

**SA13-3**

HB6574

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**H – 1155**

**CONNECTICUT  
GENERAL ASSEMBLY  
HOUSE**

**PROCEEDINGS  
2013**

**VOL.56  
PART 6  
1695 – 2023**

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HOUSE OF REPRESENTATIVES

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April 24, 2013

Will the Clerk please call Calendar Number 349.

THE CLERK:

House Calendar Number 349, Favorable Report of the Joint Standing Committee on Planning and Development, Substitute House Bill 6574 AN ACT ESTABLISHING A TASK FORCE TO CONSIDER IMPLEMENTS TO FAIR HOUSING CHOICE. IMPEDIMENTS TO FAIR HOUSING CHOICE. Sorry.

SPEAKER SHARKEY:

Representative Rojas.

REP. ROJAS (9th)

Thank you, Mr. Speaker, good afternoon. I move acceptance of the Joint Committee's Favorable Report and passage of the bill.

SPEAKER SHARKEY:

The question is on acceptance of the Joint Committee's Favorable Report and passage of the bill. Will you remark, sir?

REP. ROJAS (9th):

Thank you, Mr. Speaker. What the bill intends to do is create a task force made up of experts on zoning laws, affordable housing, health equity, educational equity, so that we can take the work that's currently being completed by the Department of Economic and

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Community Development and the Connecticut Fair Housing Center who are looking at barriers to fair housing in Connecticut.

We will take that report and spend our summer going through the report so that we can make some recommendations for next year.

The Clerk is in possession of an amendment, LCO 6139. I ask that it be called and I be granted leave of the Chamber to summarize.

SPEAKER SHARKEY:

Will the Clerk please call LCO Number 6139.

THE CLERK:

LCO Number 6139 offered by Representative Rojas and Senator Cassano.

SPEAKER SHARKEY:

Which will be designated House Amendment "A".

Representative Rojas.

REP. ROJAS (9th):

Thank you, Mr. Speaker. What the Amendment does is simply remove the Department of Economic and Community Development from serving on the task force because all of the housing components that used to be in that agency are now under the Department of Housing.

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I move adoption.

SPEAKER SHARKEY:

The Representative seeks leave of the Chamber, you've already summarize the Amendment, haven't you, sir?

REP. ROJAS (9th):

Yes.

SPEAKER SHARKEY:

The question before the Chamber is adoption of House Amendment "A". Will you remark? Will you remark? If not, let me try your minds. All those in favor of House Amendment "A", please signify by saying Aye.

REPRESENTATIVES:

Aye.

SPEAKER SHARKEY:

Those opposed, Nay. The ayes have it. The Amendment is adopted. Will you remark further on the bill as amended? Representative Aman.

REP. AMAN (14th):

Thank you very much, Mr. Speaker. The Planning and Development Committee continually designs or rejects legislation regarding housing and one of the questions we continually raise is regarding the

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affordability of housing, how to remove barriers to housing, how to design better communities, how zoning affects plans of development and a lot of other inter-related things to do with housing.

Most of the time when we're discussing this we have a bill in front of us. We have a group of people with vested interest one way or the other.

I think what this task force will do for the Committee is to give us a group of individuals who are professionals in the field of housing to look at the overall picture and give us some guidance, maybe even some definitions so that when we're talking, we're talking the same language.

So it does have to report out by the start of next Session. I think it's going to keep several of us on the Planning and Development Committee very busy this ball, but hopefully it will lead to some better legislation for all of us next year, so I do urge your support of this bill.

SPEAKER SHARKEY:

Thank you, sir. Will you remark? Will you remark further on the bill as amended?

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If not, staff and guests to the Well of the House. 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 all Members please return to the Chamber immediately.

SPEAKER SHARKEY:

Have all the Members voted? Have all the Members voted? Have all the Members voted?

If all the Members have voted, please check the board to make sure your vote has been properly cast and if all the Members have voted, the machine will be locked and the Clerk will take a tally.

Will the Clerk please announce the tally.

THE CLERK:

Bill Number 6574 as amended by House "A".

Total Number Voting	141
Necessary for Passage	73
Those voting Yea	136
Those voting Nay	5
Those absent and not voting	9

SPEAKER SHARKEY:

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The bill is passed.

Will the Clerk please call Calendar Number 249.

THE CLERK:

House Calendar 249, Favorable Report of the Joint Standing Committee on Human Services, Substitute House Bill 6514 AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE CONCERNING MEDICAID PAYMENT INTEGRITY.

SPEAKER SHARKEY:

Representative Mushinsky, Dean of the House.

REP. MUSHINSKY (85th):

Thank you, Mr. Speaker. I move acceptance of the Joint Committee's Favorable Report and passage of the bill.

SPEAKER SHARKEY:

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

Will you remark, madam?

REP. MUSHINSKY (85th):

Thank you, Mr. Speaker. The Clerk has an amendment, LCO 6150. Would the Clerk please call and may I be allowed to summarize.

SPEAKER SHARKEY:

**JOINT  
STANDING  
COMMITTEE  
HEARINGS**

**PLANNING AND  
DEVELOPMENT  
PART 5  
1337 - 1682**

**2013**

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March 18, 2013

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COMMITTEE

10:00 A.M.

people based on their qualifications or their ability to do the job to your satisfaction, not necessarily because they can post a bond.

SHAWN WOODEN: That's right.

REP. AMAN: Thank you.

SENATOR CASSANO: Other questions? Seeing none, Shawn, thank you very much.

SHAWN WOODEN: Thank you very much.

SENATOR CASSANO: Erin Kemple. Erin are you testifying with Roberta or separately?

ERIN KEMPLE: I'm testifying by myself.

SENATOR CASSANO: Okay. Erin Kemple, and then would be a team of Alan Walker and Larry Groh, and then Representative James Albis, and then Roberta Bing.

ERIN KEMPLE: Good afternoon. My name is Erin Kemple. I am here to testify in support of House Bill 6574, AN ACT ESTABLISHING A TASK FORCE TO CONSIDER IMPEDIMENTS TO FAIR HOUSING CHOICE.

