

SA13-8

SB1049

House	6093-6096	4
Planning & Development	(809-814), (1140-1147), 1154-1156, 1227-1230, 1304-1305, 1310-1312	26
Senate	1473, 1509-1511	4
		34

H – 1167

**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2013**

**VOL.56
PART 18
5882 – 6232**

(Chamber at ease.)

SPEAKER SHARKEY:

Will the Chamber come back to order. Will the Clerk please call Calendar number 560.

THE CLERK:

On page 26 of today's Calendar, Mr. Speaker, House Calendar 560, favorable report of the joint standing Committee on Planning and Development, substitute Senate Bill 1049, AN ACT CONCERNING THE MIDDLESEX COUNTY REVITALIZATION COMMISSION.

SPEAKER SHARKEY:

Representative Rojas, the distinguished Chair of the Planning and Development Committee, you have the floor, Sir.

REP. ROJAS (9th):

Good afternoon, Mr. Speaker.

SPEAKER SHARKEY:

Good afternoon, Sir.

REP. ROJAS (9th):

I move acceptance of the joint committee's favorable report and passage of the bill in concurrence with the Senate.

SPEAKER SHARKEY:

Question is on acceptance of the joint committee's favorable report and passage of the bill in concurrence with the Senate. Will you remark, Sir?

REP. ROJAS (9th):

The bill clarifies the organizational structure and duties of the Middlesex County Revitalization Committee which is a partnership between the business community and the government community in Middlesex County. They're -- they operate under a special act from 1993. They are expanding their responsibilities and the role they want to play in economic development. They approached the Planning and Development Committee about clarifying their responsibilities and the bill is a result of that. I urge passage.

SPEAKER SHARKEY:

Thank you, Sir. Would you care to remark further on the bill that's before us? The distinguished Ranking Member of the Planning and Development Committee, Representative Aman.

REP. AMAN (14th):

Good morning, Mr. Speaker.

SPEAKER SHARKEY:

Good afternoon, Sir.

REP. AMAN (14th):

Good afternoon. We're having fun. The summary is correct. It is mostly technical. It does allow them to do some water related but not directly -- or water related environmental businesses that they're not currently in.

Like many of the water companies they're having a problem now we are reducing our demand for water being more careful in how much water we use and that has of course cut into their revenues. And this will help to stabilize rates for the water users in that area. So I do urge passage.

SPEAKER SHARKEY:

Thank you, Sir. Would you care to remark? Do you care to remark further on the bill that's before us? 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 members please return to the Chamber immediately.

SPEAKER SHARKEY:

Have all the members voted? Have all the members

voted? Will the members please check the board to make sure your votes are properly cast. 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:

In concurrence with -- in concurrence with the Senate substitute Senate Bill 1049.

Total Number Voting	135
Necessary for Adoption	68
Those voting aye	135
Those voting nay	0
Absent and not voting	15

SPEAKER SHARKEY:

The bill passes in concurrence with the Senate.

Will the Clerk please call Calendar number 417.

THE CLERK:

On page 17, Calendar number 417, favorable report of the joint standing Committee GAE, House Bill 6290, AN ACT CONCERNING DONATIONS MADE FROM JOINT CHECKING ACCOUNTS.

SPEAKER SHARKEY:

The very distinguished Representative from the 91st District, Michael D'Agostino, you have the floor,

**JOINT
STANDING
COMMITTEE
HEARINGS**

**PLANNING AND
DEVELOPMENT
PART 3
681 - 1019**

2013

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rc/gbr PLANNING AND DEVELOPMENT
COMMITTEE

March 1, 2013
10:00 A.M.

Representative Berger. Is Representative Berger here? No? Moving right along.

Hi. Let's get -- go with Laura Francis. Is Laura Francis here?

LAURA FRANCIS: Good morning. Thank you for having me (inaudible) -- and I have here with me Jeff Pugliese who is the Middlesex Chamber of Commerce staff person assigned to the Commission.

(SB1049)

I am not here to talk about any of the proposed bills that you have before you, but I am asking you to please consider adding our proposed legislation where -- where and when you can to your Agenda. I am here today because you have some bills before you that are addressing governing boards and governing legislation on some other regional commissions, so I am asking you to consider our legislation that unfortunately was a little late in getting to your committee.

Middlesex County Revitalization Commission is a regional economic development commission that was originally created by an act of the General Assembly. And if you read that original legislation, you will see that it's -- it's a little light in -- in addressing some of our current needs.

Since its inception, we have been helping small businesses in Middlesex County in growing their businesses by offering revolving loan funds.

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rc/gbr PLANNING AND DEVELOPMENT
COMMITTEE

March 1, 2013
10:00 A.M.

Recently we have become a lot more active because we were the beneficiaries of an infusion of money from DECD to get money quickly onto the streets of Middlesex County to -- to help economic development.

I have before you testimony, so I will take your advice and just be here for some questions, and if you have any, on what we are seeking here.

SENATOR FASANO: So -- so first of all, thank you for coming up, and I understand the issue that this sort of crept up on you, and we're trying to see what we can do to help the town. But specifically, if you don't mind telling the Committee what you're trying to change in terms of existing legislation to achieve the goal, and why you need it changed to achieve that goal.

LAURA FRANCIS: Well --

SENATOR FASANO: And if I can, also --

LAURA FRANCIS: Sure.

SENATOR FASANO: Can you also describe if that change would affect any other municipality?

