

PA 11-001

HB6292

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**JOINT
STANDING
COMMITTEE
HEARINGS**

**APPROPRIATIONS
PART 15
4676 – 5005**

2011

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TESTIMONY

of the

CONNECTICUT CONFERENCE OF MUNICIPALITIES

to the

APPROPRIATIONS COMMITTEE

HB6464 HB6409 SB989

HB6385 HB6431 HB6339
HB6498 HB6292

April 5, 2011

Good afternoon, on behalf of CCM -- Connecticut's statewide association of towns and cities -- my name is **Art Ward, Mayor of Bristol**. Thank you for the opportunity to speak before you regarding S.B. No. 452, "An Act Concerning State Mandates".

CCM supports this bill, but urges the Committee to support meaningful relief from existing mandates THIS YEAR.

S.B. 452 would enact a statutory prohibition to against the passage of *new* unfunded state mandates without a 2/3 vote of both chambers of the General Assembly.

A statutory prohibition would (a) place the burden of proof on the State to demonstrate why a mandate is needed, and (b) present the General Assembly with the issue of municipal reimbursement up-front, as the issue of enactment is debated. The legislature, through use of a "notwithstanding clause", may avoid full or even partial reimbursement for a new or expanded mandate if there are compelling public policy reasons to do so. Still, this needed reform would require the General Assembly to inject cost-benefit analyses into debates on state mandates yet provide the State with the needed flexibility to enact truly necessary mandates.

There are over 1,200 state mandates imposed on Hometown Connecticut and their residential and business property taxpayers. Relief from current mandates is important to the recovery of municipalities during this unprecedented fiscal crisis.

Local government supports the objective of many mandates -- but opposes the State's failure to pay for them.

At a time when towns and cities are struggling mightily to continue to provide needed services to residents and businesses, immediate -- not only future -- mandates relief should be a priority.

It is estimated that this 20th century law costs small towns several thousands of dollars annually, while the costs to larger cities can be as much as hundreds of thousands of dollars per year. Times have changed, technology has changed, and so too have the habits and practices of our population. Most newspapers have recognized that their future is online. A proposal, HB6339, which would relieve municipalities of the mandate to post legal notices in newspapers, was favorably reported by the Planning and Development Committee.

- **Allow municipalities that are scheduled to conduct a property revaluation – particularly physical – in 2011 and 2012, the option to delay that revaluation for at least one year, as a reasonable response to the uncertainties of the current market. A similar option to defer was passed by the Legislature in 2009.**
- **Postpone the high school reforms passed last year (PA 10-111). PA 10-111 mandates numerous graduation and curriculum requirements. The law should be postponed until state funding can be directed to pay for these new costs. This proposal, HB 6498, has been favorably reported by the Education Committee.**
- **Amend Public Act 10-171 to clarify that wireless telecommunications companies that had been assessed by the State, but are now to be assessed by municipalities -- will continue to pay their taxes in the same year in which the property is assessed (i.e. if on 10/1/10 grand list, they pay in FY10-11). This proposal, HB 6292, was favorably reported by the Planning and Development Committee.**
- **Clarify the statutory definition of "department head" for purposes of excluding such personnel from collective bargaining.**
- **Repeal CGS 10-66c which requires school districts to pay for the costs of special education for any Charter School student who resides in the district.**
- **Repeal the statute that requires one union for the uniformed employees of municipal police departments and municipal fire departments. Present law requires rank and file employees and supervisors to be in the same union – which has a chilling effect on management authority.**
- **Establish a minimum threshold of at least 1,000 work-hours of services before part-time, temporary, or seasonal employees are eligible for unemployment benefits.**

Conclusion

Please have the courage to act this year. A statutory prohibition against unfunded state mandates – and relief from current mandates (S.B. No. 452), are sorely needed.

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DEPUTY SPEAKER GODFREY:

The House will return to order.

Representative Sharkey.

REP. SHARKEY (88th):

Good afternoon, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Good afternoon, sir.

