

PA13-60

SB0815

House	4902-4919	18
Planning & Development	628-630, 658	4
Senate	942, 1096-1098	4
		26

H – 1164

**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2013**

**VOL.56
PART 15
4856 – 5209**

Those voting Yea	139
Those voting Nay	0
Absent and not voting	11

DEPUTY SPEAKER RYAN:

The bill passes.

Will the Clerk please call Calendar number 445.

THE CLERK:

On page 21, Calendar 445, Favorable Report of the Joint Standing Committee on Education, Substitute Senate Bill 815, AN ACT CONCERNING THE CONSOLIDATION OF NONEDUCATIONAL SERVICES.

DEPUTY SPEAKER RYAN:

Representative Rojas of the 9th District, please.

REP. ROJAS (9th):

Thank you, Mr. Speaker.

I move acceptance of the Joint Committee's Favorable Report and passage of the bill in concurrence with the Senate.

DEPUTY SPEAKER RYAN:

The question before the Chamber is on acceptance of the Joint Committee's Favorable Report and passage of the bill.

Representative Rojas, you have the floor.

REP. ROJAS (9th):

Thank you, Mr. Speaker.

What the legislation intends to do is set up a communication process between authorizing boards at the town level and boards of education in areas where services that are being provided by a board of education are considered noneducational. And what it seeks to do is increase communication between the two bodies to see if there's any efficiencies -- financial efficiencies that can be gained by communicating better and making suggestions from the board to the board of education. I move passage.

DEPUTY SPEAKER RYAN:

Thank you, sir.

Will you remark further on the bill?

Representative Aman of the 14th District.

REP. AMAN (14th):

Thank you, Mr. Speaker.

I believe that that is an accurate summary of the bill as has been presented. One of the problems that the -- we have seen in trying to get costs under control for the municipalities is very often the board of education and the taxing authority within the town. Their communications has not been the best, to put it mildly. And when it comes to cost suggestions,

there's a lot of don't tell me what to do attitude on both sides. What this bill attempts to do and I believe does is say that when the board of education submits their budget to the authorities of the town that the taxing authority has a period of time to make suggestions as to what can be saved or what can be jointly done. And then the board of education would have the option of either agreeing or in a written forum just explaining why not.

The written forum I think is probably one of the more important parts of the bill because very often what happens in a municipality is there's discussions and nobody has really gone on record as to why something may or may not work. And hopefully the written report will at least allow the public a little bit more aware of what the suggestions were and in future meetings come forward and say and why aren't you doing that or isn't there a better way of doing it. And the same logic occurs in the written explanations of transfers of funds within the board. I think it still keeps the independence of the board of education and it gives the town people, I believe, a better opportunity to give an input on cost savings.

There's been some criticism that they only have ten days to respond after the board -- or after the finance authority receives the report. But it's been my experience and I think most of your experience that cost savings ideas have been talked about very often not for days or weeks, but for years. And again this probably brings it to a head and forces the two parts of a town or city government to talk a little bit more with each other. So I do encourage my fellow Representatives to vote for the bill as presented.

DEPUTY SPEAKER RYAN:

Thank you, Representative.

Representative Miner of the 66th.

REP. MINER (66th):

Thank you, Mr. Speaker.

If I might, a few questions to the proponent of the bill.

DEPUTY SPEAKER RYAN:

Please proceed, sir.

REP. MINER (66th):

Thank you, Mr. Speaker.

This is actually a pretty intriguing idea. So under the legislation that's proposed, two boards of education from neighboring communities would talk

about whether or not they wanted to share in transportation or whether they wanted to share in lawn maintenance or something along those lines?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Rojas.

REP. ROJAS (9th):

As intended in the legislation, this is a discussion that would take place between an appropriating authority within a town and the board of education.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

So in the Town of Litchfield, for instance, the board of finance then would communicate -- there would be a communication between the board of finance and the board of education in the Town of Litchfield about the possibility of sharing services, let's say with a regional school system, in the adjoining community?

Through you.

DEPUTY SPEAKER RYAN:

Representative Rojas.

REP. ROJAS (9th):

Through you, Mr. Speaker, that's correct.

DEPUTY SPEAKER RYAN:

Representative Miner.

REP. MINER (66th):

And if the good gentleman would know, could that conceivable include security? Is there any prohibition against municipalities entering into an agreement to share security between one school system and another if the boards of finance concur?

Through you.

DEPUTY SPEAKER RYAN:

Representative Rojas.

