

PA 11-202

HB6410

House	5325-5334	10
Planning & Development	1325-1331, 1391, 1393-1395, 1440, 1442-1443, 1451, 1453	16
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**JOINT
STANDING
COMMITTEE
HEARINGS**

**PLANNING AND
DEVELOPMENT
PART 5
1311 - 1562**

2011

This would permit overall cost savings and permit you to do it the same way you do it at the state and federal level and expedite the process. I -- I think it's probably time that municipalities have the option to move into the 21st Century.

I would like to thank Senator Guglielmo for his sponsorship of the bill. I would like to also thank Chairman Cassano, Representative Gentile and members of the commission -- the committee for allowing me to -- the opportunity to testify before you today. I -- I strongly urge your consideration of the bill for the taxpayers of the town of Vernon as well as the residents in every city and town in the State of Connecticut. Thank you.

REP. CASSANO: Thank you, Mayor McCoy. Questions of the Mayor? Any questions? Thank you very much.

MAYOR JASON MCCOY: Thank you.

REP. CASSANO: Let's see. Representative Clark Chapin, followed by Senator Scott Frantz.

REP. CHAPIN: Thank you and good morning Senator Cassano, Senator Fasano, Representative Aman and other committee members. For the record, my name is Clark Chapin. I'm the State Representative serving the town of New Milford, the 67th District and I want to begin by thanking you for raising House Bill 6410 AN ACT CONCERNING THE REVISION OF MUNICIPAL CHARTERS.

This bill is intended to provide municipalities with an option to engage in a limited charter revision process. As you probably know, Connecticut General Statute 7-190 states that "The commission may also consider other items

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for inclusion in the proposed charter, other changes to the charter or home rule ordinance and such other items as it deems desirable or necessary". And often times the effect of that is municipalities are reluctant to engage in charter revision since everything would be subject to scrutiny.

And for those of you who may have had the opportunity to serve on a Charter Revision Commission, it can be a very time consuming and lengthy process as well as a costly one for the municipality. Occasionally we do things in this building that -- we pass laws that actually, probably would require or at least should require a charter to make a conforming change, but again, municipalities are reluctant to take up those opportunities -- again, in fear that it's going to be a full-blown process.

It's important to note that the bill does not change the process for how charter revision begins. This bill -- and under existing law, we have the option for charter revision by petition or charter revision by resolution of the -- of the legislative body. This bill doesn't propose changing that. Those options would still be -- those two ways would still be in full force and effect so.

I have heard concerns that if we give municipalities this particular option it could be used in a political nature and I would respectfully suggest that if that were to occur, there would be somebody on the receiving end of that and in such a case -- keeping in mind that charter revision has to go on a ballot for everybody to approve or reject. Certainly that person who may be a target of

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charter revision would certainly have that opportunity to make that case.

I would also suggest that if it's a burning enough issue, for a legislative body to try to use charter revision for purposes that aren't real pure, they're probably already doing that to begin with.

So, again, I thank you for consideration and for the opportunity to testify.

SENATOR CASSANO: Thank you for your testimony. Let me just follow up on your last comment because that's the issue we have, obviously, as to, you know, whether the intentions are pure or not. There's politics locally and the -- the real concern that has been expressed to us is that - - the reality is there's some parts of the charter that may never open and need to be looked at but for political reasons they're not going to.

How do we deal with that and you know, is there an alternative to make sure that we have some access there or is it just -- are we going to open up one or two parts? That's a concern.

REP. CHAPIN: Well -- well I do think, Senator, that again, the will of the people should rule the day. So, in the event that the residents in the municipality feel that the charter should be looked at, they would still have that opportunity to petition and make recommendations.

Per -- as I said, I had intended this to be a second option. I think to alleviate some concerns about it being overly used for less than fewer reasons -- perhaps limiting the amount of time that a municipality could do it

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under a limited agenda, may be one thing that this committee may like to consider.

SENATOR CASSANO: Okay. Questions of committee members?