LAURA FRANCIS: Well the Middlesex County -- this involves all the towns of Middlesex County. The membership is the Chief Elected Official of all the Member Towns, and we meet once a month. And each municipality is allowed to bring forth

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COMMITTEE

March 1, 2013
10:00 A.M.

loan -- and to advocate for loans for businesses in their community. So it would help every town and municipality in Middlesex County.

The updated language more accurately reflects our role to -- to strengthen the business and economic interests. And I'll give you one small example. Right now we -- when we approve loans, we often accept as part of that loan, collateral. But there's nothing in the current legislation that if that loan is defaulted, would allow us to legally accept ownership of that collateral. So this new legislature -- just one aspect of this legislation that would provide us the ability to administer that loan.

Jeff, do you have any other things to add?

JEFF PUGLIESE: Well --

SENATOR FASANO: I saw you shaking your head on the collateral issue. Can you help me out with that? You mean if -- so if there's a default on a loan, there's nothing within our statute that allows the municipality to go after that collateral?

LAURA FRANCIS: Nothing explicit. We probably could find something.

SENATOR FASANO: And I'm trying -- I apologize because I'm trying -- I didn't -- I didn't get hooked in, so I'm trying to find your testimony. Thank you.

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COMMITTEE

March 1, 2013
10:00 A.M.

So what you're looking to do is --

LAURA FRANCIS: Copies are here, right?

SENATOR FASANO: Yes, down here. To change the language to allow -- is that -- that and what else?

LAURA FRANCIS: That's one small aspect of it.

SENATOR FASANO: Okay. All right. And this will help all the municipalities to achieve -- to better their position with respect to revitalization. Is that correct?

LAURA FRANCIS: That's correct. Jeff.

JEFF PUGLIESE: Well I'll just say from a --

SENATOR FASANO: Please go ahead.

JEFF PUGLIESE: Yes. Good morning. I'll just say from a Chamber perspective. Oh sure, Jeff Pugliese, Middlesex County Chamber of Commerce. Thank you for having us this morning.

I'll just say from a Chamber perspective, in addition to the 15 Member Towns, the Chief Elected Officials or a designee, the Chamber of Commerce has a representative on the Commission, so we feel that we're on the -- you know, kind of on the ground and on the front lines of economic development within the county, so we feel this is critically important

to the regional economic development. So I'll just say that for your review.

LAURA FRANCIS: And I would also like to give kudos to our staff. We work very, very closely with DECD, and we have actually just received accolades from them as one of the lending partners that have most specifically followed their direction in administering these loans. So we have a good reputation in -- in doing the business that we were assigned. And -- and I also want to say that we have a great commitment of the Chief Elected Officials in our community. They take their role as advocates for small business very seriously. We have good attendance at all of the meetings, and we -- when we make our decisions, we -- we make them in a regional fashion. When I'm there to speak for -- for a business from the Town of Durham, I'm also there advocating for businesses in our neighboring town, because we recognize that even if a business is physically located in one business -- in one town, there is regional benefit for -- for all of our towns to have these -- these small business remain strong.

And -- and the loans that we approve sometimes are loans to businesses that are good, solid businesses, but maybe not bankable in the more -- most traditional way. So we're able to infuse money to -- to businesses that may have limited sources in -- in other ways.

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COMMITTEE

March 1, 2013
10:00 A.M.

SENATOR FASANO: Just as another followup. I know you have the legislation in the back of this. Jeff, or either one, is this a total re-write, or, you know, sometimes they underline new stuff? Is this a total re-write?

LAURA FRANCIS: It's a total re-write. Because when -- if you look back at Public Act 93-36, you'll see that it's only one paragraph.

SENATOR FASANO: Yep. All right.

LAURA FRANCIS: And -- and -- and this legislation is mirrored after some other lending -- revolving loan commissions in the state. It's -- it's nothing new. It's -- it's -- it's a templated piece of legislation that we used from other successful organizations.

SENATOR FASANO: Thank you. And thank you for coming up here.

LAURA FRANCIS: Thank you.

SENATOR CASSANO: Senator Leone. Thank you.

SENATOR LEONE: Good morning.

A VOICE: Good morning.

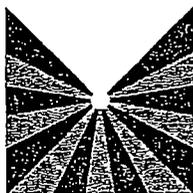
SENATOR LEONE: Good morning, Chairmen, Senator Cassano, Representative Rojas, Ranking Members, Senator -- I mean Senator Cassano -- Fasano -- Cassano -- they're the same.

**JOINT
STANDING
COMMITTEE
HEARINGS**

**PLANNING AND
DEVELOPMENT
PART 4
1020 - 1336**

2013

GA



Middlesex
County
Revitalization
Commission

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February 28, 2013

Planning and Development Committee
Room 2100, Legislative Office Building
Hartford, CT 06106

(SB 1049)

Members of the Planning and Development Committee:

The Middlesex County Revitalization Commission (MCRC) is a Regional Economic Development Commission originally created by act of the General Assembly, S.A. 93-36, in 1993. The purpose of the commission is to coordinate the efforts of the 15 towns in Middlesex County in the revitalization of the manufacturing, commercial and business districts within those communities.

Chester

Since its inception, MCRC has evolved as the business needs of the county have changed. Currently, MCRC serves as a regional lender of small business loans from its revolving loan fund established in 1997. In recent years, MCRC has acted as a regional lending partner of DECD funds through the Small Business Express program.