REP. ROJAS (9th):

Through you, Mr. Speaker, the bill today is specifically related to maintenance activities. So I'm not -- it depends on whether school security would be captured under maintenance activities.

Through you.

DEPUTY SPEAKER RYAN:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

I'm not sure that it would be. I would define security as broadly or maintenance as broadly as being security. So it would then be limited to lawn maintenance, replacement of windows, does it get as far as capital projects -- small capital projects?

Through you.

DEPUTY SPEAKER RYAN:

Representative Rojas.

REP. ROJAS (9th):

Through you, Mr. Speaker, I don't think the intent is to get to capital projects. I think it's the day-to-day maintenance activities of their school buildings whether it's purchasing cleaning supplies, mowing lawns, taking care of waste, those types of items.

Through you.

DEPUTY SPEAKER RYAN:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

And -- and if the gentleman knows, I didn't see it anywhere here in the bill, is there a requirement that this type of an arrangement be between two adjoining municipalities?

Through you.

DEPUTY SPEAKER RYAN:

Representative Rojas.

REP. ROJAS (9th):

Through you, Mr. Speaker, the bill is silent on that.

Through you.

DEPUTY SPEAKER RYAN:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

So theoretically if the Town of Litchfield and the Town of Madison wanted to share in some contract to purchase cleaning supplies, then that would not be prohibited under this legislation?

Through you.

DEPUTY SPEAKER RYAN:

Representative Rojas.

REP. ROJAS (9th):

Through you, Mr. Speaker, in fact, there are other statutes on the books that allow any -- two municipalities to deliver a service jointly if they so choose to.

Through you.

DEPUTY SPEAKER RYAN:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

I too support this legislation. I actually wish it went a little bit further. For years municipalities have been trying to work out cooperative arrangements on resident troopers. And being a Legislator of a number of communities that would like to do that or do have that opportunity right now, I wish that this went a little farther. It doesn't but I think this is a first good step. Thank you.

DEPUTY SPEAKER RYAN:

Thank you, Representative.

Will you remark further on the bill? Will you remark further on the bill?

Representative Case of the 63rd.

REP. CASE (63rd):

Thank you, Mr. Speaker.

Just a remark on the bill, I do support the bill. But in our small northwest corner in our town, when I was a selectman there we made an agreement with a municipality because we needed a gymnasium for summer

basketball, so our municipalities ended up mowing the laws at the schools. But then when we came up trying to get the municipality to go and help with the maintenance of the schools, it became a union issue and the unions wouldn't agree to it. I think we're going to -- this is a good starting step as Representative Miner said, but we ran into a real hard time with the unions on this. And I hope we can get through that because the more we consolidate, the better off the state will be. And that's just the one stepping hurdle that I see. But I thank you for putting the bill out and I will support it today. Thank you.

DEPUTY SPEAKER RYAN:

Thank you, Representative.

Representative Hoydick of the 120th.

REP. HOYDICK (120th):

Good afternoon, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Good afternoon.

REP. HOYDICK (120th):

A few questions to the proponent of the bill.

DEPUTY SPEAKER RYAN:

Please proceed, ma'am.

REP. HOYDICK (120th):

I'm intrigued also with this -- with this idea and think it could work very well, however, in practicality I'm just thinking of my own town in Stratford. When the board of ed submits the budget at the end of the month, however it's required, this would allow ten days for the town council to review and make changes and recommendations back. I don't think that timeline is long enough, Representative. That's my only concern. Did you -- were you able to talk to any municipalities or how many municipalities you talked to about the actual timeline and whether this would work?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative, could you hear the question?

REP. ROJAS (9th):

Yes.

DEPUTY SPEAKER RYAN:

Representative Rojas.

REP. ROJAS (9th):

Through you, Mr. Speaker, no, we didn't engage municipalities in an extensive discussion about this because the bill is limited strictly to the

maintenance department. It's not an overwhelming expectation that the appropriating board would understand the full board of education budget.

Through you.

DEPUTY SPEAKER RYAN:

Thank you.

Representative Hoydick.

REP. HOYDICK (120th):

Thank you.

I thank the kind gentleman for his answer. And in that regard, I understand it's just the maintenance piece of this. However, when you're working with, in our town specifically, we have a public works department that maintains municipal buildings whether it's board or town. And ten days is probably not enough time for them to come back with some positive or critical comments on this. And so I'm just wondering if any consideration might be given for extending this length of time?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Rojas.

REP. ROJAS (9th):

Through you, Mr. Speaker, the Representative's point is well taken. I'm guessing we're thinking as soon as it's implemented, I'm pretty sure we'll get some pretty good feedback about whether the ten-day period is enough or not.