Representative Davis. No, I'm sorry. I'm sorry; I missed you -- Representative Aman first.

REP. AMAN: Yes. Thank you for bringing it forward. Our town, like many others, have been reluctant to open up the charter as a whole and yet I'm looking at things like -- we have to go to competitive bid for anything above the price of \$2500 -- which at the time it was written, was probably logical. Today it just becomes a nightmare of every single thing you buy is practically \$2500. We also require a referendum to sell any piece of land that has a value of over \$25,000 -- has to go to referendum and again, when it was originally written \$2500 or \$25,000 was a lot of land. Today it's -- it's a little piece that they've got to get rid of because they obtained it from widening the highway.

REP. CHAPIN: Uh-huh.

REP. AMAN: And it also requires a series of appraisals and et cetera to do it. So I definitely see some large advantages of having the Charter Revision Committee limited to certain items to look at.

To avoid the political part of -- the only reason they did that was to get rid of the town treasurer's position. Do you think it would help or would there be any opposition to requiring a governing body to have a super majority before they could open part of the

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charter, rather than the whole, charter as a whole?

REP. CHAPIN: I, I would think that that would be certainly an appropriate safeguard to consider.

REP. AMAN: Okay. That our -- I also agree with that -- that most of the time that I've seen, when the councils have wanted to open up the charter, there's usually been pretty -- across the board that we have to do this. But again, they're reluctant to -- it's been -- oh no, as soon as we do that, we're going to have all those people show up that are going to want the Board of Education now to be -- have this format or to get rid of a lot of things that they just don't want to go into those areas and some of them are not even legal for us to do.

We've had people requesting charter revisions at the Board of Education Report to the Town Council -- well, under State Statute that can't happen, but that's things people would like to see in the charter and they know that by opening that -- those sorts of discussions will be going on and they'll be a lot of bad feelings on a variety of things. So I do think the limited and maybe when the bill comes out, requiring a super majority is something I definitely support.

REP. CHAPIN: Thank you.

REP. AMAN: All right, thank you for coming forward and bringing the idea to us.

SENATOR CASSANO: Thank you, Representative Aman.

Now I had Representative Davis and Candelora. Representative Candelora, I guess, is first.

REP. CANDELORA: Thank -- thank you, Mr. Chairman. Thank you for bringing this concept up. I think probably everyone of us that were involved in local government at one point or another has dealt with this issue. And I was just wondering, my recollection of the process is that when the Charter Revision Commission meets they produce a report that goes to the legislative body and that legislative body has an opportunity to weigh in on it and then send it back to the commission to make final recommendations.

And I -- I thought my recollection is that when they -- when the council raises their concerns or gives direction, the commission still would have the ability to ignore any of those recommendations and so, what seems to happen is at times, it does become a political animal and it could get defeated if the commission doesn't honor the requests of the -- the legislative body.

I'm just wondering if that's another area maybe that we could, you know, address the issues by allowing for once the legislative body, you know, takes a bite at the apple and sends it back to the commission, that somehow they'd be able to delete items in the report. Because I think they have to accept it up or down, right? They can't amend it? Is that my recollection?

REP. CHAPIN: I, my -- my recollection is a little fuzzy on it. I thought it was the other way around. That it does go back with those additional recommendations from the legislative body to the commission, but I thought when it came back to the legislative body, they either approved it in whole or they could approve various aspects of it.

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REP. CANDELORA: Okay.

REP. CHAPIN: But -- but you may be right.

REP. CANDELORA: I guess -- yeah, I guess maybe we could just look at that too because I think -- and it's -- it's been awhile but I thought that it -- it couldn't be changed and -- and so it sort of ends up also being a problem, but -- but I think your -- the current suggestion is a good one because we still have the ability for the public to petition so it's not limiting the authority just to the legislative body to choose what gets amended in a charter and -- and so, often times I think we're finding individuals end up coming up here to petition for statutory changes because they just can't get it done through home row or through their charters and it probably would make our jobs even easier up here if the towns would have more flexibility to be able to not be so afraid to open up the charter. Thank you, Mr. Chairman.