Clinton

Cromwell

Deep River

Durham

East Haddam

East Hampton

Essex

Haddam

Killingworth

Middlefield

Middletown

Old Saybrook

Portland

Westbrook

As its role in the economic revitalization of Middlesex County has changed, the Commission, whose members are the chief elected officials, or a designee, from each of the 15 towns in the county, recognizes the need to update the enabling legislation. The updated language more accurately reflects the role MCRC is currently undertaking in the county, and establishes a broader framework from which MCRC can continue to grow and strengthen the business and economic interests of the communities it serves.

The attached draft legislation is proposed as an amendment to the original enabling legislation and seeks to encompass the types of economic development projects MCRC is in the process of implementing in Middlesex County. It is our desire to provide MCRC with this broader and more encompassing enabling legislation which will allow it to continue to grow and serve our communities for the needs to the next 20 years, and beyond.

Thank you for opportunity to provide testimony on this important subject.

MIDDLESEX COUNTY REVITALIZATION COMMISSION

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Sec. 1. Middlesex County Revitalization Commission. Board. (a) There is hereby created as a body politic and corporate, constituting a public instrumentality and political subdivision of the state created for the performance of an essential public and governmental function, the Middlesex County Revitalization Commission, which is empowered to carry out the purposes of the commission, as defined in section 4, which are hereby determined to be public purposes for which public funds may be expended. The Middlesex County Revitalization Commission shall not be construed to be a department, institution or agency of the state.

(b) The members of the commission shall consist of (1) one member from each of the fifteen cities and towns in Middlesex county, who shall be a business executive or governmental officer and shall be appointed to the commission by the chief executive officer of the city or town, and (2) the vice-president of the Middlesex Chamber of Commerce. The commission shall elect a chairperson from its members. Each member shall have one vote on any matter before the commission except that the chairperson shall vote only in the event of a tie. Members shall be appointed for two-year terms beginning July 1, 2013, and biennially thereafter. The chief executive officer of the city or town shall fill any vacancy for the unexpired term of a member appointed by such chief executive officer of the city or town. The appropriate legislative appointing authority shall fill any vacancy for the unexpired term of a member appointed by such authority. A member of the commission shall be eligible for reappointment. Any member of the commission may be removed by the commission for misfeasance, malfeasance or willful neglect of duty. Meetings of the commission shall be held at such times as shall be specified in the bylaws adopted by the commission and at such other time or times as the chairperson deems necessary. The commission is empowered to adopt bylaws and regulations for putting into effect its purposes. The accounts of the commission shall be subject to annual audit by the state Auditors of Public Accounts. The commission may cause an audit of its books and accounts to be made at least once each fiscal year by certified public accountants. The powers of the commission shall be vested in and exercised by not less than nine of the members of the commission then in office. Such number of members shall constitute a quorum and the affirmative vote of a majority of the members present at a meeting of the commission shall be necessary for any action taken by the commission. No vacancy in the membership of the commission shall impair the right to exercise all the rights and perform all the duties of the commission. Any action taken by the commission may be authorized by resolution at any regular or special meeting, and each such resolution shall take effect immediately and need not be published or posted. The commission shall be exempt from the provisions of section 4-9a.

(c) The members of the commission shall adopt written procedures, in accordance with the provisions of section 1-121, for: (1) adopting an annual budget and plan of operations; (2) hiring, dismissing, promoting and compensating employees of the commission; (3) acquiring real and personal property and personal services; (4) contracting for financial, legal, and other professional services; and (5) awarding loans, grants and other financial assistance, including

eligibility criteria, the application process and the role played by the commission's staff and members of the commission and including deadlines for the approval or disapproval of applications for such assistance by the commission on and after July 1, 2013.

(d) Notwithstanding any provision of the law to the contrary, it shall not constitute a conflict of interest for a trustee, director, partner, officer, stockholder, proprietor, counsel or employee of any person, or for any other individual having a financial interest in any person, to serve as a member of the commission; provided such trustee, director, partner, officer, stockholder, proprietor, counsel, employee or individual shall file with the commission a record of his capacity with or interest in such person and abstain and absent himself from any deliberation, action and vote by the commission in specific respect to such person.

(e) The commission shall continue until its existence is terminated by law. Upon the termination of the existence of the commission, all its rights and properties shall pass to and be vested in the State of Connecticut.

Sec. 2. Legislative finding. It is hereby found and declared that there is a continuing need in Middlesex county for: (1) economic development and activity to provide and maintain employment and tax revenues, promote the export of products and services beyond county and state boundaries, encourage innovation in products and services, and support or broaden the economic base of the county, the control, abatement and prevention of pollution to protect the public health and safety, and the development and use of indigenous and renewable energy resources to assist industrial and commercial businesses in meeting their energy requirements; (2) the development of recreation facilities to promote tourism, to provide and maintain employment and tax revenues and to promote the public welfare; (3) the development of commercial and retail sales and services facilities in urban areas to provide and maintain construction, permanent employment and tax revenues, to improve conditions of deteriorated physical development, slow economic growth and eroded financial health of the public and private sectors in urban areas and to revitalize the economy of urban areas; (4) assistance to public service businesses providing transportation and utility services in the county; (5) development of the commercial fishing industry to provide and maintain employment and tax revenues; (6) the development of high-technology businesses and business incubators that assist high-technology businesses; (7) assistance to consortia consisting of businesses creating partnerships with higher education facilities; and (8) assistance to nonprofit and governmental entities in financing facilities providing health, educational, charitable, community, cultural, agricultural, consumer or other services benefiting the citizens of the county; that the availability of financial assistance and suitable facilities are important inducements to industrial, commercial and nonprofit enterprises to remain or locate in this county and to provide economic development projects, recreation projects, urban projects, public service projects, commercial fishing projects, health care projects and nonprofit projects; that there are significant barriers inhibiting access to financial institutions and the public capital markets to assist in financing economic development and other projects in the county; that the exercise by the commission of the powers in this chapter will promote economic development by increasing access to the public capital markets for the commission and eligible financial institutions; and that therefore the necessity in the public interest and for the public benefit and good for the provisions of this chapter is hereby declared as a matter of legislative determination. The commission shall (1) coordinate efforts to revitalize the manufacturing, business and commercial districts of