I'm the executive (excuse me) the executive director of the Connecticut Fair Housing Center, which is a private non-profit that looks at issues of housing segregation and integration and housing discrimination throughout the State of Connecticut.

We are very much in favor of this bill because it really talks about some of the core issues that we have uncovered in our work, which is that people are being prevented from getting into the housing of their choice because of illegal discrimination. Why is housing location and where people live so important? Because housing location really affects every single part of a person's life. It determines where their kids go to school, where they're able to get a job, the transportation that's available to them, the healthcare that's available to them, as well as the health outcomes in many instances.

If people are being prevented from getting into the housing that they want and that they need because of illegal reasons such as discrimination, it's really a detriment to all people in Connecticut because when we don't have people who are able to get into, for instance, places that have adequate health care or adequate health outcomes, it is going to cost more to the State of Connecticut for -- to pay for the results of people having to have additional health care, etc.

The impediments to fair housing choice that are referred to in this bill are really the barriers. What are the barriers that are preventing people from getting into the housing that they want, and that they need? Right now the Department of Economic and Community Development, as well as the Connecticut Fair Housing Center are engaged in a study called "The Analysis of Impediments to Fair Housing" which is required by HUD for all entities that receive funding from the federal

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government. This report should be out within the next six weeks, and at the end of that, it is going to be up to Connecticut to decide how to implement solutions that will overcome the impediments.

What this bill does is it allows more people to have a voice in the impediments to fair housing, and how to overcome them. My agency in the last three weeks has been meeting with, for instance, the heads of a lot of small cities in Connecticut, and what we're hearing from them is very different than what we hear from the large cities and the larger towns in Connecticut. So what the smaller cities and the smaller towns are saying about ways to overcome impediments to fair housing in their town is very different than what we're hearing from other larger cities and towns.

The bill before you today would make sure that all people in Connecticut, both large and small, experts on housing, experts on education, have a voice in creating the solution to the housing discrimination and housing segregation issues that we're facing in Connecticut.

My testimony also includes some changes to the bill that would expand who is allowed to be appointed to the committee -- and I just -- to the taskforce, and I just refer the Committee to that, and until then I'm happy to answer any questions that you may have.

SENATOR CASSANO: Questions? Nope. Good job.

ERIN KEMPLE: Thank you very much.

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10:00 A.M.

SENATOR CASSANO: Roberta Bing.

Welcome.

ROBERTA BING: Hi. My name is Roberta Bing and I'm a graduate student at the University of Connecticut at the School of Social Work. For a part of my course work, I'm required to speak at a public hearing, and I am here to testify on Bill Number 6574, AN ACT ESTABLISHING A TASK FORCE TO CONSIDER IMPEDIMENTS TO FAIR HOUSING CHOICE.

Sorry. I didn't say I'm incredibly nervous.

SENATOR CASSANO: You can relax here.

ROBERTA BING: I'm trying. A lot of the things that I mentioned in my written testimony were mentioned by Erin at the Fair Housing -- at the Fair Housing Center, so I just wanted to echo her opinion that you should support Bill Number 6574, and I wanted you to encourage you as Legislators those in our population that are in the most vulnerable positions by creating this legislation.

I would just like to thank you for your time.

SENATOR CASSANO: Okay. Questions?

Now that's got to be a lot easier than those year-end exams.

ROBERTA BING: Thank you.

SENATOR CASSANO: Thank you.

SENATOR FASANO: I agree, and I thank you for all the work you do with Save our Sound, the old Save our Sound (inaudible).

LEAH SCHMALZ: Thank you.

REP. ROJAS: Thank you. Are there any other questions? Seeing none, thank you.

Fionnuala Darby-Hudgens.

FIONNUALA DARBY-HUDGENS: Hi. Thank you members of the Committee for allowing me to present this testimony.

My name is Fionnuala Darby-Hudgens. I'm a senior at Trinity College. I have spent the last year researching specifically links between residential zoning policy, housing, and schooling, and this testimony is in support of House Bill 6574, as a result of my research and its preliminary findings.

I have read 167 municipal zoning ordinances and have found throughout the reading and data collection and coding of these zoning ordinances, that zoning is an absolute barrier to fair housing in Connecticut and a taskforce is required to analyze specifically how zoning is a barrier to fair housing. Specifically there is zero uniformity among zoning ordinances in the State of Connecticut, and this results is a complete inability to draw meaningful conclusions in comparing zoning.

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Additionally, zoning ordinances require no specified geographic area within them, so it is unable for a reader to tell if an affordable housing zone is actually 5-acres large or 500-acres large, so we can't actually assess the value of specific residential zones.

And lastly, just some preliminary findings of this research for you. There is 97 municipalities in the State of Connecticut that have zero zoning ordinances towards affordable housing. There is also 24 municipalities in the State of Connecticut that have zero zoning policies towards multi-family housing. Zoning must be examined when we are talking about the impediments to fair housing.

REP. ROJAS: Thank you very much. I appreciate that. As somebody who works at Trinity College, I'm proud to see you here. And certainly I share your interest, too. That was somewhat the motivation of the bill as well as -- as well as a number of other issues, but in my work on the Education Committee, are trying to get a better handle on how we're approaching the issue of the achievement gap and specifically related to Sheff versus O'Neill which is -- to some degree might be an outdated remedy for that issue, but I happen to think it's more connected to housing and that's certainly my interest in exploring this study.

So are there any other questions?

Senator Fasano.

SENATOR FASANO: I want to thank you for coming up and testifying today. What -- what would you think we could do with the zoning ordinances to encourage affordable housing, or fair housing -- however, you want to phrase it?

FIONNUALA DARBY-HUDGENS: I think one of the things that could be done is strictly some uniform requirements across all municipalities, and not simply in our we have to have 10 percent housing stock deemed as affordable. But you actually, in fact, have to have a planned zone that permits affordable housing. And it can't be a floating zone, or it can't be something that has to require a tremendous special approval process. The town should just be mandated to provide it.

SENATOR FASANO: And what town are you in?

FIONNUALA DARBY-HUDGENS: What town am I in?

SENATOR FASANO: Yes.

FIONNUALA DARBY-HUDGENS: Montville, Connecticut.