SENATOR CASSANO: Representative Davis.

REP. DAVIS: Representative Aman brought about my question. So I just wanted to make sure that there's a -- some area for minority representation in some of these decisions. So I think that's a great idea.

SENATOR CASSANO: Other questions or comments?
Thank you very much Rep.

REP. CHAPIN: Thank you.

SENATOR CASSANO: Senator Frantz.

SENATOR FRANTZ: Good morning, Senator Cassano --

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committee and -- and find people to populate it and -- and the regional opportunity. The fact that so many times individual farms and -- and farm interests do cross municipalities -- that it could be, indeed, helpful both in terms of finding people to serve and in helping to develop a more consistent engagement between the municipalities and the -- and the farm activities involved. That's my thoughts.

REP. GENTILE: Thank you. Any questions or comments from committee members? Thank you, sir, for your time.

DAVID PINNEY: Thank you for your attention.

REP. GENTILE: Ron Thomas.

RON THOMAS: Last, but hopefully not least. Good afternoon, Senator Cassano, Representative Gentile, members of the PAD Committee. I'm Ron Thomas with the Connecticut Conference of Municipalities. I'm happy to be here this afternoon to talk about a few bills with concern to towns and cities -- especially some of the mandate reform proposals that are before you today.

I'd like to start by talking about 6107 regarding state grants in lieu of taxes and the assessment of property owned by universities and colleges -- and hospitals, rather. CCM supports this concept. We like the idea of the -- the colleges and hospitals being assessed by the town and the -- being reimbursed by the state. We'd ask that you consider a different approach to this bill and this is -- continue the payment in lieu of taxes to -- to towns and cities, but allow them to assess colleges and hospitals for the -- the remainder of the

HB6103HB6410HB5921HB5470HB5471SB 991

We also support 6410 regarding the revision of Municipal Charters. This proposal will allow towns to make updates without wholesale rewrites. As was said earlier, we think it's a very reasonable approach in that it still allows towns to do the comprehensive examination if they want. We know of -- if -- that the current law causes a chilling effect with many municipalities not wanting to even get into the process of updating language. In some towns you have where -- where the language has -- has a -- has "he" instead of -- you know, the more up to date version of -- of discussing the -- of mentioning the profession or -- or whatever the case may be. Or, in some towns we -- we know of at least one town where they have some typos in the -- in the charter, but they're afraid to go in and -- and correct that. So this would provide some real relief to towns and I think smarter governing.

With regard to 5921, CCM thinks this proposal is another tool for towns to perhaps deal with the -- the foreclosure crisis. It has the potential -- as we see it for smaller towns and larger towns and we look forward to working with you to perhaps fashion some language that might be beneficial.

With regard to 5470, 5471 regarding making changes -- one, to local plans of conservation and development and zoning regulations. While we're sympathetic with the intent behind these proposals, we just have to remind the committee that there are costs associated with expanding the scope of plans and regulations -- especially when you're requiring that the plan be consistent with a particular statute.

With regard to 991, we would just ask you to institute some provision for -- to allow towns

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to grant waivers when -- when necessary --
under certain circumstances we think that might
be necessary. So, I'll just stop and entertain
any questions you might have.

REP. GENTILE: Thank you, Ron. Are there any
questions or comments from committee members?

Yes, oh -- what was the last bill you
mentioned?

RON THOMAS: -- 991, I'm sorry.

REP. GENTILE: Thank you.

RON THOMAS: Regards energy efficient subdivisions.

REP. GENTILE: Right. Thank you. Do you have
questions? Did you have a question?

Senator Fasano.

SENATOR FASANO: Thank you, Madame Chair. I got a
little confused.

RON THOMAS: Sorry.

SENATOR FASANO: On the charter you were -- in --
against or in favor, I guess, your thoughts.

RON THOMAS: Oh, I'm -- I'm glad you gave me the
opportunity to clarify that. In strong
support.