REP. SHARKEY (88th):

Mr. Speaker, I believe this will be the last bill of the day, but -- or not. But I would move for the immediate suspension of our rules to take up a bill that is currently on the calendar but has no stars. Is it Calendar 300, File Number 497, substitute House Bill 6292, AN ACT CONCERNING THE PAYMENT OF PERSONAL PROPERTY TAXES BY CERTAIN TELECOMMUNICATIONS COMPANIES.

DEPUTY SPEAKER GODFREY:

The question is on suspension of the rule for the immediate consideration of Calendar Number 300. Is there objection? Is there objection? Hearing none, the rules are suspended. And the Clerk will please call Calendar 300.

THE CLERK:

On page 30, Calendar 300, substitute for House Bill Number 6292, AN ACT CONCERNING THE PAYMENT OF PERSONAL

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PROPERTY TAXES BY CERTAIN TELECOMMUNICATIONS COMPANIES,
favorable report of the Committee on Finance Revenue and
Bonding.

DEPUTY SPEAKER GODFREY:

Representative Gentile, it seems to be a busy day for
you.

REP. GENTILE (104th):

Thank you, Mr. Speaker. It makes the time go by fast.

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

DEPUTY SPEAKER GODFREY:

The question is on acceptance and passage. Will you
explain the bill please, madam.

REP. GENTILE (104th):

I'd be happy to.

This bill allows a temporary change in municipal tax
collection on mobile telecommunications services. It
authorizes any municipal tax collector to mail or deliver
the first installment of a tax bill to a provider of mobile
telecommunications service to the given taxpayer subject
to personal property tax on certain telecommunication
service equipment before July 1, 2011.

The amount of the first installment would be equal
to 50 percent of the taxpayer's total assessment for the

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property multiplied by the municipality's mill rate in effect on July 1, 2010. The second installment must be equal to 50 percent of the total assessment multiplied by the municipality's mill rate in effect on July 1, 2011.

This installment is required to be mailed or delivered after July 1, 2011, and for assessment years on or after October 1st of 2011, these taxpayers are subject to collection under the existing law.

I move passage of the bill.

DEPUTY SPEAKER GODFREY:

Thank you, madam.

An equally busy day for Representative Aman.

REP. AMAN (14th):

Thank you, Mr. Speaker.

I do have just a few questions to again let the chamber to what we're doing. It's my understanding, through the chair, that this bill basically corrects an inadvertent error in the bill that we passed last year regarding the telecommunication industry and how taxes are paid.

As I remember that bill, it was long and complicated so I'm not surprised that there were some mistakes made in it.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

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Representative Gentile.

REP. GENTILE (104th):

Through you, Mr. Speaker.

That is correct. This bill makes corrections. If we do not do this the towns and cities will be facing huge holes in their local budgets.

DEPUTY SPEAKER GODFREY:

Representative Aman.

REP. AMAN (14th):

Yes. The other thing I think the Chamber should be aware of is that there's approximately \$5 million under this bill that will be going in tax revenue to the municipalities. And it will go at 2 and a half million this year and 2 and a half million for the next year, fiscal year of the municipalities.

If we do nothing on this bill, all 5 million would go into next fiscal year of the municipalities, which would have most of them on their audit reports showing a 2 and a half million dollar deficit this year and a 2 and half million dollar surplus in next year's.

If we did nothing under this bill, however, the municipalities by August 1st would have the same amount of money in the general fund, they would just have a much more difficult time on their financial statements trying

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to explain what would happen.

So I do urge my colleagues to pass this bill as written and let the municipalities have their books reflect what the Legislature intend last year.

Thank you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Thank you, sir. Will you remark further on the bill? Will you remark further on the bill? If not, staff and guests please come to the well of the House. Members take your 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.

DEPUTY SPEAKER GODFREY:

Have all the members voted? Have all the members voted? If so, the machine will be locked. The Clerk will take a tally. And the Clerk will announce the tally.