SENATOR FASANO: So because there's going to be on the taskforce these -- there are appointments that can be made, you should get hold of a Rep and a Senator and see if you can get involved, because I think it's important for people who get involved, especially who -- I mean you've taken the time to read all those ordinances, which is amazing to me, and you know so I think, you know, it's people like you who we need a lot of feedback from, because we want to keep a lot of young people in this state. I have three young

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kids in college, and we want to keep them in this state, but the way to do it is to hear from voices like you and stay active.

And it's great that you've been up here, and you've been here all morning, and see -- get a hold, because maybe we can get you on the taskforce, and I think that would be very refreshing.

FIONNUALA DARBY-HUDGENS: Thank you.

SENATOR FASANO: Thank you.

REP. ROJAS: Are there any other questions or comments?

Representative Fox.

REP. FOX: Thank you. First off, thank you very much for being here today, providing the helpful testimony. Out of curiosity, and I almost hate to ask this question because I appreciate all the work you've done so far analyzing all the municipal ordinances. Have you seen anything or read anything about other states through your research, and other ideas that might be emerging in other -- other -- other areas around us.

FIONNUALA DARBY-HUDGENS: No. Yes, I have. There's a particular study that was done by a researcher at the Pugh Research Center, and she studied a district in Maryland over the course of seven years, and this district in Maryland implemented what they called an Inclusionary Housing Zoning Plan. And so what it did was resulted in integrated housing strategies. She followed the

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students, or the children that resided in this integrated housing, and showed a complete reduction in the achievement gap between low-income and non-low-income students as a result of integrated zoning.

What they also did find, unfortunately, is that there is a bar, you know, that you basically she found had a short time -- the researcher of this found that at 20 percent poverty, you saw less reduction in the achievement gap.

REP. FOX: Okay. Great. Thank you. And you're a student and you've got enough on your plate, but if you do have a chance and you can get us that information or a link to that study, that would be helpful just for -- for us to see.

FIONNUALA DARBY-HUDGENS: Absolutely.

REP. FOX: Thank you.

REP. ROJAS: Representative Aman.

REP. AMAN: Yes. Taking a little tack, when you were doing your research, did you see not only the zoning regulations, but the building requirements that drive up the cost? Just to let you know, I am a homebuilder, so that you know where I'm coming from.

But I'm looking at stuff in communities that I have -- would have loved to build the 1950s cape or ranch that serves so much of the population. But when I was done with things like granite curbs, sidewalks on both sides of the street, the

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drainage basins that had to be done, couldn't do work in the wetlands, couldn't do work on steep slopes, couldn't do work under utility lines -- by the time I was done, other than a \$400,000 house, there was nothing I could put up.

When you were looking at your zoning regulations, did you look at any of the construction requirements as to what -- what impact that had on housing?

FIONNUALA DARBY-HUDGENS: Yeah, I did. The two restrictions that I focused on because they were the most represented in the literature and easily accessible was minimum lot sizes and density restrictions. And my preliminary analysis is that both directly affect the availability of affordable housing in a community. So simply put, as minimum lot sizes increase, the amount of affordable housing in a community decreases. And just as lot size is such a consideration for developers, it clearly shows that large lot sizes are a barrier.

REP. AMAN: There is no question that you're -- you look at a piece of land and it's the yield that you have, and in Connecticut it's not really a one-acre lot or a half-acre lot that sets the value. It's is it a lot, and that -- that pretty much sets a base value for it. But the things like frontage requirements worked in a lot of places that required 150 feet of frontage. Now you might have had a small-acreage lot, but by the time you put 150 feet of frontage, you had big lots. You've had things in the septic system requirements in that not only do you have to put

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in the septic system, but you have to put in a 100 percent reserve area, not only saying where it could be in the future, but getting it ready for it even though you might hopefully may never need it.

And again I didn't know if going through the literature if they ever addressed any of those things.

FIONNUALA DARBY-HUDGENS: And I think that this actually goes back to one of the things I suggested to Senator Fasano, is this idea that I wanted to collect actually more from these zoning regulations, but because there is no consistency between them, it's almost impossible to. So for example, half of the towns I read may report frontage requirements, or they may report sewer requirements, but half won't. Or they may report sewer requirements, suggesting that housing build on this particular zone must be within public water, but then if you go to look for a map of that town as to what areas of the town have access to public water, it's not available.

So whereas I completely agree with you, and I think there is more than strict -- than the data I collected that can prevent affordable housing, I think it's very, very difficult with the state of zoning right now to really examine it across the state.

REP. AMAN: I thank you very much and I'd be interested if you -- when you get done with your summary report that you've written, I would love to see a copy of that.

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10:00 A.M.

FIONNUALA DARBY-HUDGENS: Thank you.

REP. ROJAS: Yeah, and just to note, I'm in possession of the analysis. I believe it was Montgomery County, Maryland is the analysis she was referring to, and I'll make sure that that gets to the entire Committee as well. And Montgomery County is I think often the example that we continue to use in this building when we're talking about education policy, and effective practices at dealing with the achievement gap without spending a billion dollars in the process of doing so. So thank you very much.

FIONNUALA DARBY-HUDGENS: Thank you.

REP. ROJAS: Did Sandy Bresland come back in the room by any chance? No?

Grant Westerson, followed by John Johnson.

GRANT WESTERSON: Thank you, Mr. Chairman, Representative Aman, Senator Fasano and members. My name is Grant Westerson. I'm with the Connecticut Marine Trades Association, and I'm here to ask for your support for 459 and 460. I had passed in some written testimony that I hope you have.

The comments that you heard earlier from Rives are very salient, and we certainly agree with some of the other comments that we've heard those. I hope you'll support those. I just wanted to say I -- I do offer support for the two taskforces that popped up in 461, and I guess --

SB462



**TESTIMONY OF ERIN KEMPLE  
OF THE CONNECTICUT FAIR HOUSING CENTER  
IN SUPPORT OF H.B. 6574  
CREATING A TASK FORCE TO  
CONSIDER IMPEDIMENTS TO FAIR HOUSING CHOICE  
March 18, 2013**

Senator Cassano, Representative Rojas, Senator Fason, and Representative Aman and members of the Committee thank you for the opportunity to address you today. My name is Erin Kemple. I am the Executive Director of the Connecticut Fair Housing Center. My agency is a private non-profit that works to address housing discrimination and integration issues in Connecticut.