Through you.

DEPUTY SPEAKER RYAN:

Thank you.

Representative Hoydick.

REP. HOYDICK (120th):

I thank the kind gentleman for his answer and I too support this legislation and hope it works well. And if not, I guess we'll be back next session and make some modifications. Thank you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Thank you, Representative.

Representative Aman of the 14th District for the second time.

REP. AMAN (14th):

Thank you, Mr. Speaker, for recognizing me for the second time.

For purpose of legislative intent, there's been discussions and the Chairman has several times referred to maintenance. And it's my understanding

that the bill talks about noneducational services. So that while maintenance is the one that our Committee probably talked about the most, the bill itself is a little bit more far reaching than that, that it could go as far as even talking about something like the finance department, the bookkeeping of a town or something else.

So, through you, Mr. Speaker to the Chairman of the Committee, if he would expound on noneducational services and other than maintenance as what his understanding this may include.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Thank you, Representative.

Representative Rojas.

REP. ROJAS (9th):

Through you, Mr. Speaker, I think the title of the bill is rather broad, but I think the intent of the legislation is to focus on maintenance activities with the board of education.

Through you.

DEPUTY SPEAKER RYAN:

Representative Aman.

REP. AMAN (14th):

Thank you very much, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Thank you, Representative.

Representative Alberts of the 50th District.

REP. ALBERTS (50th):

Thank you, Mr. Speaker.

I do have a couple of questions to the proponent of the bill.

DEPUTY SPEAKER RYAN:

Please proceed, sir.

REP. ALBERTS (50th):

Thank you, Mr. Speaker.

Many of our smaller towns actually share in cooperative arrangements, regional schools. How does the proponent believe that that would work in situations where we have regional school systems.

Through you, Madam -- Mr. Speaker -- Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Rojas.

REP. ROJAS (9th):

Through you, Mr. Speaker, whatever the board of education is for the regional school district would have to be in communication. I'm assuming under the

bill with each of the appropriating members of the school district.

Through you.

DEPUTY SPEAKER RYAN:

Representative Alberts.

REP. ALBERTS (50th):

Thank you, Mr. Speaker.

Situations, I think there are three of them where we have endowed academies, Norwich Free Academy, Gilbert Academy -- Gilbert School, and Woodstock Academy. I'm expecting that these situations would not be requirements of those endows academies. Is that not correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Rojas.

REP. ROJAS (9th):

Through you, Mr. Speaker, I do not know.

Through you.

DEPUTY SPEAKER RYAN:

Representative Alberts.

REP. ALBERTS (50th):

Thank you, Mr. Speaker.

And I thank the proponent.

DEPUTY SPEAKER RYAN:

Thank you, Representative.

Will you remark further on the bill? Will you
remark further on the bill before us?

If not, will staff and guests come to the well of
the House, will the members take your seats, the
machine will be opened.

THE CLERK:

The House of Representatives is voting by roll.

The House of Representatives is voting by roll. Will
members please return to the Chamber immediately.

DEPUTY SPEAKER RYAN:

Have all members voted? Have all members voted?
Will the members please check the board to determine
if their vote is properly cast. If all members have
voted, the machine will be locked and the Clerk will
take a tally.

Will the Clerk please announce the tally.

THE CLERK:

In concurrence with the Senate, Senate Bill 815.

Total number voting	138
Necessary for passage	70
Those voting Yea	138
Those voting Nay	0

Absent and not voting 12

DEPUTY SPEAKER RYAN:

The bill passes.

If the Clerk will please call Calendar number
443.

THE CLERK:

On page 20, Calendar number 443, Favorable Report
of the Joint Standing Committee on Planning and
Development, Senate Bill 806, AN ACT CONCERNING THE
MUNICIPAL PURCHASE OF DEVELOPMENT RIGHTS FOR
AGRICULTURAL LAND PRESERVATION.

DEPUTY SPEAKER RYAN:

Representative Gentile, Chairman of the Planning
and Development Committee.

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.

DEPUTY SPEAKER RYAN:

The question before the Chamber is on acceptance
of the Joint Committee's Favorable Report and passage
of the bill.

Representative Gentile, you have the floor.

REP. GENTILE (104th):

**JOINT
STANDING
COMMITTEE
HEARINGS**

**PLANNING AND
DEVELOPMENT
PART 2
337 - 680**

2013

COMMITTEE

deter vexatious lawsuits that -- that punish a person for not bringing a case based on probable cause or whatever legal language you insert there. But they have been successful and we believe that that might be a better way to shape this legislation for it to be effective so that it doesn't single out just environmental interveners in a way that may deter serious environmental concerns, but would try to deter vexatious lawsuits in general.

