

PA 11-089

HB5178

House	1065-1072	8
Planning & Development	345-346, 572, 608, 611	5
<u>Senate</u>	<u>6569, 6573-6578</u>	<u>7</u>
		20

H – 1095

**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2011**

**VOL.54
PART 4
1040 – 1385**

rgd/md/gbr
HOUSE OF REPRESENTATIVES

8
April 27, 2011

Total Number voting	135
Necessary for adoption	68
Those voting Yea	135
Those voting Nay	0
Those absent and not voting	16

SPEAKER DONOVAN:

The bill passes.

Will the Clerk please call Calendar Number 91.

THE CLERK:

On page 5, Calendar 91, House Bill Number 5178,
AN ACT AUTHORIZING NOTICE OF ZONE CHANGES TO BE SENT
BY ELECTRONIC MAIL, favorable report of the Committee
on Planning and Development.

SPEAKER DONOVAN:

The Chair of Planning and Development,
Representative Gentile, you have the floor, madam.

REP. GENTILE (104th):

Thank you, Mr. Speaker. Good morning.

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

SPEAKER DONOVAN:

The question is on acceptance of the Joint
Committee's favorable report and passage of the bill.
Will you remark?

rgd/md/gbr
HOUSE OF REPRESENTATIVES

9
April 27, 2011

REP. GENTILE (104th):

Thank you.

The Clerk has an amendment, LCO Number 5542. I would ask the Clerk to please call the amendment and that I be granted leave of the Chamber to summarize.

SPEAKER DONOVAN:

Will the Clerk please call LCO 5542, which will be designated House Amendment Schedule "A."

THE CLERK:

LCO Number 5542 House "A" offered by
Representatives Aresimowicz, Olson and Chapin.

SPEAKER DONOVAN:

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

REP. GENTILE (104th):

Thank you, Mr. Speaker.

Mr. Speaker, as you can see from the amendment that we have before us, this amendment is cleanup language to the underlying bill and just makes clarifications to the process that we will be using going forward as we utilize electronic mail.

I move for adoption.

rgd/md/gbr
HOUSE OF REPRESENTATIVES

10
April 27, 2011

SPEAKER DONOVAN:

The question is on adoption.

Will you remark further? Remark further?

Representative Aman.

REP. AMAN (14th):

Thank -- thank you, Mr. Speaker.

Yes. I believe this is a clarifying amendment that came through the screening committees and should I recommend my colleagues to vote for it.

SPEAKER DONOVAN:

Thank you, Representative.

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

REPRESENTATIVES:

Aye.

SPEAKER DONOVAN:

All those opposed, nay.

The ayes have it. The amendment is adopted.

Will you remark further on the bill?

Representative Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker.

Mr. Speaker, a couple of questions through you to the proponent of the bill.

SPEAKER DONOVAN:

Please proceed, sir.

REP. CAFERO (142nd):

Thank you, Mr. Speaker. Through you, Representative Gentile, I'm trying to understand now this bill as amended. Does this apply solely to zone changes that take place within a municipality in how people who are potentially affected by said zone change would be notified?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Gentile.

REP. GENTILE (104th):

Thank you, Mr. Speaker.

Through you, yes. The bill applies just to zoning changes that the zoning commissions would be allowed to send certain notices to regional planning agencies by e-mail instead of certified mail.

The bill applies to notice of proposals to establish a change -- or change a zone or regulation affecting the use of a zone if part of that zone is within 500 feet of the boundary of a municipality

rgd/md/gbr
HOUSE OF REPRESENTATIVES

12
April 27, 2011

located within that RPA's area of operation.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Thank you. Through you, Mr. Speaker.

Representative, this does not then apply to, for instance, let's say there's a proposed zone change and various people in the neighborhood that would be affected, individual households, does this substitute the requirement for certified mail to them or only to regional planning agencies?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Gentile.

REP. GENTILE (104th):

Thank you, Mr. Speaker.

Through you, no, it does not substitute that process. It's only to the RPAs.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Okay. I think I understand it now. So just to clarify, currently whenever there's a zone change, something affecting zoning, our current rules require

a municipality to send out notice by mail, certified receipt requested, not only to individual neighbors that might be affected, but also to regional planning agencies.