The Connecticut Fair Housing Center supports this bill which would create a task force to make recommendations to overcome the barriers to fair housing choice. A barrier to fair housing is any law, regulation, policy, or procedure that prevents people from obtaining the housing of their choice regardless of membership in a protected class. An impediment can be explicit like a landlord policy that says "no kids" or less obvious like a town refusing to permit a developer to build housing with more than two bedrooms. A practical result of impediments is that people are prevented from moving into neighborhoods with high performing schools with access to jobs, transportation and quality medical care. This results in both racial and national origin segregation as well as preventing other people protected from discrimination like families with children and people with disabilities from moving into housing that they want. Recent studies reveal levels of Black/White segregation in our three major metropolitan areas of Bridgeport,

New Haven and Hartford that are higher than in places like Atlanta, Georgia, Baton Rouge, Louisiana, and Little Rock, Arkansas

Currently, the Center is working with the Department of Economic and Community Development to write the HUD-mandated Analysis of Impediments to Fair Housing Choice (AI). HUD requires state and local governments receiving funding through such programs as the Community Development Block Grant, HOME, Emergency Shelter Grant, and other federal housing funding to create an AI as a condition of continuing to receive funding. The AI will include a review of Connecticut's laws, regulations, and administrative policies, procedures, and practices affecting the location, availability, and accessibility of housing, as well as an assessment of conditions, both public and private, affecting fair housing choice. Once this data is gathered, the AI will then identify impediments or barriers to fair housing choice. HUD also requires that the AI include recommendations for addressing the impediments to fair housing and implementing action steps to overcome these barriers.

The State of Connecticut needs to coordinate and plan how to overcome impediments to fair housing. For example, large cities and towns have different impediments and more resources to address fair housing issues than smaller cities and very small towns. Without planning and input from all of the entities who play a role in Connecticut's housing market, it is impossible to create workable solutions to a very difficult problem. Recently I met with more than 100 administrators of small cities in Connecticut to get their input on the impediments to fair housing. Their feedback made clear that while many city and town administrators support fair housing and would like their communities to be more diverse and inclusive, the path to overcoming barriers will take a different route than the paths chosen by larger communities. This Task Force would give both large and small communities a voice in this process.

In addition to my written testimony, I have submitted some suggestions to add areas of expertise to the task force membership. By appointing volunteer experts in many different areas all of whom are committed to finding ways to overcome the barriers to housing choice, the task force will be able to consider and recommend actions that are cost-effective, and coordinate with other housing policies being implemented on a state-wide and local basis.

*Support H.B. 6574—An Act Establishing A Task Force To Consider Impediments To Fair Housing Choice*

*Support the Creation of a Taskforce to Overcome Barriers to Fair Housing Choice!*

**What are the barriers to fair housing choice?**

- A barrier to fair housing choice is any law, regulation, policy, or procedure that prevents people from obtaining the housing of their choice regardless of their race, national origin, disability, the presence of children or other status protected by the anti-discrimination laws
- A barrier or impediment can be explicit like a landlord who says “no kids” or less obvious like a town refusing to permit a developer to build housing with more than two bedrooms which might also prevent families with kids from moving into town

**What barriers to fair housing choice exist in Connecticut?**

Connecticut is about to complete an Analysis of Impediments to Fair Housing Choice (AI) which will examine all of the forces that influence Connecticut’s housing market and list any impediments or barriers to housing choice. Once it is complete, DECD is required to submit this report to the Department of Housing and Urban Development.

**Why is the AI important?**

- (1) Receipt of Federal Housing Funding Depends on the Proper Implementation of the AI’s Recommendations.** Connecticut can only receive federal housing funding for programs like Community Development Block Grant, HOME funds, and federal shelter grants if it produces a comprehensive AI and addresses any of the issues raised. In the last five years, the U S Department of Housing and Urban Development has withheld or threatened to withhold federal funding from places like St. Bernard’s Parish, LA, the state of Texas, and Sussex County, DE
- (2) The AI is a Valuable Planning Tool.** Information provided in the AI, such as aspects of government programs that may unwittingly prevent people from living where they choose, is critical to proper planning at a municipal, regional and statewide basis

**Why do we need a Taskforce?**

The recommendations of the AI need to be considered and, in some cases, integrated into State planning documents such as the Consolidated Plan and the Plan of Conservation and Development. A thoughtful group of agency representatives and experts in a range of areas is needed to complete this task.

Honorable Senators and Representatives,

My name is Roberta Bing, I am a graduate student at the University of Connecticut's School of Social Work. For part of my course work, I am required to testify at a public hearing, and as I am currently completing the field placement portion of my graduate studies at the Connecticut Coalition to End Homelessness, I chose to speak to you today

I am here to testify on Bill No. 6574, "AN ACT ESTABLISHING A TASK FORCE TO CONSIDER IMPEDIMENTS TO FAIR HOUSING CHOICE." I am for this legislation and I hope that you will support it. My reasons for being in favor of this legislation are as follows:

1. It is a HUD requirement that all communities that receive HUD funding analyze the impediments to fair housing.
  - According to HUD's website ([http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/fair\\_housing\\_equal\\_opp/promotingfh](http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/promotingfh)): "Under the Consolidated Plan, HUD funded recipients are required to: (1) examine and attempt to alleviate housing discrimination within their jurisdiction; (2) promote fair housing choice for all persons; (3) provide opportunities for all persons to reside in any given housing development, regardless of race, color, religion, sex, disability, familial status, or national origin; (4) promote housing that is accessible to and usable by persons with disabilities; (5) and comply with the non-discrimination requirements of the Fair Housing Act "
2. Other states have already done these analyses, and created action plans to address the issues that have been found.
  - According to the Fair Housing Choice publication that was put out by HUD (<http://www.hud.gov/offices/fheo/images/fhpg.pdf>) the following states have already begun this work:
    - Pennsylvania, Utah, Indiana and Montana
3. There is a need for laws to be put in place to protect certain groups in Connecticut (The following is taken from: (<http://www.ctfairhousing.org/newsletters-and-publications/>))