644478

Middlesex County cities and towns and (2) assist such cities and towns in developing and implementing a self-reliant, ongoing economic revitalization campaign. In selecting locations for economic development activities, the commission shall consider: (1) the interest in, and commitment to, economic development and historic preservation by the private and public sectors of the community, (2) past and potential private investment in the economic development program of the community, (3) the community's organization for, and financial commitment to, the implementation of a long-term economic revitalization program and (4) the regional effect of a community's economic development program on the economic planning and development goals of the commission. The commission may contract for the services of a coordinator for economic development programs. The coordinator shall: (1) carry out the commission's responsibilities under any contracts between the commission and service providers, (2) coordinate the activities of the commission's programs, in consultation with the cities and towns of the county and state agencies involved in the programs, (3) monitor the progress of economic development programs, (4) assist mayors and selectmen in the county in developing individual programs and (5) perform such other duties which are necessary to further the economic development and cooperative planning activities of the commission.

Sec. 3. Definitions. For the purposes of this chapter, the following terms shall have the following meanings unless the context indicates another meaning and intent:

- (a) "County" means Middlesex County, Connecticut.
- (b) "State" means the state of Connecticut.
- (c) "Municipality" means any town, city or borough in the state.

(d) "Project" means any facility, plant, works, system, building, structure, utility, fixture or other real property improvement located in the county, any machinery, equipment, furniture, fixture or other personal property to be located in the county and the land on which it is located or which is reasonably necessary in connection therewith, which is of a nature or which is to be used or occupied by any person for purposes which would constitute it as an economic development project, information technology project, public service project, urban project, recreation project, commercial fishing project, health care project, nonprofit project or remediation project, and any real property improvement reasonably related thereto.

(e) "Federal agency" means the United States, the president of the United States and any department of, or corporation, agency or instrumentality designated or established by, the United States.

(f) "Person" means any person, including individuals, firms, partnerships, associations, cooperatives, limited liability companies or corporations, public or private, for profit or nonprofit, organized or existing under the laws of the state or any other state, and, to the extent otherwise permitted by law, any municipality, district, including any special district having taxing powers, agency, authority, instrumentality, or other governmental entity or political subdivision in the state or any federal agency.

(g) "Purposes of the commission", means the purposes of the commission expressed in and pursuant to the commission legislation, including with respect to the promotion, planning and designing, developing, encouraging, assisting, acquiring, constructing, reconstructing, improving, maintaining and equipping and furnishing of a project and assisting directly or indirectly in the financing of the cost thereof.

(h) "Economic development project" means any project which is to be used or occupied by any person for (1) manufacturing, industrial, research, office or product warehousing or distribution purposes, and which the commission determines will tend to maintain or provide gainful employment, maintain or increase the tax base of the economy, or maintain, expand or diversify industry in the county, or (2) controlling, abating, preventing or disposing land, water, air or other environmental pollution, including without limitation thermal, radiation, sewage, wastewater, solid waste, toxic waste, noise or particulate pollution, except resources recovery facilities, as defined in section 22a-219a, used for the principal purpose of processing municipal solid waste and which are not expansions or additions to resources recovery facilities operating on July 1, 1990, or (3) the conservation of energy or the utilization of cogeneration technology or solar, wind, hydro, biomass or other renewable sources to produce energy for any industrial or commercial application, or (4) any other purpose which the commission determines will materially contribute to the economic base of the county by creating or retaining jobs, promoting the export of products or services beyond county and state boundaries, encouraging innovation in products or services, or otherwise contributing to, supporting or enhancing existing activities that are important to the economic base of the county.

(i) "Commission" means the Middlesex County Revitalization Commission or its successor as established and created under section 1.

(j) "Recreation project" means any project which is to be primarily available for the use of the general public including without limitation stadiums, sports complexes, amusement parks, museums, theaters, civic, concert, cultural and exhibition centers, centers for the visual and performing arts, hotels, motels, resorts, inns and other public lodging accommodations and which the commission determines will tend to (1) promote tourism, (2) provide a special enhancement of recreation facilities in the county or (3) contribute to the business or industrial development of the county.

(k) "Public service project" means any project which is to be used or occupied by a common carrier or public utility to provide bus, truck, rail, limousine, water or air transportation services or water, sewer, gas, electricity, or telephone utility services, and which the commission determines will tend to assist the common carrier or public utility in providing service to the general public in the county. A public service project may include ferry boats or railroad rolling stock, but may not include any other vehicle, aircraft or watercraft.

(l) "Urban project" means any project which is to be used or occupied by any person for commercial or retail sales or service purposes located wholly or partly within an urban municipality in the county and which the commission determines will tend (1) to maintain or provide gainful construction or permanent employment, maintain or expand the tax base of the economy or maintain, expand or diversify industry in the county, or (2) to otherwise revitalize the economy of the urban municipality. An "urban municipality", for the purposes of this

definition, means any municipality which is a "distressed municipality" as defined in subsection (b) of section 32-9p.

