pretty easy to find.

REP. DAVIS: Uh-huh.

WILLIAM DONLIN: It's the cars we have the problems with. We spend 80 percent of our time chasing motor vehicle taxes.

REP. DAVIS: Sure, and -- and the reason why I asked is because I can see -- because as the bill's currently written, as the raised bill, you consent to it in writing to receive the bill and statement electronically, so I assume in that statement you would provide the e-mail address.

Now if I was looking to dodge my tax payment, perhaps I would provide a incorrect e-mail address, and then be able to claim that I never received my bill. So I'm just wondering if it would be beneficial for this committee to amend it to say that if it gets returned as an e-mail address that does not exist, then we are forced to perhaps mail it at that point rather than -- because as it's written right now, I fear that they'll say, oh, got -- we sent it, e-mailed to this person, they didn't receive it, that's not our fault, they consented to that, and then they don't receive the bill.

WILLIAM DONLIN: Well, I'll tell you that there'll be a safeguard in the system already, just as we do with the escrow accounts. Even though half of my motor -- half of my real estate file

goes directly to a bank, roughly 4,600 accounts are paid electronically. If one of those accounts is not paid, they get a hard copy delinquent notice from me in -- in September.

REP. DAVIS: Okay.

WILLIAM DONLIN: So there's -- there is that safeguard in place so that -- so now the person calls, you say, hey, I got an escrow. Why -- why -- why am I getting a bill? Your company didn't pay.

REP. DAVIS: Yeah.

WILLIAM DONLIN: So now -- now the burden falls to you to find out why. And -- and again, I think the important thing is that it -- it says that -- that they consent in writing, so we're going to have something, hard copy, to say, well, this is what you gave us.

REP. DAVIS: So is this something that we should allow the municipalities to do? Or is this something that we should include in our language coming out of (inaudible)?

WILLIAM DONLIN: Well, anything that's going to help us, I mean, because you're -- I'm always going to have people coming back to us to say, I never got my bill.

REP. DAVIS: Yes.

WILLIAM DONLIN: You know, I say, how long do you live in Connecticut? Your bills always come due in July. I mean, you have a car? You're going to -- it's going to come. You have a business? It's coming in July. You got real estate? It's coming in July.

Now there's two municipalities in the state that are just due one time.

REP. DAVIS: Uh-huh.

WILLIAM DONLIN: I mean if you live in Windsor or Bloomfield, it's one time. That's it. All your taxes are due. I -- what -- I'd love to work there. Everything's delinquent August 2nd.

REP. DAVIS: Yeah. Exactly.

WILLIAM DONLIN: Now -- now I know what I have to do for the rest of the year.

REP. DAVIS: Yeah.

WILLIAM DONLIN: But -- I mean that's -- I don't know.

REP. DAVIS: So there are mechanisms in place is what you're saying?

WILLIAM DONLIN: Yes, like I said, as our escrow accounts are right now, and even those that would come back to us, we still have to try to follow up because, you know, again, we need to get paid.

REP. DAVIS: Okay, good. Yeah. Thank you very much.

REP. GENTILE: Thank you.

Any other questions from our committee members?

Senator Fasano.

SENATOR FASANO: As I understand the law, if you send out a -- I appreciate the advertising. But if you send out a tax bill, the property

taxpayer, or personal property taxpayer, is still obligated to pay the tax bill whether or not they get a bill from you or not, correct?

WILLIAM DONLIN: That's what the statutes say, yes.

SENATOR FASANO: So if we were to say for the e-mails -- if they sign up for e-mails, that's great. But whether they get the e-mail or not, the same -- the same obligation (inaudible) mail -- we'd have to put that provision in so that --

WILLIAM DONLIN: I'd like to have the safeguards in there for the taxpayers.

SENATOR FASANO: Right.

WILLIAM DONLIN: I mean it's -- it's -- it saves --

SENATOR FASANO: Oh, for the taxpayers.

WILLIAM DONLIN: -- my headache down the road, so I mean, anything that's going to -- my -- any way to help me get my revenue in quicker is going to be what I'd like to see.

SENATOR FASANO: Here's my concern. My concern is, just being real in this building, if we say send out an e-mail, if the e-mail gets back, send out the mail, there are going to be a lot of people saying, you know what then, forget this whole e-mail thing, just send out the mail and the heck with it. Why are we doing double work for the Town? That -- I may not agree with that particular statement --

WILLIAM DONLIN: I --

SENATOR FASANO: -- but I hear that.

WILLIAM DONLIN: I think you're going to see just as when we went to paying by e-check. That was an initiative we started last year. You always had the capability of paying by credit card, but people were really upset about paying the three percent.