Protected Classes	Federal or CT. Law	Property not covered	Remedy
Race	Federal 42 U S C §1982 (Civil Rights Act of 1866)	None	Federal court
	State: Con Gen Stat 46a-58a	None	State court or CHRO
Race, Color, National Origin, Ancestry, Sex, Religion	Federal: 42 U.S C §3604	Federal. Owner occupied bldgs with 4 units or less; single family homes	Federal court or HUD
	State Con Gen.Stat. 46a-64c	State Owner occupied bldgs with 2 units or less, owner occupied rooming house	State court or CHRO

Familial Status or the presence of children	Federal 42 U S C §3604	Federal: Owner occupied bldgs with 4 units or less, single family homes	Federal court or HUD
	State. Con Gen Stat. 46a-64c	State. owner occupied 4 units or less, elderly housing	State court or CHRO
Disability	42 U.S.C. §3604	Federal: Owner occupied bldgs with 4 units or less, single family homes	Federal Court or HUD
	29 U S C §794	Federal All housing <u>not</u> receiving federal money	Federal court
	State Con Gen Stat 46a-64c	State: Owner occupied bldgs. with 2 units or less, owner occupied rooming house	State court or CHRO
Marital Status (except an unmarried unrelated man and woman)	State Con Gen.Stat 46a-64c	State Owner occupied bldgs with 2 units or less, owner occupied rooming house	State court or CHRO
Sexual Orientation	State: Con Gen Stat. 46a-81e	State Owner occupied bldgs with 4 units or less	State court or CHRO
Age (except minors)	State Con Gen Stat. 46a-64c	State Owner occupied bldgs with 2 units or less, owner occupied rooming house; elderly housing	State court or CHRO
Lawful source of income	State. Con.Gen.Stat 46a-64c	State Owner occupied bldgs with 2 units or less, owner occupied rooming house	State court or CHRO
Gender identity or expression	State Con Gen Stat 46a-64c	State Owner occupied bldgs with 2 units or less, owner occupied rooming house	State court or CHRO

• ILLEGAL HOUSING DISCRIMINATION -- A SUMMARY

- It is illegal to refuse to rent or sell property, to discriminate in the terms or conditions of a rental or sale (for example, to charge different amounts), to steer, to discriminate in mortgage lending or other related practices, or to otherwise make housing unavailable because someone is a member of a protected class.
  - All persons involved in any real estate transaction must make reasonable accommodations for persons with mental or physical handicaps.
  - It is illegal, with some exceptions, to advertise in a discriminatory manner
4. There are groups in Connecticut who are currently doing the work of analyzing the impediments to fair housing choice, including the Connecticut Fair Housing Center (<http://ctfairhousing.org/wp-content/uploads/pdf/CFHC-AffirmFurthGuideGranteesR2.pdf>), but as legislators, you are in the unique positions to protect those in our population that are in the most vulnerable positions by changing and creating legislation. For this reason the public would be best served to have you, the legislators, join in on the work that these fine people have done, and establish a task for to consider impediments to fair housing choice

I understand that you are all very busy, so I'd like to conclude by thanking you for your time, and letting you know that I would be happy to answer any questions, if I can.

Strengthening local public health



Connecticut Association  
of Directors of Health

**Testimony of the Connecticut Association of Directors of Health**  
*In Support of Raised Bill No. 6574: An Act Establishing a Task Force to Consider Impediments to Fair Housing Choice*

To the Distinguished Co-Chairs and Members of the Planning and Development Committee  
March 18, 2013

Good afternoon, Distinguished Co-Chairs and Members of the Planning and Development Committee. My name is Paul Hutcheon and I am on the Executive Board of the Connecticut Association of Directors of Health (CADH), Chair of CADH's Advocacy Committee and the Director of the Central Connecticut Health District, representing the towns of Berlin, Newington, Rocky Hill and Wethersfield.

CADH supports *Raised Bill 6574: An Act Establishing a Task Force to Consider Impediments to Fair Housing Choice* to, among other reasons, improve health outcomes for Connecticut's residents. It has been long-known that housing is a significant determinant of health. Lead exposure can lead to significant abnormalities in cognitive development; asbestos and radon exposure can increase the chance of developing lung cancer; uncontrolled moisture, mold, pests, and other triggers cause or exacerbate asthma and other respiratory dysfunction; inadequate heat can lead to use of inappropriate heating sources, such as portable heaters, candles, and gas stoves, potentially resulting in fires or carbon monoxide poisoning; and poorly maintained stairwells and other structures can cause injuries. Accordingly, ensuring that all Connecticut residents have access to a healthy home is critical to promoting healthier outcomes.

But creating a healthy home only goes so far to promise health. That home also must be affordable. High housing costs leave families with insufficient income left for food, health care, prescriptions and other health essentials. Families unable to afford housing may also move frequently—resulting from eviction, foreclosure and temporary arrangements—and may live in overcrowded conditions, resulting in higher risk for communicable disease. The physical and emotional toll of these factors can cause significant adverse health outcomes. At its worst, inability to afford housing leads to homelessness, which exacerbates any health problem and makes medical treatment and follow-up nearly impossible.

But even well-maintained, affordable housing does not go far enough to meaningfully promote health. That housing must be located in areas of opportunity that support healthy choices and promote healthy living. Community conditions can impact physical activity levels, community safety, food access, air quality, social cohesion, and even economic and educational opportunities. In other words, your neighborhood has a critical impact on opportunities to achieve good health. Finally, racial residential segregation and concentrated poverty themselves are tied in direct and indirect ways to adverse health outcomes.<sup>1</sup> For example, according to the

<sup>1</sup> Williams, David R. and Chiquita Collins *Racial Residential Segregation: A Fundamental Cause of Disparities in Health* < <http://www.publichealthreports.org/issueopen.cfm?articleID=1121> > Accessed March 14, 2013

Health Equity Index, a CADH-developed, community-based electronic tool that profiles and measures community conditions that affect health, of the 15 Connecticut communities with the lowest health outcome scores, 14 of them are municipalities where at least 10 percent of housing stock is considered affordable. In other words, affordable housing is least available in the state's most health-promoting areas.