(m) "Commercial fishing project" means any project which is to be used or occupied by any person for commercial fishing purposes or for support, maintenance, storage, production, or manufacturing purposes reasonably related to commercial fishing activity, including without limitation commercial fishing vessels, docks, wharves, piers, land or floating processing facilities, transportation terminals, facilities for the maintenance, storage, and construction of vessels and equipment, and fish storage and handling facilities.

(n) "Health care project" means any project which is to be used or occupied by any person for the providing of services in any residential care home, nursing home or rest home, as defined in subsection (c) of section 19a-490, or for the providing of living space for physically handicapped persons or persons sixty years of age or older.

(o) "Nonprofit project" means any project which (1) is to be used or occupied by any person organized and operated not for profit but exclusively for health, educational, charitable, community, cultural, agricultural, consumer or other purposes benefiting the citizens of the county, or as an agricultural or hospital cooperative or service organization or as a chamber of commerce or trade or professional association and (2) which the commission determines satisfies a public need not adequately met by businesses operating for profit.

(p) "Information technology project" means any project (1) providing information technology intensive office or laboratory space, including, but not limited to, smart buildings, incubator facilities, or any project that is to be used or occupied by any person specializing in e-commerce technologies or other technologies using high-speed communications infrastructure, and (2) which the commission deems will materially contribute to the economic base of the county by creating or retaining jobs, promoting the export of products or services beyond county borders, encouraging innovation in products or services, or otherwise contributing to, supporting or enhancing existing activities that are important to the economic base of the county.

(q) "Incubator facilities" has the same meaning as incubator facilities in subdivision (5) of section 32-34.

(r) "Smart building" means a building that houses, for use by its tenants, an information or communications infrastructure capable of transmitting digital video, voice and data content over a high-speed wired, wireless or other communications intranet and provides the capability of delivering and receiving high-speed digital video, voice and data transmissions over the Internet.

(s) "Commission legislation" means this chapter, and any other provisions of the general statutes or any public or special act setting forth or governing the powers and duties of the commission.

(t) "Remediation project" means any project (1) involving the development, redevelopment or productive reuse of real property within this county that (A) has been subject to a spill, as defined in section 22a-452c, (B) is an establishment, as defined in subdivision (3) of 644478

section 22a-134, (C) is a facility, as defined in 42 USC 9601(9), or (D) is eligible to be treated as polluted real property for purposes of section 22a-133m or contaminated real property for purposes of section 22a-133aa or section 22a-133bb, provided the development, redevelopment or productive reuse is undertaken pursuant to a remediation plan meeting all applicable standards and requirements of the Department of Environmental Protection, (2) that the commission determines will add or support significant new economic activity or employment in the municipality in which such project is located or will otherwise materially contribute to the economic base of the county or the municipality or will provide a residential or mixed-use development pursuant to chapter 828, and (3) for which assistance from the commission will be needed to attract necessary private investment.

Sec. 4. Powers of commission. To accomplish the purposes of the commission, as defined in subsection (g) of section 3, which are hereby determined to be public purposes for which public funds may be expended, and in addition to any other powers provided by law, the commission shall have power to: (1) Determine the location and character of any project to be financed under the provisions of said chapters and sections, provided any financial assistance shall be approved in accordance with written procedures prepared pursuant to subdivision (11) of this section; (2) purchase, receive, by gift or otherwise, lease, exchange, or otherwise acquire, and construct, reconstruct, improve, maintain, equip and furnish one or more projects, including all real and personal property which the commission may deem necessary in connection therewith, and to enter into a contract with a person therefor upon such terms and conditions as the commission shall determine to be reasonable, including but not limited to reimbursement for the planning, designing, financing, construction, reconstruction, improvement, equipping, furnishing, operation and maintenance of the project and any claims arising therefrom and establishment and maintenance of reserve and insurance funds with respect to the financing of the project; (3) sell or lease to any person, all or any portion of a project, for such consideration and upon such terms as the commission may determine to be reasonable; (4) mortgage or otherwise encumber all or any portion of a project whenever it shall find such action to be in furtherance of the purposes of said chapters and sections; (5) enter into agreements with any person, including prospective mortgagees and mortgagors, for the purpose of planning, designing, constructing, acquiring, altering and financing projects, or for any other purpose in furtherance of any other power of the commission; (6) grant options to purchase or renew a lease for any of its projects on such terms as the commission may determine to be reasonable; (7) employ or retain attorneys, accountants and architectural, engineering and financial consultants and such other employees and agents to assist it in carrying out the purposes of said commission legislation; (8) borrow money or accept gifts, grants or loans of funds, property or service from any source, public or private, and comply, subject to the provisions of said commission legislation, with the terms and conditions thereof; (9) accept from a federal agency loans, grants or loan guarantees or otherwise participate in any loan, grant, loan guarantee or other financing or economic or project development program of a federal agency in furtherance of, and consistent with, the purposes of the commission, and enter into agreements with such agency respecting any such loans, grants, loan guarantees or federal agency programs; (10) in connection with any application for assistance under said commission legislation, or commitments therefor, to make and collect such fees and charges as the commission shall determine to be reasonable; (11) adopt procedures, in accordance with the provisions of section 1-121, to carry out the provisions of said commission legislation, which may give priority to applications for financial assistance based upon the extent the project will materially contribute