THE CLERK:

House Bill Number 6292.	
Total Number voting	140
Necessary for adoption	71
Those voting Yea	140
Those voting Nay	0

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Those absent and not voting 10

DEPUTY SPEAKER GODFREY:

The bill is passed.

The House will stand at ease.

(Chamber at ease.)

DEPUTY SPEAKER GODFREY:

The House will come back to order.

Representative Olson.

REP. OLSON (46th):

Thank you, Mr. Speaker.

Mr. Speaker, I rise to ask for the suspension of the
rules for the immediate transmittal of Calendar Number 300
to the Senate.

Thank you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Thank you, madam.

The question is on suspension of the rules for the
immediate transmittal of Calendar 300 to the Senate. Is
there any objection? Is there any objection? Hearing
none, so ordered.

The House will stand at ease.

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upon as indicated and that the agenda be incorporated by reference into the Senate journal and the Senate transcript.

THE CHAIR:

Seeing no objection, so ordered.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, would ask for suspension to take up the single item on Senate Agenda Number 7, which is Substitute House Bill 6292, for purposes of moving it to the consent calendar, if there is no objection to the motion to suspend to take it up. And then the next motion will be to place it on consent.

THE CHAIR:

Seeing no objection, so ordered.

SENATOR LOONEY:

Yes. Now Madam President, would move to place it on the consent calendar.

THE CHAIR:

Seeing no objection, so ordered.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, if the Clerk might now call the items on the second consent Calendar and then we'll call

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for a vote on that consent calendar.

THE CHAIR:

Please proceed, Mr. Clerk.

THE CLERK:

Immediate roll call has been ordered in the Senate on the second consent calendar. Will all Senators please return to the chamber. Roll call vote has been called on the second consent calendar. Will all Senators please return to the Chamber.

Madam President, those items placed on Consent Calendar Number 2 begin on Senate Agenda Number 5, House Joint Resolution Number 102; House Joint Resolution Number 103; House Joint Resolution 104; House Joint Resolution 105.

And Senate agenda -- page 2, House joint resolution Number 106. From Senate Agenda Number 7, substitute for House Bill 6292.

Going to the calendar, beginning of calendar page 12, Calendar Number 146, Senate Bill Number 859; Calendar 140, Senate Bill Number 869; Calendar 151, Senate Bill 828; calendar page 18, Calendar Number 204, Senate Bill 980; calendar page 24, Calendar Number 237, Senate Bill Number 714; and calendar page 32, Calendar Number -- correction, that's it.

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No. Sorry. Calendar page 34, Calendar
Number 119, Senate Bill 837.

Madam President, that completes those items
placed on the second consent Calendar.

THE CHAIR:

Thank you, sir.

Would you once again announce the roll call vote.
And the machine will be open.

THE CLERK:

The Senate is now voting by roll call on the second
consent calendar. Will all Senators please return to
the Chamber. The Senate is now voting by roll call on
the second consent calendar. Will all Senators please
return to the Chamber.

THE CHAIR:

Have all members voted? Have all members -- no.
They have not.

Okay. Now have all members voted? Have all
members voted? If so, the machine will be locked. And
will the Clerk please announce the tally.

THE CLERK:

Motion is on adoption of Consent Calendar
Number 2.

Total Number voting

35

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Necessary for adoption	18
Those voting Yea	35
Those voting Nay	0
Those absent and not voting	1

THE CHAIR:

The consent calendar is adopted.

Senator Looney, do you have any good news for us,
sir.

SENATOR LOONEY:

Yes, Madam President.

First of all, would move for suspension for
immediate transmittal to the Governor of Substitute
House Bill 6292.

THE CHAIR:

Seeing no objection, so ordered, sir.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, that concludes our business for
today. I want to thank all of the members for their
cooperation in moving through the items on the agenda.

First of all, Madam President for a journal
notation.

THE CHAIR:

Please proceed sir.