This bill says with regard to regional planning agencies only, the notice that could -- is sent to them may also be sent by electronic mail in lieu of certified mail, but this does not affect the requirement to send notice by certified mail to individual homeowners. Is that correct?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Gentile.

REP. GENTILE (104th):

Through you, Mr. Speaker.

Yes, that is correct.

SPEAKER DONOVAN:

Representative Cafero.

REP. CAFERO (142nd):

Thank you.

Thank you, Representative.

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 on the bill as amended? If not, 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 your vote is properly cast. If all the members have voted, the machine will be locked. The Clerk will take a tally.

The Clerk, please announce the tally.

THE CLERK:

House Bill 5178 as amended by House "A."

Total Number voting	139
Necessary for adoption	70
Those voting Yea	139
Those voting Nay	0
Those absent and not voting	12

SPEAKER DONOVAN:

The bill passes.

Are there any announcements or introductions?

Any announcements or introductions?

Representative Dargan.

REP. DARGAN (115th):

Thank you, Mr. Speaker.

For purpose of an introduction.

SPEAKER DONOVAN:

Please proceed, sir.

REP. DARGAN (115th):

Thank you, Mr. Speaker.

With us today up in the gallery is a number of career and volunteer fire chiefs and firefighters here that are joining us here for Fire Service Day. So if all those elected officials get an opportunity to get out just to talk to them about issues that are before us this year in the Legislature, it would be deeply appreciated.

So if our Chamber could give the firefighters our normal welcome, it would be duly appreciated.

SPEAKER DONOVAN:

Thank you so much for joining us here today.

Will the Clerk please call Calendar 249.

THE CLERK:

**JOINT
STANDING
COMMITTEE
HEARINGS**

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

2011

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



**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"

CCM supports this bill.

S.B. 402 and 519 would help ensure that towns and cities have the wherewithal to provide information to residents and business owners.

Many municipalities – especially smaller towns – need additional assistance to develop and maintain a meaningful web presence.

The State can support towns and cities in a way that helps them provide important and valued services to residents from the comfort of their homes.

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.



TESTIMONY
of the
CONNECTICUT CONFERENCE OF MUNICIPALITIES
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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.

S - 632

**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2011**

**VOL. 54
PART 21
6546-6914**

mhr/cd/gbr
SENATE

516
June 7, 2011

SENATOR LOONEY:

Thank you, Madam President.

Continuing on matters returned from committee calendar page 49, where we have 3 items. The first is Calendar 409, House Bill Number 6233.

Madam President, move to place the item on the Consent Calendar.

THE CHAIR:

So ordered.

SENATOR LOONEY:

Thank you, Madam President.

Calendar 412, House Bill Number 5178.

Move to place the item on the Consent Calendar.

THE CHAIR:

So ordered.

SENATOR LOONEY:

Thank you, Madam President.

A final item on calendar page 49, is Calendar 422, House Bill Number 6448.

Madam President, move to place the item on the Consent Calendar.

THE CHAIR:

So ordered.

SENATOR LOONEY:

mhr/cd/gbr
SENATE

520
June 7, 2011

Mr. Clerk.

THE CLERK:

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

THE CLERK:

Madam President, the items placed...

THE CHAIR:

I would ask the Chamber to be quiet please so we can hear the call of the Calendar for the Consent Calendar.

Thank you.

Please proceed, Mr. Clerk

THE CLERK:

Madam President, the items placed on the first Consent Calendar begin on calendar page 5, Calendar 336, House Bill 5697.

Calendar page 7, Calendar 421, Substitute for House Bill 6126.

Calendar page 8, Calendar 449, Senate Bill 1149.

mhr/cd/gbr
SENATE

521
June 7, 2011

Calendar page 10, Calendar 470, Substitute for House Bill 5340. Calendar 474, Substitute for House Bill 6274. Calendar 476, House Bill 6635.

Calendar page 12, Calendar 499, Substitute for House Bill 6638. Calendar 500, House Bill 6614. Calendar 508, House Bill 6222.

Calendar page 13, Calendar 511, House Bill 6356. Calendar 512, Substitute for House Bill 6422. Calendar 514, House Bill 6590. Calendar 515, House Bill 6221. Calendar 516, House Bill 6455.