to the economic base of the county by creating or retaining jobs, providing increased wages or benefits to employees, promoting the export of products or services beyond the boundaries of the county, encouraging innovation in products or services, encouraging defense-dependent business to diversify to nondefense production; (12) adopt an official seal and alter the same at pleasure; (13) maintain an office at such place or places within the county as it may designate; (14) sue and be sued in its own name and plead and be impleaded, service of process in any action to be made by service upon the chairman of said commission either in hand or by leaving a copy of the process at the office of the commission with some person having charge thereof; (15) employ such assistants, agents and other employees as may be necessary or desirable for its purposes, which employees shall be exempt from the classified service and shall not be employees as defined in subsection (b) of section 5-270; contract for and engage appraisers of industrial machinery and equipment, consultants and property management services, and utilize the services of other governmental agencies; (16) when it becomes necessary or feasible for the commission to safeguard itself from losses, acquire, purchase, manage and operate, hold and dispose of real and personal property, take assignments of rentals and leases and make and enter into all contracts, leases, agreements and arrangements necessary or incidental to the performance of its duties; (17) in order to further the purposes of said commission legislation, or to assure the payment of the principal and interest on notes of the commission, purchase, acquire and take assignments of notes, mortgages and other forms of security and evidences of indebtedness, purchase, acquire, attach, seize, accept or take title to any project by conveyance or, by foreclosure, and sell, lease or rent any project for a use specified in said chapters and sections or in this chapter; (18) adopt rules for the conduct of its business; (19) invest any funds not needed for immediate use or disbursement, including any funds held in reserve, in obligations issued or guaranteed by the United States of America or the state of Connecticut and in other obligations which are legal investments for savings banks in this state; (20) do, or delegate, any and all things necessary or convenient to carry out the purposes and to exercise the powers given and granted in said commission legislation.

Sec. 5. Exemption from state and local taxes and assessments. The exercise of the powers granted by the commission legislation shall constitute the performance of an essential governmental function and the commission shall not be required to pay any taxes or assessments upon or in respect of a project, or any property or moneys of the commission, levied by any municipality or political subdivision or special district having taxing powers of the state, nor shall the commission be required to pay state taxes of any kind, and the commission, its projects, property and moneys, including any profit made on the sale thereof, shall at all times be free from taxation of every kind by the state, except for estate or succession taxes, and by the municipalities and all other political subdivisions or special districts having taxing powers of the state.

Sec. 6. Liberal construction. This chapter, being necessary for the welfare of the state and its inhabitants, shall be liberally construed, so as to effect its purposes.

SENATOR CASSANO: Steve Cassano from next door in Manchester. And notice, no one needed passports to come across the river for this meeting.

REP. SEARS: Brian Sears, I represent the 47th District. A lot of small towns east of here, Chaplin, Hampton, Scotland, Canterbury, Franklin, Sprague, part of Lebanon, part of Lisbon, and part of Norwich. And I'm honored to be here. Thank you.

REP. ROJAS: Joe, we're just introducing ourselves.

REP. DIMINICO: Just in the nick of time. Joe Diminico, State Rep from the 13th. And I jogged over from Manchester.

REP. ROJAS: And with that, we will get started. We have eight bills we're going to be hearing testimony on. And our first speaker will be Mayor Marcia Leclerc from the Town of East Hartford followed by Mary Ann Hanley, followed by Representative Ziobron.

MAYOR LECLERC: Thank you, Jayson Rojas and Senator Cassano and members of the Planning and Development Committee. My name is Mayor Marcia Leclerc. And, welcome, as Jayson said to our community. We're delighted that you're here. And thank you for taking the initiative to bring this type of government into the community as I think it is a valuable opportunity for our residents.

Tonight I'm here to address the Planning and Development Committee, specifically, on S.B. 1049, AN ACT AUTHORIZING MUNICIPALITIES TO REGULATE BLIGHTED COMMERCIAL PROPERTY.

East Hartford is not unique from other older

communities with challenges that come along with being an urban community. Our location, as a ring community in the capital city, coupled with the lack of developable land, aged housing and commercial stock, and a depressed economy have certainly provided obstacles for which we seek solutions. And the tools that we need can support focused efforts on sustainable quality of life initiatives that we continue to enforce in our town.

One of these tools that will be of great value to be -- to us, in our community, would be S.B. 1049 which proposes to amend Section 7-148 of the Connecticut General Statute. The proposed amendment will enable towns such as East Hartford to have the same enforcement tools for the commercial property blight that is currently has for the housing blight. Most importantly, the proposed changes will extend the \$250 state fine currently available to help combat housing blight, also, a help commercial properties' blight.

I appreciate the fact that our Legislators understand the challenges that we have in our community. And I am hopeful that you will support and pass this legislation. Thank you.

REP. ROJAS: Thank you so much for your testimony. Are there any questions for the witness? Isn't that what they're called?

Representative Smith.

REP. SMITH: Thank you, Mr. Chair. And hello, Mayor.

MAYOR LECLERC: Hello. Thank you.

REP. SMITH: You know, if I'm not mistaken, I think I was roped in last year to help in draft this

legislation and -- which I was happy to do by the way. I think blight is an issue, not only in this community, perhaps, but all of our communities. So, it's great that if we could do something to prevent it.

My question for you is just looking at the bill quickly; it looks like the only real change is to give the powers for commercial properties versus just housing. Is that accurate?

MAYOR LECLERC: Absolutely. It's just been a language change that really adds another tool in our toolbox.

REP. SMITH: All right. Thank you very much.

MAYOR LECLERC: Thank you.

REP. ROJAS: Are there any other questions? If not, thank you, Mayor, for being here.

MAYOR LECLERC: Thank you.

REP. ROJAS: We had two more members join us. I'll have them briefly introduce us. Immediately to my right who had a long drive to get here.

REP. AMAN: Representative Bill Aman representing the South Windsor area and ranking member on the Committee.