REP. DIMINICO: I'd be curious what that would be in the end. Thank you.

SENATOR CASSANO: See -- by the way, members of this Committee usually do not have very good environmental report cards. I would hope that they would recognize, whoever may be keeping track of those report cards, that this is not the bill that's going to be considered, evaluate us on the bill that comes before the Committee. Thank you.

LAUREN SAVIDGE: Thank you.

RONALD THOMAS: Good afternoon, Senator Cassano, Representatives of the Planning and Development Committee. I'm Ron Thomas, Director of Public Policy and Advocacy for the Connecticut Conference of Municipalities, the statewide association of towns and cities. Our members represent 92 percent of the state's population. I'm happy to be here to talk about bills of concern to towns and cities. I'll focus on one bill in particular, one that we think has some great benefit to towns and cities and that is Senate Bill 815, CONCERNING THE CONSOLIDATION OF NONEDUCATIONAL SERVICES.

The bill would require the board of finance, the board of selectmen, to make recommendations and suggestions to -- regarding how boards of

COMMITTEE

education may consolidate noneducational services and realize financial efficiencies. I should note too that the proposal is -- does not require the board of ed to do anything except provide an explanation of why they are rejecting a suggestion or recommendation from the board of selectmen.

As many of you all know, I believe just about everybody on this committee has been a municipal official. And you know that boards of ed can be like 80 percent of -- education can be like 80 percent of the local budget. But it's a budget that municipal officials on the general government side really had no -- very little control of and very little ability to try to ensure that money is being -- that they are looking and examining opportunities to save money. And this proposal would just allow that. CCM sees it as a -- a simple way to help towns govern more smartly, so we urge you to support it. Thank you.

SENATOR CASSANO: Quick question, Ron. This bill was passed unanimously and another one of those that infamously died on the floor on the last day of last year, are there still communities where boards of education and the council side are still failing to exchange information and working together?

RONALD THOMAS: Unfortunately, yes. And this would -- again the thing that's good about this proposal, it's not adversarial based. They present the information, the towns get a chance to comment on it, they don't have to do anything beyond comment on why they don't think it's a good suggestion. So it's -- I think it should be -- it's written in a way that boards of ed shouldn't really have a problem with it and it could make for greater communication among the two sides.

SENATOR CASSANO: Right. And the key to this obviously is that -- the taxpayer pays both sides of the bill.

RONALD THOMAS: Exactly. Exactly. Again I mean some towns are doing a good job, you know, it kind of depends on the relationship -- the historical relationship between the town side and the education side, who the superintendent is, that sort of thing. But, you know, again this is a measure that we think is not heavy-handed and that really could make for some greater savings on the local level and help out the taxpayers.

SENATOR CASSANO: Thank you very much.

RONALD THOMAS: Thank you.

SENATOR CASSANO: Gordon Willard, John Filchak, and Joshua Ghiroli. Gordon Willard. John Filchak.

JOHN FILCHAK: Good afternoon, Senator Cassano, members of the Committee. My name is John Filchak, I'm the Executive Director of the Northeastern Connecticut Council of Governments representing 12 towns. And I'm here today to talk about three bills, two of which deal with dogs. We operate a regional animal services program and have since 2004, and deal with hundreds of dogs each year.

HB 6323
HB 6334

And first I want to talk about 6311, the ACT PROHIBITING MUNICIPALITIES FROM ADOPTING BREED SPECIFIC DANGEROUS DOG ORDINANCES. We would support that because we see no correlation between breed and temperament. As I said, we deal with hundreds of dogs and whether they're small, large, Pit Bulls, mixed breeds, pure breeds, some bite, some don't. We're almost -- almost always it's the owner's fault, it's not



PLANNING & DEVELOPMENT COMMITTEE

February 20, 2013

Pg 7

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 92% of Connecticut's population. We appreciate this opportunity to testify before this joint committee.

S.B. 815, "An Act Concerning the Consolidation of Noneducational Services"

CCM supports this bill.

This bill would require a board of finance or board of selectmen to make spending recommendations and suggestions to a board of education regarding how such board of education may consolidate noneducational services and realize financial efficiencies. Suggestions must be made within 10 days of the date the board of education submits its budget estimate. The board of education may accept or reject the suggestions, however, it must submit a written explanation of the reason for any rejection.