In sum, every Connecticut resident should be able to live in a healthy, affordable home in a neighborhood of opportunity. Understanding the impediments to fair housing choice is critical to reaching this goal, which if achieved, will improve health outcomes statewide in the process. Accordingly, CADH supports *Raised Bill No. 6574: An Act Establishing a Task Force to Consider Impediments to Fair Housing Choice*.

CADH is a nonprofit organization comprised of Connecticut's 74 local health departments and districts. Local health directors are the statutory agents of the Commissioner of Public Health and are critical providers of essential public health services at the local level in Connecticut. Thank you for your consideration.



March 18, 2013

**Testimony to The Planning & Development Committee by  
David Fink, Policy Director, Partnership for Strong Communities**

Senator Cassano, Representative Rojas and Distinguished Members of the Committee,

I am David Fink, policy director for The Partnership for Strong Communities, a statewide housing policy organization that does research and advocates for supportive housing to end homelessness, affordable and mixed-income housing in all communities of Connecticut and state-of-the-art solutions to effective community development.

I am here to support HB6574 because we believe this legislature and this state would benefit from a task force exploration of why barriers to affordable housing exist in many -- too many -- communities across the state

The fact is that state law and policy seeks to create affordable housing in every municipality. Yet, according to DECD, 139 of Connecticut's 169 cities and towns have no affordable housing to speak of. In fact, there is a strong correlation between the 30 municipalities that have a significant amount of affordable housing and school districts that are overburdened and communities that lack many necessary resources. Largely because those low- and moderate-income families have so little choice of schools and neighborhoods that will be best for their children, Connecticut suffers from the largest achievement gap in the nation and many other related problems.

There are many possible reasons why the 139 cities and towns have little to no affordable housing: the wrong zoning, inadequate infrastructure, a lack of experience, knowledge or capacity, or a lack of will. Do communities purposely exclude low- and moderate-income residents? We all have our own opinions. This task force is necessary to find the real reasons and devise solutions.

We hope you will vote to create this task force to examine an issue that is central to the individual opportunity and economic growth this state must foster. Thank you for the opportunity to testify today.

**TESTIMONY OF FIONNUALA DARBY-HUDGENS  
TRINITY COLLEGE CLASS OF 2013  
IN SUPPORT OF H.B. 6574  
CREATING A TASK FORCE TO  
CONSIDER IMPEDIMENTS TO FAIR HOUSING CHOICE  
March 18, 2013**

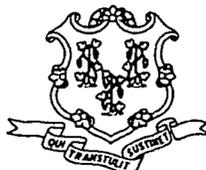
Senator Cassano, Representative Rojas, Senator Fasano, and Representative Aman and members of the Committee, thank you for the opportunity to submit this testimony, which is in strong support of H.B. 6574. I am an adult student and senior at Trinity College, where I am completing my thesis that examines statistical relationships between zoning, housing, and school performance. Working with the Connecticut Fair Housing Center, I analyzed residential zoning ordinances for all municipalities in the state, and coded them according by the degree of restrictions against affordable housing. The data is now publically available at the Cities Suburbs and Schools Project website at Trinity (<http://commons.trincoll.edu/cssp/zoning/>) and will be considered in the Analysis of Impediments to Fair Housing Choice report. The experience of collecting this data, and the results of my preliminary analysis, demonstrate several reasons why municipal zoning policies in Connecticut must be thoughtfully reviewed to consider how they affect the state's ability to remain economically competitive by allowing a wide range of housing in every town.

Comparing municipal zoning ordinances across Connecticut is made difficult due to the lack of uniform terms across towns. For instance, zoning definitions such as "multifamily," "accessory dwelling," "affordable housing," elderly housing," and "mixed-use" vary greatly between municipalities. Such variations make it challenging to draw conclusions about which town zoning schemes are effective for creating mixed-income Smart Growth development. Second, the geographic area of specific residential zones is

difficult to assess because most towns do not report them by size. In other words, a municipal ordinance may state that an affordable housing zone exists, but not state whether it measures 5 acres, 50 acres, or 500 acres. Without uniform reporting requirements, Connecticut cannot make meaningful comparisons between local zoning policies within its own borders.

Based on our reading of all municipal zoning policies across Connecticut, my thesis confirms that exclusionary zoning exists in this state, and is a direct barrier to fair housing. The data confirms that 97 municipalities do not have any policy permitting affordable housing in their zoning ordinances.

A task force that explores the variability and impact of residential zoning policy, and develops a strategy for providing municipalities with resources and education to reform zoning policy, is an essential piece of ending impediments to fair housing across the state of Connecticut. Housing affects health, employment, education, and civic engagement. Zoning policy clearly is a part of this equation that inevitably affects building a greater state. Through the Analysis of Impediments Taskforce, a thoughtful group of experts can suggest more effective action steps to convert town zoning practices into policies that promote a better Connecticut.



## State of Connecticut

African-American Affairs Commission  
State Capitol  
210 Capitol Avenue – Room 509  
Hartford, CT 06106  
860-240-8555

March 18, 2013

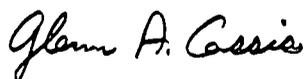
Good Morning Senator Cassano, Representative Rojas, Senator Fason, Representative Aman and members of the Planning and Development Committee, my name is Glenn Cassis, Executive Director of the African-American Affairs Commission (AAAC). The mission of the Commission is to promote and improve the economic, educational, health, safety and political well-being of the African-American community in Connecticut. I wish to submit testimony in support of H. B. 6574 – An Act Establishing a Task Force to Consider Impediment to Fair Housing Choice.