REP. FLEXER: Good evening, my name is Mae Flexer. I'm the State Representative for Killingly and Plainfield.

REP. ROJAS: All right. Thank you.

Mary Ann Hanley.

MARY ANN HANLEY: Good evening, it's nice to see you

JB 960

make sure it's operating properly.

WILLIAM HUTTMAN: Let me reassure you. Today every month the servicers and MERS have to reconcile the data on our system to the data that is on the servicing system. So, there is no more delay in making sure that all the information is correct. And then once a year, they have to have an independent review that shows that they're in compliance with MERS rules and regulations about what they have to do on a whole variety of things, even beyond the data system. So, as a part of the actions that we took to make sure that we're in compliance with the wishes of the regulators, we now have a much more comprehensive quality assurance program.

At the beginning of 2010, we had 50 employees. Now, we have 80 employees. And most of those employees were added to make sure that the problems that existed before don't happen any more.

REP. SMITH: Thank you.

REP. ROJAS: Any other questions? If not, thank you for your testimony.

WILLIAM HUTTMAN: Thank you for having me here tonight. Thank you.

REP. ROJAS: Anita Mielert followed by Stephan Hard.

ANITA MIELERT: Good evening, Senator Cassano, Representative Rojas, Senator Fassano, and Representative Aman and distinguished members of the Planning and Development Committee. My name is Anita Mielert and I am a former Selectman in Simsbury. And I am here as president of Connecticut Preservation Action.

SB960
SB1049

CPA is a non-profit organization which advocates for historic preservation on the state and national levels. Our members are primarily other organizations such as the Connecticut Trust and the Connecticut Main Street Program, Hartford Preservation Alliance, et cetera. CPA supports two proposals before you today; Senate Bill 960 and Senate Bill 1049.

Regarding Senate Bill 960, CPA supports the proposal which would permit municipalities to establish their own historic preservation commissions. As a former historic district commission chair, I understand there are many preservation activities available to those commissions who have a local historic district. Local historic districts commissions can accomplish a whole laundry list of proactive measures, advantageous to their towns.

However, a town that lacks a local historic district has no organized mechanism by which to identify and preserve the heritage of their committee. Even though many of the measures advocated in this legislation may now be available, to expect a Town Council or a town attorney to cobble them together in a coherent fashion is too much to expect.

This legislation will clarify and organize the statutes giving towns the ability to identify, preserve, and enhance unique and historic properties.

S.B. 960 is simply enabling. Under this legislation, each municipality would be permitted with the framework of this proposal to determine the measures that would be most advantageous to its own plan of conservation and development. It is an additional tool, one which does not require a local historic district to exist as a basis and

which, in turn, will allow applications for grants, tax credits, and other financial incentives available only to historic resources.

S.B. 960 would create an organized mechanism for historic preservation. A dedicated group of people concentrating on bringing more financial and legal resources to bear in saving our heritage.

Finally, in regards to S.B. 1049 which authorizes municipalities to regulate blighted commercial property, CPA supports the town's ability to control blight in all of the areas of the town. One of the most difficult problems we face in preservation community is demolition by neglect. By attacking blight overall, in commercial as well as housing stock, a town can intervene before any one situation becomes a crisis. Anti-blight campaigns in our larger cities and America have resulted in famous success stories such as in New York City which correlate with drops in crime rates and greater community pride.

I sincerely appreciate this opportunity to testify on these proposals. And I'd be glad to answer any questions at this time.

REP. ROJAS: Thank you for your testimony. Are there any questions for her? Seeing none, thank you.

Senator Cassano.

SENATOR CASSANO: Your last line I find intriguing. The blight bill is on there. And what we're going to be doing is working with small or large municipalities and so on. And trying to come up with some kind of a consistent definition of blight.

ANITA MIELERT: Right.

SENATOR CASSANO: We have a 169 definitions of commercial blight and residential blight. And as we have thought about the creation of a taskforce and who would be on it, I don't think any of us thought about historical preservations.

ANITA MIELERT: I'm glad I'm here.

SENATOR CASSANO: So, I'm glad you made that comment. And we might be able to get back to you and probably --

ANITA MIELERT: I would enjoy that, Senator.

SENATOR CASSANO: -- be very helpful to me on that.

ANITA MIELERT: Great. Thank you very much.

REP. ROJAS: Thank you. Any other questions? If not, thank you very much.

ANITA MIELERT: Okay, thank you.

REP. ROJAS: Steven Hard followed by Michael Trahan.

STEPHEN HARD: Good evening, Chairman Cassano and Rojas and members of the Committee. My name is Stephen Hard and I'm Executive Director of the Greater New Britain Arts Alliance. And I'm here in support of Senate Bill 960, AN ACT AUTHORIZING THE ESTABLISHMENT OF HISTORIC PRESERVATION COMMISSIONS.

In addition to my day job, I've also served on the Ad Hoc Historic Preservation Steering Committee that guided the passage in 2011 of New Britain's historic preservation ordinance.

We need Senate Bill 960 to give legal standing to historic preservation because individuals,

Connecticut Preservation Action

Written Testimony of Anita Mielert, President of Connecticut Preservation Action
Planning & Development Committee
Monday, March 11, 2013

Senator Cassano, Representative Rojas, Senator Fasano, Representative Aman and the distinguished members of the Planning & Development Committee my name is Anita Mielert, and I am a former First Selectman in Simsbury and President of Connecticut Preservation Action (CPA)

CPA is non-profit organization, which advocates for historic preservation at the state and federal levels of government We represent individuals and organizations, such as the Connecticut Trust for Historic Preservation, Connecticut Main Street Center, Hartford Preservation Alliance and New Haven Preservation Trust.