S.B. 815 is an intramunicipal cooperation initiative that challenges communities to seek greater efficiencies. There are often duplicative efforts between general government and boards of education, and this proposal can help communities examine and take action on them.

The proposal simply allows for more municipal officials to think of ways to govern smarter. It's a good government proposal that everyone should support.

CCM urges committee members to favorably report S.B. 1815.

★ ★ ★ ★ ★

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

THE CHAIR:

Seeing no objection, so ordered, sir.

SENATOR LOONEY:

Thank you, Madam President.

And, Madam President, moving next to -- under Matters Returned from Committee -- on Calendar Page 42, the fourth item on that page -- no, it's -- no, excuse me. We'll skip over that one.

But moving to Calendar Page 43, Madam President, on Calendar Page 43, the third item, Calendar 150, Substitute for Senate Bill Number 815; Madam President, would move to place that item on the Consent Calendar, having marked it previously as go.

THE CHAIR:

Seeing no objection, so ordered, sir.

SENATOR LOONEY:

Thank you, Madam President.

And one final change in marking for a Consent Calendar item, the last item under Matters Returned from Committee, at the top of Page 45, Calendar 249, Senate Bill Number 806; Madam President, that item previously marked go should now be placed on the Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered, sir.

SENATOR LOONEY:

Thank you, Madam President.

That concludes our additional markings at this time.

THE CHAIR:

mhr/gbr
SENATE
Opposed?

186
April 24, 2013

The amendment passes.

Senator Looney.

SENATOR LOONEY:

Yes. Yes; thank you. Thank you, Madam President.

Madam President, would move that the bill as amended
be referred to the Committee on Planning and
Development.

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, before calling for a vote on the Consent Calendar, there's one item that needs to be removed from the Consent Calendar, and that was Calendar, from Calendar Page 9, Calendar 1 -- 162, Senate Bill 318, placed on Consent earlier. That needs to be removed from -- from Consent at that point, and if the Clerk would then move to list the items on the Consent Calendar and call for a vote on the Consent Calendar.

THE CHAIR:

Mr. Clerk.

THE CLERK:

On Page 1, Calendar 401, Senate Joint Resolution Number 53, also Calendar 402, Senate Joint Resolution Number 54.

On Page 2, Calendar 415, House Joint Resolution Number 89; Calendar 416, House Joint Resolution Number 90; Calendar 417, House Joint Resolution Number 91; Calendar 418, House Joint Resolution Number 92; Calendar 419, House Joint Resolution Number 93.

mhr/gbr
SENATE

187
April 24, 2013

On Page 3, Calendar 420, House Joint Resolution Number 94; Calendar 426, Senate Resolution Number 26.

On Page 10, Calendar 166, Senate Bill Number 752.

Page 12, Calendar 190, Senate Bill Number 829.

On Page 13, Calendar 199, Senate Bill Number 11.

Page 15, Calendar 218, Senate Bill Number 996.

On Page 16, Calendar 220, Senate Bill Number 1001.

Page 24, Calendar 292, Senate Bill Number 692.

On Page 34, Calendar 382, Senate Bill 466.

On Page 43, Calendar 150, Senate Bill Number 815.

And on Page 45, Calendar 249, Senate Bill Number 806.

THE CHAIR:

Mr. Clerk, will you call for a roll call vote, and the machine will be open on the Consent Calendar.

THE CLERK:

Immediate roll call has been ordered on -- in the Senate. Senators please return to the Chamber.
Immediate roll call, today's Consent Calendar, in the Senate.

THE CHAIR:

Have all members voted; all members voted? The machine will be closed.

Mr. Clerk, will you please call the tally.

THE CLERK:

On today's Consent Calendar.

Total Number Voting	34
Those voting Yea	34

mhr/gbr

188

SENATE

April 24, 2013

Those voting Nay

0

Absent and not voting

2

THE CHAIR:

The Consent Calendar passes.

Senator Welch, do you have a -- a point of personal privilege?

SENATOR WELCH:

Thank you, Madam President.

I do rise for a point of personal privilege, and I'd just like to take a second to recognize a very special group, I think, to all of us here, and that is the Parent Leadership Training Institute. Today we have with --

THE CHAIR:

Excuse me.

SENATOR WELCH:

-- us --

THE CHAIR:

Excuse me a minute, sir.

Can I ask for a little bit of quiet in the, in the Circle, please? Senator Welch does have the floor.

SENATOR WELCH:

Thank you, madam.

THE CHAIR:

Please keep the voice down.

SENATOR WELCH:

Thank you.