SENATOR FASANO: Okay, thank you.

RON THOMAS: Yeah. No -- we were just -- I was
saying that it -- the current law causes a
chilling effect with towns and that they're
really -- they don't want to even do some --

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again, language clean up because of what it might mean.

SENATOR FASANO: Thank you. Thank you, Madame.

RON THOMAS: But, thank you for the opportunity to clear that up.

REP. GENTILE: Representative Rojas.

REP. ROJAS: Thank you, Madame Chair. Thank you for your testimony. In regards to 6107 and the colleges --

RON THOMAS: Yeah.

REP. ROJAS: Is there -- was there any consideration taken into the economic impact of colleges -- under this situation -- have -- on their host communities or do you have an idea of what the financial resources that colleges already commit to their host municipalities?

RON THOMAS: I -- we're -- we're very much aware of the contribution that a lot of colleges and universities make to the -- make to the community. The unfortunate thing is -- like we realize -- that hospitals do a lot of great things for communities. Of course, towns and cities have a -- an important role to play. I think we're all just kind of caught in -- in a particular bind because of -- the state has said that these properties are off the tax rule, but they're not reimbursing towns fully for the costs associated with that.

REP. ROJAS: All right and I -- and I can appreciate that and I guess, you know, what demands on -- on services do colleges and hospitals place on municipalities outside of police and fire? I mean -- and -- and do they really merit, you



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

March 4, 2011

The Connecticut Conference of Municipalities (CCM) is Connecticut's statewide association of towns and cities and the voice of local governments - your partners in governing Connecticut. Our members represent over 90% of Connecticut's population. We appreciate the opportunity to testify on the following bills of interest to towns and cities:

H.B. 6017, "An Act Modifying Certain State Grants in Lieu of Taxes and Authorizing the Assessment of Property Owned by Universities and Hospitals"

CCM supports this bill.

This bill would ease the financial burden on municipalities that have tax revenue loss due to property owned by any "private nonprofit institution of higher learning, nonprofit general hospital facility or free standing chronic disease hospital or urgent care facility".

Towns and cities are facing fiscal conditions not seen in generations. The State is not able to shower municipalities with additional revenue. Therefore, the State should provide communities with the wherewithal to assess entities the State has taken off the payrolls.

At the very least, the State should allow municipalities the option of recouping the difference between the current payment-in-lieu-of-taxes (PILOT) to colleges and hospitals and what the value of the property is worth.

Currently, municipalities are reimbursed for 52% in FY 11 of revenue lost due to the exemption of the *real* property of private colleges and general hospitals from local property taxes. There is *no* reimbursement for the *personal* property of these institutions. The statutory standard reimbursement rate for this PILOT program is 77%.

Municipalities will lose about \$60 million in PILOT this year due to the capped appropriation.

HB6103

HB6410

HB6108

HB5921

HB5470

HB5471

SB991

revenue due to these state-mandated exemptions and low reimbursement rates. This total represents lost taxes on real property only and does not include revenue lost on personal property.

CCM urges the Committee to at least allow municipalities the ability to tax colleges and hospitals for losses not covered through PILOTs. Remember: this is a costly state-imposed mandate on towns and cities.

H.B. 6103, “An Act Concerning the Cost to Municipalities of State-Mandated Special Education Requirements”

CCM supports this bill.

H.B. 6103 would require the State Department of Education to conduct a comprehensive review of state-mandated special education requirements and report to the Education Committee by February 2012. The review must identify each state-mandated special education requirement that exceeds the minimum required under federal law and the cost to municipalities of complying with each such mandate.

With special education expenditures surpassing the \$1.5 billion mark, the local share is almost \$1 billion. Special education spending accounts for almost 15 percent of all education spending in Connecticut and costs keep growing faster than other school spending (5-6% vs. 3-4%). Complicating matters, unforeseen demands for the most expensive special education services too often result in local mid-year budget shuffling, supplementary appropriations, and other extraordinary measures. This is particularly true in smaller towns where the arrival of a single new high cost special education student during the school year can create a budget crisis.