SENATOR FASANO: Right.

WILLIAM DONLIN: Even though they get their Advantage Miles, or whatever else is there, the money stung. So then they asked about the e-check, so finally worked it out through our vendor and he -- had that. And I negotiated just \$1. Most other municipalities are charging three and five. I said \$1 --

SENATOR FASANO: Good job.

WILLIAM DONLIN: -- and we really pushed that. I really got a lot of fliers out there, so now we're getting many more payments that way.

I think that that will be the same thing that happens once you start doing the e-mail because people today are so computer friendly, you know? If they can do -- everything online, then that's great. And if I can do -- process your payments quicker, not have you at my front counter, or being -- tying up my phone lines, then obviously we're going to get more done.

SENATOR FASANO: Thank you, again.

I'm sorry about that. Thank you.

REP. GENTILE: Thank you.

Any other questions?

Thank you, Bill.



**Testimony of
Bart Russell, Executive Director
Connecticut Council of Small Towns
Before the Planning & Development Committee
February 14, 2011**

- **SB-402 AN ACT CONCERNING THE DEVELOPMENT OF A SINGLE MUNICIPAL WEB PORTAL.**
- **SB-519 AN ACT CONCERNING E-GOVERNMENT.**
- **HB-5178 (COMM) AN ACT AUTHORIZING NOTICE OF ZONE CHANGES TO BE SENT BY ELECTRONIC MAIL.**
- **HB-5256 (COMM) AN ACT CONCERNING RECEIPT BY ELECTRONIC MAIL OF MUNICIPAL TAX BILLS.**

The Connecticut Council of Small Towns (COST) *strongly supports the above-referenced bills* which will allow towns to achieve cost savings and improve efficiency through the use of electronic technology.

SB-402 calls for the state to develop a single web portal to assist towns in using technology to provide services. This would be helpful to ensure that towns can access information on how to best incorporate technology into town halls to better serve the public.

SB-519 calls for the expansion of e-government technology services that are designed to improve and foster communication between residents and their local government. We encourage the state to pursue this initiative and look forward to working with lawmakers to outline legislation in this area.

HB-5178 permits notice of proposed zone changes to be sent electronically to regional planning agencies rather than by certified mail. This would not only reduce costs for towns and taxpayers but would also make it easier to track proposed zone changes. In today's world, allowing notices to be sent electronically should be a no-brainer. This will allow towns to save on printing and mailing costs and free up the time and resources of staff.

HB-5256 allows towns to send tax notices via electronic mail. This is another measure that would help reduce costs for the town and its taxpayers and improve the efficiency of the process. Given that more and more people prefer to receive their information electronically, these measures should be common sense options for towns.



TESTIMONY
of the
CONNECTICUT CONFERENCE OF MUNICIPALITIES
to the
PLANNING AND DEVELOPMENT COMMITTEE

February 14, 2011

CCM is Connecticut's statewide association of towns and cities and the voice of local government - your partners in governing Connecticut. Our members represent over 93% of Connecticut's population. We appreciate this opportunity to provide testimony to you on issues of concern to towns and cities:

H.B. 5178, "An Act Authorizing Notice of Zone Changes to Be Sent by Electronic Mail"

H.B. 5256, "An Act Concerning Receipt by Electronic Mail of Municipal Tax Bills"

CCM supports these bills.

H.B. 5178 and 5256 would help municipalities and regional entities operate more efficiently by allowing material currently sent via mail to be sent via electronic mail.

H.B. 5178 would allow municipal zoning commissions to send notices of zoning changes to regional planning organizations (RPOs) via email, rather than certified mail.

H.B. 5256 would allow tax collectors to send communications to residents and businesses electronically, provided such residents and businesses agree to receive such statements electronically.

These are common sense, cost-saving proposals.

CCM urges the committee to support these bills and favorably report them.

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If you have any questions, please contact Ron Thomas at rthomas@ccm-ct.org or (203) 498-3000.

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**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2011**

**VOL. 54
PART 22
6915-7208**

Madam President, would at this point like to add some items to the Consent Calendar, and we will then call the first Consent Calendar. And there may be a -- a second Consent Calendar, following shortly thereafter.

THE CHAIR:

Please proceed, sir.

SENATOR LOONEY:

Thank you. Thank you, Madam President.

Madam President, the -- the first item is on Calendar page 10, Calendar 480, House Bill 5256; Madam President, would move to place that item on the Consent Calendar.

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

Thank you, Madam President.

Also on Calendar page 10, Calendar 478, House Bill 6488; Madam President, move to place this item on the Consent Calendar.