Earlier this month Brandeis University released the study, "The Roots of the Widening Racial Wealth Gap: Explaining the Black-White Economic Divide". The study points out that the wealth gap between Blacks and Whites has almost tripled in the last 25 years reported (1948 – 2009). The median net worth of white households has grown to \$265,000 while for African-Americans only \$28,500. The researches pointed to five factors that together account for two-thirds of the racial wealth gap. They include: ***the number of years of home ownership; average family income; employment stability, particularly through the Great Recession; college education, and family financial support and inheritance.*** In housing for example home equity rose dramatically faster for whites due to historical wealth advantages, receiving family assistance or an inheritance for down payments, ability to pay larger down payments thus lower interest rates and artificial ceiling on home equity in segregated non-white neighborhoods.

In Connecticut the gap in homeownership between whites and African-Americans is more dramatic. According to the US Census, in 2010 merely 45,800 African-Americans in Connecticut owned homes while 830,258 whites owned their homes. Based on the demographic profile, 13.8% of

African-Americans in the State are homeowners while 28% of whites are homeowners. It is vitally important for Connecticut to wrap its arms around the barriers that exist in fair housing choice. The impediments that are preventing homeownership continue to widen the wealth gap. Once established, the taskforce will be able to help point the State in the right direction.

Thank you for considering my testimony.



Glenn A. Cassis  
Executive Director

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**CONNECTICUT  
GENERAL ASSEMBLY  
SENATE**

**PROCEEDINGS  
2013**

**VOL. 56  
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VOICES:

Aye.

THE CHAIR:

Opposed? Senate -- Senate "A" is adopted.

Will you remark further? Senator Slossberg.

SENATOR SLOSSBERG:

Yes, thank you, Madam President.

If there's no objection, I'd ask that this be placed on the Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered.

SENATOR SLOSSBERG:

Thank you.

THE CHAIR:

Thank you.

Mr. Clerk -- oops Senator Looney.

SENATOR LOONEY:

Thank you, thank you, Madam President.

Madam President, if the Clerk would call as the next item from Calendar Page 21, Calendar 469, House Bill 6574.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Page 21, Calendar 469, Substitute for House Bill 6574,  
AN ACT ESTABLISHING A TASK FORCE TO CONSIDER

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SENATE

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May 14, 2013

IMPEDIMENTS TO FAIR HOUSING CHOICE, Favorable Report  
of the Committee on Planning and Development.

THE CHAIR:

Senator Cassano.

SENATOR CASSANO:

Yes, Madam Chair, thank you.

First of all I'd like to move LCO 6139.

THE CHAIR:

Sir, would you -- that -- that Amendment has been  
already called and the bill has been amended with that  
as Senate "A".

SENATOR CASSANO:

All right, the bill -- move passage of the bill and  
waive its reading. It alters the underlying bill by  
modifying the composition of the task force which  
doesn't change the fiscal impact identified. It's  
very simply a study task force.

THE CHAIR:

Motion is on adoption and I have to correct myself.  
It was on -- it had House Amendment Schedule "A"  
adopted with it.

Will you remark, sir?

SENATOR CASSANO:

The task force is a study bill and it's trying to  
eliminate some areas of discrimination within the bill  
and I would urge its adoption.

THE CHAIR:

Will you remark? Will you remark? Senator Markley.

SENATOR MARKLEY:

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Thank you, Madam President.

If I may, through you, ask the proponent of the bill if he can give us some examples of what the -- what is the -- what are the -- what the questions of discrimination are which require the formation of a task force to exam? If there are some examples of something that's out there that is not currently covered by statute or if there is some legal impediment to addressing them otherwise through administrative functions.

THE CHAIR:

Senator Cassano.

SENATOR CASSANO:

Thank you, through you, Madam President.

There have been concerns about people with disabilities, as an example, that have not been given equal access. There are others of racial and ethnic groups. They're trying to look at all of the different aspects to make sure everybody has equal opportunity in housing.

THE CHAIR:

Senator Markley.

SENATOR MARKLEY:

Thank you, Madam President.

And thank you to Senator Cassano.

THE CHAIR:

Thank you.

Will you remark further? Will you remark further?  
Senator McKinney.

SENATOR MCKINNEY:

Thank you, Madam President.

I -- I just -- relevant to the bill but not to its substance, I stand disappointed that this task force which deals with impediments to fair housing never saw the Housing Committee. For years I've been proud to serve in the Housing Committee when it was a select committee and then I guess upgraded to a full committee.

As a select committee, Housing Committee bills were required to go to Planning and Development and so I understand the historical connection and nexus between the two but we've gone through great steps to recognize housing as a more important issue, an agency related to housing and a committee -- a full committee related to housing issues and here we are creating a task force regarding fair housing that never got to see the Housing Committee.

I don't know what the hurry is or why we needed to skip the Housing Committee. I know there's no mandatory referral to it but I -- I would certainly hope when the task force is done with its work that the Housing Committee gets to see it or perhaps when we reconvene to see our rules next year we should amend our rules to get rid of the Housing Committee altogether which would be a mistake but this is equally as disrespectful to that good Committee.

Thank you.

THE CHAIR:

Thank you.

Will you remark further?

SENATOR CASSANO:

Yes, through you, Madam President, I -- I agree with the good Senator. I think it was probably more oversight than anything else and the Housing Committee will be part of that task force.

THE CHAIR:

Thank you.

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Will you remark further? Senator Guglielmo.

SENATOR GUGLIELMO:

Thank -- thank you, Madam President.

Just a quick question for the proponent.

THE CHAIR:

Please proceed, sir.

SENATOR GUGLIELMO:

Senator -- thank you, Madam President.

I don't know if this task force intends to address this -- this particular problem but I'd be interested to know. In some of the senior housing units you know there are vacancies and in the past there's been reluctance to put disa -- disabled folks into these vacant units because of the age difference and then the lifestyle difference between say a young disabled male and seniors.

Would this task force attempt to address any of that?

THE CHAIR:

Senator Cassano.

SENATOR CASSANO:

Yes, thank you, Madam Chairman.

Through you, I think you basically hit the nail on the head when you take the term disability and try and define that. It is such a broad area to define that it has literally created multiple problems within housing units and so on. I would hope that all of the different aspects would be looked at. We may come up with a sensible solution.

THE CHAIR:

Senator Guglielmo.

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SENATOR GUGLIELMO:

Thank you, Senator.

Yes, thank you, Madam. I -- I do intend to vote for the bill.

Thank you, Madam President.