Total cost of special education statewide for the 2009-10 school year was estimated to be over \$1.5 billion, of which at least 60% was locally funded.

CCM urges the Committee to favorably report is bill.

H.B. 6410, “An Act Concerning the Revision of Municipal Charters”

CCM supports this bill.

The objective of charter revision statutes should be to encourage such revisions where they are necessary or appropriate. The existing law may actually be preventing municipalities from appointing charter revision commissions. There are a number of municipalities that would be amenable to updating specific parts of their charters which have become outdated or problematic over time, but don't want to run the risk of opening it up to a wholesale re-write. (CCM knows of at least one town that has typos in its charter, but will not correct it for fear of opening a long, unnecessarily laborious process.)

By the same token, for those towns and cities which *do* want to open up their charters for a full-blown review, under the proposed language they could easily draft the commission's charging resolution accordingly.

This is a sound proposal that would remove some of the gridlock associated with charter reform.

CCM urges the Committee to favorably report this bill.

H.B. 6108, “An Act Concerning Regional Collaboration Incentive Payments”

CCM supports this bill.

H.B. 6108 would provide a meaningful incentive for municipalities to engage in regional cooperation. This proposal is voluntary, which is vital, and it involves communities being able to receive additional funds as a result of cooperative efforts.

This is the type of carrot approach that works with municipalities (and the State benefits also).

CCM urges the Committee to favorably report this bill.

H.B. 5921, “An Act Authorizing Land Banks”

CCM supports this proposal.

This local-option proposal has the potential to assist towns and cities grapple with the foreclosure crisis, and revitalize communities and promote sound land practices.

CCM looks forward to helping the Committee flesh out this proposal.

H.B. 5470, “An Act Concerning Local Plans of Conservation and Development”

H.B. 5471, “An Act Requiring Zoning Regulations to Consider the Preservation of Farm Land, Forest Land and Open Space”

H.B. 5470 would require that, when local plans of conservation and development are updated, they contain “recommend ways to preserve agricultural land and resources.”

H.B. 5471 would require zoning commissions, when amending their regulations, to ensure that such regulations are “consistent” with CGS 12-107a concerning “farm land, forest land and open space”.



Trinity College

HARTFORD CONNECTICUT

Senators Cassano, Fasano and Coleman, Representatives Gentile, Grogins and Aman and distinguished members of the Planning & Development Committee. My name is James F. Jones, Jr., and I am President of Trinity College. I apologize for not being able to join you today to testify in person as I am currently hosting the College's Board of Trustees on campus for our quarterly meeting.

I am providing written testimony to express my deep reservations about H.B. No. 6107 An ACT MODIFYING CERTAIN STATE GRANTS IN LIEU OF TAXES AND AUTHORIZING THE ASSESSMENT OF PROPERTY OWNED BY UNIVERSITIES AND HOSPITALS. This proposed legislation would allow municipalities through a vote of their legislative body to subject the real property of any private nonprofit institution of higher learning, nonprofit general hospital facility, or free standing chronic disease hospital or urgent care facility to taxation.

We respect and understand that Hartford's ability to raise revenue to fund city services is diminished because of the number of tax-exempt organizations that are located in the city. The state has a useful tool for mitigating this fact through the use of PILOT, and we appreciate the support that the state has provided in allowing us to be a critical partner to the city. This proposal would have a profound detrimental impact on our institution because of the financial resources that would have to be dedicated to paying property taxes for our real property. Our campus covers 100 acres and hosts almost 100 facilities. The proposed sharing of PILOT funds would do little to cover the taxable value of our campus grounds and buildings.