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

Thank you, Madam President.

Immediate roll call has been ordered in the Senate on the Consent Calendar. Will all Senators please return to the Chamber. Immediate roll call has been ordered in the Senate on the Consent Calendar. Will all Senators please return to the Chamber.

Madam President, the items placed on the first Consent Calendar begin on Calendar page 10, Calendar Number 478, House Bill 6488; Calendar 480, House Bill 5256.

Calendar page 11, Calendar 513, substitute for House Bill 6557.

Calendar page 12, Calendar Number 535, substitute for House Bill 6226; Calendar 555, House Bill 6259.

Calendar page 13, Calendar 560, substitute for House Bill 5368; Calendar 567, substitute for House Bill 6157.

Calendar page 14, Calendar 574, substitute for House Bill 6410; Calendar 578, House Bill 6156.

Calendar page 15, Calendar 591, House Bill 6263; Calendar 594, substitute for House Bill 5508; Calendar 595, substitute for House Bill 62 -- 5263.

Calendar page 16, Calendar Number 606, substitute for House Bill 6581; Calendar 609, substitute for House Bill 6501.

Calendar page 17, Calendar 610, substitute for House Bill 6224; Calendar 613, substitute for House Bill 6453.

Calendar page 18, Calendar 614, substitute for House Bill 5068; Calendar 628, substitute for House Bill 5008; Calendars 633, House Bill 6489.

Calendar page 19, Calendar 635, substitute for House Bill 6351; Calendar 640, House Bills, 6559.

Calendar page 20, Calendar 642; House Bill 6595.

Calendar page 21, Calendar 645, substitute for House Bill 6267; Calendar 648, substitute for House Bill 5326; Calendar 650, substitute for House Bill 6344.

Calendar page 22, Calendar 651, substitute for House Bill 6540.

Calendar page 23, Calendar Number 655, substitute for House Bill 6497; Calendar 657, substitute for House Bill 6262; Calendar 658, House Bill 6364; Calendar 659, House Bill 5489.

Calendar page 24, Calendar 660, substitute for House Bill 6449.

Calendar page 36 -- correction -- Calendar page 33, Calendar Number 390, substitute for Senate Bill 1181.

Calendar page 36, Calendar Number 481, House Bill 5472.

Calendar page 37, Calendar Number 584, substitute for House Joint Resolution Number 34; Calendar 585, substitute for House Joint Resolution Number 54; Calendar 586, House Joint Resolution Number 65, Calendar 587, House Joint Resolution Number 66.

Calendar page 38, Calendar 588, House Joint Resolution Number 80; Calendar 589, House Joint Resolution Number 63; Calendar 590, House Joint Resolution Number 35; Calendar 620, substitute for House Joint Resolution Number 45.

Calendar page 39, Calendar Number 621, substitute for House Joint Resolution Number 47; Calendar 622, House Joint Resolution Number 68; Calendar 623, substitute for House Joint Resolution Number 69; Calendar 624, substitute for House Joint Resolution Number 73.

Calendar page 40, Calendar 625, substitute for House Joint Resolution Number 81; Calendar 626, House Joint Resolution Number 84.

Madam President, I believe that completes the items placed on Consent Calendar Number 1.

THE CHAIR:

cd/lg/sg/mhr/gbr
SENATE

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June 8, 2011

Thank you.

SENATOR LOONEY:

Thank you, Madam President.

THE CHAIR:

Mr. Clerk, please call for a roll call vote, and the machine will be open.

THE CLERK:

The Senate is now voting by roll call on the Consent Calendar. Will all Senators please return to the Chamber. The Senate is now voting by roll call on the Consent Calendar. Will all Senators please return to the Chamber.

THE CHAIR:

Senator Gomes?

If all members have voted; all members have voted? The machine shall be locked.

And, Mr. Clerk, will you please call the tally.

THE CLERK:

Motion is on adoption of Consent Calendar
Number 1.

Total number voting	36
Those voting Yea	36
Those voting Nay	0

Those absent and not voting 0

THE CHAIR:

Consent Calendar passes.

The Senate will stand at ease for a moment.

(Chamber at ease.)

SENATOR LOONEY:

Madam President?

THE CHAIR:

Yes, Senator.

The Senate will come to order.

SENATOR LOONEY:

Yes. Madam President, the Clerk is in possession of Senate Agenda Number 5 for today's session.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Madam President, the Clerk is in possession of Senate Agenda Number 5, dated Wednesday, June 8, 2011.

Copies have been made available.

THE CHAIR:

Senator Looney.