THE CHAIR:

Thank you.

Oh, Senator, please proceed.

SENATOR KANE:

Thank you, Madam President.

Through you, a question to the proponent of the bill.

THE CHAIR:

Please proceed, sir.

SENATOR KANE:

Thank you, Madam President.

Senator Guglielmo's question reminded me of something that has taken place in my district in regards to a public housing unit with typically the majority of the makeup of the residents as elderly individuals and yet there are some younger disabled individuals -- or people who are on disability I should say living amongst that same population.

So this is a question similar to Senator Guglielmo when you say the task force will look at this situation, I dare call it a problem, I've always gotten the response that, you know, this is something that has come down from the federal level and really nothing we can do about. Can you speak to that at all?

Through you, Madam President.

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THE CHAIR:

Senator Cassano.

SENATOR CASSANO:

Through you, Madam President, I anticipated that question. It is -- as a former mayor I -- I saw dramatic change within a housing unit because of federal rules and regulations. If we can identify some of these concerns with some hope, maybe we can get somebody at that level to start to help us address them because they're not being addressed, they're being ignored.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

I appreciate Senator Cassano's answer. Is there -- is there a way, and I -- and I apologize for not looking up each and every member of this task force, but if -- is there a way to either a) include someone from the congressional delegation on the task force or someone from a federal agency on the task force? If not, require input from said agencies or delegation.

Through you.

THE CHAIR:

Senator Cassano.

SENATOR CASSANO:

I don't know if there could be of -- official position but I would make it my personal goal to make sure -- sure that each is invited to attend and participate in those meetings even on an ad hoc basis because I think they have to understand what's really happening on the ground here and they do not.

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THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

I thank Senator Cassano for his answers because this is an issue that takes place in -- in my district and -- and I'd be curious as to the progression of it and I appreciate your answers. Thank you very much.

THE CHAIR:

Thank you.

SENATOR CASSANO:

Thank you.

THE CHAIR:

Will you remark further? Will you remark further? If not, Senator Cassano.

SENATOR CASSANO:

I wish to put it on the Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered, sir.

Senator Looney.

SENATOR LOONEY:

Yes, thank you, Madam President.

Madam President, if the Clerk would -- would next call from Calendar Page 26, Calendar 509, House Bill 6348.

THE CHAIR:

Mr. Clerk.

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The bill passes.

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, if the Clerk might now call the items on the Consent Calendar before proceeding to a vote on that Consent Calendar.

THE CHAIR:

Mr. Clerk.

THE CLERK:

On Page 1, Calendar 545, Senate Resolution Number 27; also on Page 1, Calendar 546, Senate Resolution Number 28. On Page 2, Number 547, Senate Resolution Number 29. On Page 2, Number 549, Senate Resolution Number 31. On Page 5, Number 184, Senate Bill 1026. On Page 7, Calendar Number 253, Senate Bill Number 763. On Page 16, Calendar Number 412, Senate Bill Number 962. On Page 17, Calendar Number 436, Senate Bill Number 673. On Page 18, Calendar Number 438, Senate Bill Number 761. Also on Page 18, Calendar Number 443, Senate Bill Number 1056. On Page 19, Calendar Number 449, Senate Bill Number 828. On Page 20, Calendar Number 461, House Bill Number 6540.

On Page 21, Number 469, House Bill Number 6574. On Page 23, Number 480, Senate Bill Number 238. On Page 25, Calendar Number 501, House Bill Number 5799. Also on Page 25, Number 507, House Bill Number 5117. On Page 26, Calendar Number 508, House Bill Number 6571. On Page 26, Calendar Number 509, House Bill Number 6348. Also on Page 26, Calendar Number 510, House Bill Number 6007 and on Page 26, Calendar Number 512, House Bill Number 6392.

On Page 40, Calendar Number 48, Senate Bill Number 519. On Page 40, Calendar Number 60, Senate Bill Number 859. Also on Page 40, Calendar Number 104, Senate Bill Number 833.

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On Page 41, Calendar Number 107, Senate Bill Number 917. On Page 42, Calendar Number 123, Senate Bill Number 434. On Page 43, Calendar Number 129, Senate Bill Number 898. Also on Page 43, Calendar Number 139, Senate Bill Number 158. On Page 43, Calendar Number 167, Senate Bill Number 879.

On Page 45, Calendar Number 195, Senate Bill Number 816. Also on Page 45, Calendar Number 204, Senate Bill 652. On Page 47, Calendar Number 241, Senate Bill 1040. On Page 48, Calendar Number 269, Senate Bill 1003. Also on Page 48, Calendar Number 270, Senate Bill Number 1007.

On Page 50, Calendar Number 304, Senate Bill 1019. Also on Page 50, Calendar Number 310, Senate Bill 903. And finally on Page 53, Calendar Number 399, Senate Bill 1069.

THE CHAIR:

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

THE CLERK:

Immediate roll call vote has been ordered in the Senate. Immediate roll call vote has been ordered in the Senate. Senators please return to the Chamber. Immediate roll call vote in the Senate.

THE CHAIR:

If all members have voted, if all members have voted the machine will be locked. Mr. Clerk, will you please call the tally.

THE CLERK:

On Consent Calendar Number 1.

Total Number Voting	36
Necessary for Adoption	19
Those Voting Yea	36
Those Voting Nay	0
Those Absent and not Voting	0

THE CHAIR:

Consent Calendar is passed.

Are there any points of personal privilege?

Senator Doyle.

SENATOR DOYLE:

Thank you, Madam President.

Yeah for a point of information for the Chamber.

THE CHAIR:

Please proceed, sir.

SENATOR DOYLE:

Yes, thank you, Madam President.

Tomorrow the General Law Committee will be meeting at 11:15 outside the Hall of the House. The bulletin said 15 minutes before the early session so now we're making it definitive. Tomorrow at 11:15 outside the Hall of the House the General Law Committee will be considering one bill that was referred to us.

Thank you, Madam President.

THE CHAIR:

Thank you.

Senator Duff next.

SENATOR DUFF:

Thank you, Madam President.

For the point of announcement please.

THE CHAIR:

Please proceed, sir.