We do not exist in the city of Hartford without recognizing the responsibility we have to the city and to our neighborhood. While we remain tax exempt we contribute greatly to the vibrancy and economic health of the city in myriad ways. The College is a founding member of Southside Institutions Neighborhoods Alliance (SINA) which is now in its 32nd year of existence. SINA works to improve the economic, physical, and social well-being of Hartford neighborhoods, and annually we commit approximately \$200,000 to assist in carrying out the important work they do. The College actively supports the Trinity College Boys and Girls Club, the first campus-related Boys and Girls Club in the United States. The College's support includes a direct operating subsidy of nearly \$30,000 as well as summer internships and school-year mentoring by Trinity students. For 13 years the College has hosted Dream Camp during the summer which is a service we provide to the families of 250 Hartford children free of charge. Dream Camp provides recreational and academic activities, and our commitment to this is more than \$600,000 annually. Trinity's Trinfo.Cafe, which celebrated its 10th anniversary in November 2010, is an internet café that provides access to technology and serves about 7,500 residents and averages 25,000 visits a year. It is open six days a week, 50 weeks a year, and is staffed by Trinity students and staff. The College's investment in Trinfo.Cafe is more than \$170,000 annually.

With an annual operating budget of approximately \$112 million, excluding capital expenditures, Trinity has an economic impact in Greater Hartford of between \$300 and \$400 million each year. Our workforce consists of 805 employees, and in the current fiscal year the College's payroll is expected to total \$59 million. I offer you this information to inform you of the commitment we have to the City of Hartford and its residents and to make you aware that we would have to re-evaluate our financial contributions to the activities mentioned earlier and many others if we were required to start paying tax on our property. This would be an unfortunate reality that we would have to carefully consider as an entity which finances its operations through tuition that is charged to our students and from income generated from the performance of our endowment which is still recovering from the impact of this recent recession. We remain committed to the city, the region, and the state, and we hope you will consider our concerns as you work to make all Connecticut communities a better place to work, play, and live.

Thank you.

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**State of Connecticut****HOUSE OF REPRESENTATIVES
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SIXTY-SEVENTH ASSEMBLY DISTRICT****LEGISLATIVE OFFICE BUILDING ROOM 4200
HARTFORD, CT 06106-1591****TESTIMONY IN SUPPORT OF HB 6410
AN ACT CONCERNING THE REVISION OF MUNICIPAL CHARTERS****Planning and Development Committee Public Hearing
March 4, 2011**

Thank you for the opportunity to provide testimony in support of HB 6410, An Act Concerning the Revision of Municipal Charters. This bill is intended to provide municipalities with an option to engage in a limited charter revision process. By having such an option, the appointing authority would be able to set a limited agenda of what may be considered by the charter revision commission.

CGS 7-190 states that 'The commission may also consider other items for inclusion in the proposed charter, other changes to the charter or home rule ordinance and such other items as it deems desirable or necessary.' Often times, municipalities are reluctant to make necessary changes to their charters since everything is subject to scrutiny once a charter is opened up under existing law. Those who have served on a charter revision commission know that public comment and hearings along with deliberations can be both time-consuming and costly. By providing an option to allow for limited items to be considered, municipalities may be more likely to update their charters in a timely and cost-effective manner.

It is important to note that this bill does not change the process for charter revision commenced by petition (CGS 7-189) which may include a list of general or specific recommendations for consideration. It simply provides the appointing authority with the option of limiting consideration to those general or specific recommendations and other issues the appointing authority may choose to direct the charter revision commission to take up.

Thank you for giving consideration to favorable passage of HB 6410. As always, I am happy to provide additional information or answer any questions.

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HOUSE**

**PROCEEDINGS
2011**

**VOL.54
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THE CLERK:

House Bill 6159 as amended by House "A" and
"B".

Total Number Voting	138
Necessary for Passage	70
Those voting Yea	138
Those voting Nay	0
Those absent and not voting	13

DEPUTY SPEAKER RYAN:

The Bill as amended is passed.

Will the Clerk please call Calendar Number 157.

THE CLERK:

On Page 6, Calendar 157, Substitute for House
Bill Number 6410 AN ACT CONCERNING THE REVISION OF
MUNICIPAL CHARTERS. Favorable Report of the
Committee on Planning and Development.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Gentile of the 104th, you have
the floor, madam.