Calendar page 14, Calendar 517, House Bill 6350. Calendar 519, House Bill 5437. Calendar 522, House Bill 6303.

Calendar page 15, Calendar 523, Substitute for House Bill 6499. Calendar 524, House Bill 6490. Calendar 525, House Bill 5780. Calendar 526, House Bill 6513. Calendar 527, Substitute for House Bill 6532.

Calendar page 16, Calendar 528, House Bill 6561. Calendar 529, Substitute for House Bill 6312. Calendar 530, Substitute for House Bill 5032. Calendar 532, House Bill 6338.

Calendar page 17, Calendar 533, Substitute for House Bill 6325. Calendar 534, House Bill 6352.

mhr/cd/gbr
SENATE

522
June 7, 2011

Calendar 536, House Bill 5300. Calendar 537, House
Bill 5482.

calendar page 18, Calendar 543, House Bill 6508.

Calendar 544, House Bill 6412. Calendar 546,
Substitute for House Bill 6538. Calendar 547,
Substitute for House Bill 6440. Calendar 548,
Substitute for House Bill 6471.

Calendar page 19, Calendar 550, Substitute for
House Bill 5802. Calendar 551, House Bill 6433.
Calendar 552, House Bill 6413. Calendar 553,
Substitute for House Bill 6227.

Calendar page 20, Calendar 554, Substitute for
House Bill 5415. Calendar 557, Substitute for House
Bill 6318. Calendar 558, Substitute for House Bill
6565.

Calendar page 21, Calendar 559, Substitute for
House Bill 6636.

Calendar page 22, Calendar 563, Substitute for
House Bill 6600. Calendar 564, Substitute for House
Bill 6598. Calendar 566, House Bill 5585.

Calendar page 23, Calendar 568, Substitute for
House Bill 6103. Calendar 570, Substitute for House
Bill 6336. Calendar 573, Substitute for House Bill
6434.

mhr/cd/gbr
SENATE

523
June 7, 2011

Calendar page 24, Calendar 577, Substitute for
House Bill 5795.

Calendar page 25, Calendar 581, House Bill
6354.

Calendar page 26, Calendar 596, Substitute for
House Bill 6282. Calendar 598, Substitute for House
Bill 6629.

Calendar page 27, Calendar 600, House Bill
6314. Calendar 601, Substitute for House Bill 6529.
Calendar 602, Substitute for House Bill 6438.
Calendar 604, Substitute for House Bill 6639.

Calendar page 28, Calendar 605, Substitute for
House Bill 6526. Calendar 608, House Bill 6284.

Calendar page 30, Calendar number 615,
Substitute for House Bill 6485. Calendar 616,
Substitute for House Bill 6498.

Calendar page 31, Calendar 619, Substitute for
House Bill 6634. Calendar 627, Substitute for House
Bill 6596.

Calendar page 32, Calendar 629, House Bill
5634. Calendar 630, Substitute for House Bill 6631.
Calendar 631, Substitute for House Bill 6357.
Calendar 632, House Bill 6642.

mhr/cd/gbr
SENATE

524
June 7, 2011

Calendar page 33, Calendar 634, Substitute for
House Bill 5431. Calendar 636, Substitute for
House, correction, House Bill 6100.

Page 34, Calendar 638, Substitute for House
Bill 6525.

Calendar page 48, Calendar 399, Substitute for
Senate Bill 1043.

Calendar page 49, Calendar 409, Substitute for
House Bill 6233. Calendar 412, House Bill 5178.
Calendar 422, Substitute for House Bill 6448.

Calendar page 52, Calendar 521, Substitute for
House Bill 6113.

Madam President, that completes the item placed
on the first Consent Calendar.

THE CHAIR:

Thank you, sir.

We call for another roll call vote. And the
machine will be open for Consent Calendar number 1.

THE CLERK:

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

mhr/cd/gbr
SENATE

525
June 7, 2011

Senator Cassano, would you vote, please, sir.

Thank you.

Well, all members have voted. All members have voted. The machine will be closed, and Mr. Clerk, will you call the tally?

THE CLERK:

Motion is on option 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 Number 1 has passed.

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

We might stand at ease for just a moment as we prepare the next item..

THE CHAIR:

The Senate will stand at ease.

(Chamber at ease.)