REP. GENTILE (104th):

Thank you, Mr. Speaker, and good evening.

DEPUTY SPEAKER ARESIMOWICZ:

Good evening, madam.

REP. GENTILE (104th):

Mr. Speaker, I move for acceptance of the Joint Committee's Favorable Report and passage of the Bill.

DEPUTY SPEAKER ARESIMOWICZ:

The question is on acceptance of the Joint Committee's Favorable Report and passage of the Bill. Representative Gentile, you have the floor, madam.

REP. GENTILE (104th):

Thank you, Mr. Speaker. Mr. Speaker, this Bill will allow municipalities that wish to revise their charters the opportunity to designate specific sections of the charter to be modified.

Additionally, the Bill allows a commission's appointing body to permit the Charter Revision Commission to look into other aspects of the charter if the Commission deems necessary.

Under current law, the Commission may consider additional changes or items it deems desirable or necessary. This Bill allows the Commission to consider additional items or changes only if the appointing authority authorizes it to do so.

Mr. Speaker, the Clerk is in possession of LCO Number 6553. I would ask the Clerk to please call

the Amendment and that I be granted leave of the Chamber to summarize.

DEPUTY SPEAKER ARESIMOWICZ:

Will the Clerk please call LCO Number 6553, which will be designated House Amendment Schedule "A".

THE CLERK:

LCO Number 6553, House "A", offered by Representatives Aresimowicz, Olson, Gentile and Chapin.

DEPUTY SPEAKER ARESIMOWICZ:

The Representative seeks leave of the Chamber to summarize the Amendment. Is there objection to summarization? Is there objection to summarization?

Hearing none, Representative Gentile, you may proceed with summarization, madam.

REP. GENTILE (104th):

Thank you, Mr. Speaker. Mr. Speaker, this is a strike all Amendment, but it does have all of the good stuff that I previously mentioned, and in addition, it also makes perfectly clear that this legislation would be prospective, which means that any commission appointed prior to the effective date of this legislation, which is October 1 of 2011, may

tmj/pat/gbr
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also consider other items for inclusion in the proposed charter, and that any commission appointed after the effective date can only consider such other changes if it is authorized by the appointing authority.

I urge passage.

DEPUTY SPEAKER ARESIMOWICZ:

The question before the Chamber is on adoption of House Amendment Schedule "A". Will you remark on the Amendment? Representative Aman of the 14th, you have the floor, sir.

REP. AMAN (14th):

Thank you very much, Mr. Speaker. As was stated, this is a strike all, so when the Amendment passes it will be the Bill, so I will speak on it at this time.

The Chairman did give a very accurate representation that all this Bill does is the very important thing of saying to the legislative body when they set up the Charter Commission that they can limit what items are going to be discussed.

There is nothing stopping the legislative body to say that the entire charter can be reviewed, but municipalities have been very reluctant to do that

and to open their charters for updating because of the fact that it can be such a large undertaking and it can include so many different things.

So this would allow a legislative body to say and establish a charter commission and limit it to several things.

My own charter that I operated under and our town operates on has still things in it because we have not reopened it, such as the selectman once a year must walk and verify the borders of the town. I don't think that's been done in probably 100 years, but it's still part of our charter.

It also requires, and this is a very large inconvenience, is that any purchase over, I believe it's \$2,500 must go out to competitive bid. Well, in this day and age, \$2,500 people don't even want to hear about bids. You're lucky if you can get somebody to offer to sell you something at that price.

And also, when I was mayor, I was also the proud recipient of a salary of \$75 a month, and those are just some of the items that would like to be cleaned up.

Other charters that we did see and look at had problems of basically obsolete language. Some of them had actual factual errors in it, not that it really impacted their day-to-day operations, but it was incorrect. They would like to change it.

Again, this allows a legislative body to say, these are the four, five, six items in the charter that we need to be looked at. They still have to go through the whole public hearing process and ultimate vote of the citizens before any changes could be made.

So I do think that the strike-all Amendment, which is the Bill, definitely solves and helps out the municipalities in a way that they will find very useful in updating the documents they operate on.

So I do urge my fellow Representatives to approve both the strike-all Amendment and the ultimate Bill.

Thank you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Thank you very much, sir. Will you remark further on the Amendment before us? Will you remark further on the Amendment before us? Representative Lavielle of the 143rd, you have the floor, madam.

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REP. LAVIELLE (143rd):

Thank you very much, Mr. Speaker. Just one question if I may for the proponent.

DEPUTY SPEAKER ARESIMOWICZ:

Please proceed, madam.

REP. LAVIELLE (143rd):

Thank you so much. I am interested to know whether in any ongoing examination of a charter when the conditions and the subjects to be covered have been specified by the appointing authority, if during the course of that examination of the charter the appointing authority can add or subtract items from the list that it's provided to the Commission. Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Gentile.

REP. GENTILE (104th):

Through you, Mr. Speaker, yes, only if it is approved by the appointing authority.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Lavielle.

REP. LAVIELLE (143rd):

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Thank you. So that at any time the appointing authority can expand or contract the mandate of the Commission. Thank you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Gentile.

REP. GENTILE (104th):

Through you, Mr. Speaker, that is correct.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Lavielle.

REP. LAVIELLE (143rd):

Thank you very much, Mr. Speaker. I thank the Representative for her answers.

DEPUTY SPEAKER ARESIMOWICZ:

Thank you very much, madam. Will you remark further on the Amendment before us? Will you remark further?

If not, I will try your minds. All those in favor please signify by saying Aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER ARESIMOWICZ:

Those opposed, Nay. The Ayes have it. The
Amendment is adopted.

Will you remark further on the Bill as amended?

Will you remark further on the Bill as amended?

If not, will staff and guests please come to the Well of the House. Will the Members please take your seat. The machine will be opened.

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.

DEPUTY SPEAKER ARESIMOWICZ:

Have all the Members voted? Have all the Members voted? Will the Members please check the board to ensure that their vote's been properly cast.

If all the Members have voted, the machine will be locked and the Clerk will take a tally. The Clerk will please announce the tally.

THE CLERK:

House Bill 6410 as amended by House "A".

Total Number Voting	138
Necessary for Passage	70
Those voting Yea	137
Those voting Nay	1

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Those absent and not voting 13

DEPUTY SPEAKER ARESIMOWICZ:

The Bill as amended is passed.

Will the Clerk please call LCO, Calendar Number
385.

THE CLERK:

On Page 18, Calendar 385, House Bill Number
6558 AN ACT CONCERNING THE CLAIM AGAINST THE STATE
OF THERESA JEFFRIES. Favorable Report by the
Committee on the Judiciary.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Holder-Winfield of the 94th,
sir, you have the floor.

REP. HOLDER-WINFIELD (94th):

Yes, thank you, good evening, Mr. Speaker.
This is a Bill that comes to us from the Judiciary
Committee. I move the Judiciary Committee's Joint
Favorable Report and urge passage of the Bill.

DEPUTY SPEAKER ARESIMOWICZ:

The question is on acceptance of the Joint
Committee's Favorable Report and passage of the
Bill. Representative Holder-Winfield, you have the
floor, sir.

REP. HOLDER-WINFIELD (94th):

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**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2011**

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THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

Thank you, Madam President.

Moving now to Calendar page 14, Calendar 574,
House Bill 6410; Madam President, move to place the
item on the Consent Calendar.

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

Thank you, Madam President.

Continuing Calendar page 14, Calendar 578, House
Bill 6156; Madam President, move to place the item on
the Consent Calendar.

THE CHAIR:

So ordered.

SENATOR LOONEY:

Thank you, Madam President.

Moving to Calendar page 15, Calendar 591, House
Bill 6263; Madam President, move to place the item on
the Consent Calendar.

THE CHAIR:

So ordered.

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.

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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:

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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.