CPA supports two proposals before you today, **Senate Bill 960** An Act Authorizing the Establishment of Historic Preservation Commissions and **Senate Bill 1049**, An Act Authorizing Municipalities to Regulate Blighted Commercial Property

Regarding SB 960, CPA supports the proposal, which would permit municipalities to establish their own historic preservation commissions As a former historic district commission chair, I understand there are many preservation activities available to those commissions who have a local historic district Local HDCs can accomplish a whole laundry list of proactive measures advantageous to their towns

However, a town that lacks a local historic district has *no organized mechanism* by which to identify and preserve the heritage of their community Even though many of the measures advocated in this legislation may now be available, to expect a town council—or town attorney—to cobble them together in a coherent fashion is too much to expect This legislation will clarify and organize the statutes, giving towns the ability to identify, preserve and enhance unique and historic properties

SB 960 is simply enabling Under this legislation each municipality would be permitted, within the framework of this proposal, to determine the measures that would be most advantageous to its own Plan of Conservation and Development It is an additional tool, one which does not require a local historic district to exist as a basis, and which in turn will allow applications for grants, tax credits and other financial incentives available only to historic resources

SB 960 would create an organized mechanism for historic preservation, a dedicated group of people concentrating on bringing more financial and legal resources to bear in saving our heritage

Finally, in regards to SB 1049, which authorizes municipalities to regulate blighted commercial property, CPA supports the towns' ability to control blight in all of the areas of the town. One of the most difficult problems we face in the preservation community is Demolition by Neglect. By attacking blight overall, in commercial as well as housing stock, a town can intervene before any one situation becomes a crisis. Anti-blight campaigns in our larger cities in America have resulted in famous success stories, which correlate with drops in crime rates and greater community pride.

I sincerely appreciate this opportunity to testify on these proposals, I would be glad to answer any questions at this time.

The seal of the Town of East Hartford is circular, featuring a central figure and the text "TOWN OF EAST HARTFORD" around the perimeter. It is positioned behind the town's name and office information.

TOWN OF EAST HARTFORD

Office of the Mayor

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MAYOR

Mleclerc@easthartfordct.gov

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March 11, 2013

Testimony by: Marcia A. Leclerc, Mayor, Town of East Hartford

Honorable Chairs Senator Cassano & Representative Rojas; Vice-Chairs, and distinguished members of the Planning & Development Committee.

My name is Marcia Leclerc and I serve as Mayor of the Town of East Hartford. Before I begin I would like to welcome you to the Town of East Hartford and thank you for your bringing government into the communities that you represent.

Tonight I am here to address the Planning & Development Committee specifically on **SB1049**
AN ACT AUTHORIZING MUNICIPALITIES TO REGULATE BLIGHTED COMMERCIAL PROPERTY.

East Hartford is not unique from other older communities with challenges that come along with being an urban community. Our location as a ring community to the capital city, coupled with a lack of developable land, aged housing and commercial stocks, and a depressed economy have certainly provided obstacles for which we seek solutions and the tools that can support our focused efforts on sustainable quality of life improvements for our town.

One of those tools is SB 1049 which proposes to amend sections 7-148, o, ff, and jj of the Connecticut General Statutes. The proposed amendments will enable towns such as East Hartford to have the same enforcement tools for Commercial Property Blight that it currently has for Housing Blight. Most importantly, the proposed changes will extend the \$250 State Fine currently available to help combat Housing Blight to also address Commercial Properties.

I appreciate the fact that our legislatures understand that blighted commercial properties often present more of an enforcement problem for communities than housing blight.

Thank you for your time this evening and for taking my comments under consideration.

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TESTIMONY OF ERIC J. BROWN
ASSOCIATE COUNSEL, DIRECTOR OF ENERGY & ENVIRONMENTAL POLICY
CONNECTICUT BUSINESS & INDUSTRY ASSOCIATION
before the
PLANNING & DEVELOPMENT COMMITTEE
March 11, 2013

Good evening. My name is Eric Brown and I serve as director of energy and environmental policy with the Connecticut Business & Industry Association ("CBIA"). On behalf of our 10,000 large and small member companies throughout Connecticut, we appreciate this opportunity to share our perspective regarding two bills on today's public hearing agenda.

S.B. 1049: AN ACT AUTHORIZING MUNICIPALITIES TO REGULATE
BLIGHTED COMMERCIAL PROPERTY

CBIA appreciate what it believes is the intent of this bill to help revitalize contaminated, underutilized or abandoned properties. We are very active and supportive of such efforts.

However, some aspects of this bill may be problematic or, at a minimum, confusing. If passed as written, we are concerned it would not interface efficiently, if at all, with a statute originally intended to give municipalities a mechanism to address neglected housing, neglected sidewalks, overgrown yards, etc.

Section 4 speaks of "safe and sanitary housing" and "abatement of nuisances". While it may be elsewhere, neither "blight" nor "remediate" are defined in this bill. If only to the extent environmental conditions and the remediation of and penalties associated with same are addressed elsewhere (as they are), the bill seems unnecessary, duplicative and inappropriate to have a statute that authorizes the state to collect \$250 a day from the commercial property owner and the imposition of civil penalties of \$10 to \$100 a day with a citation hearing process.

CBIA would be happy to work with committee to address these concerns.

Thank you again for this opportunity to provide comment.



PLANNING & DEVELOPMENT COMMITTEE

March 11, 2013

The Connecticut Conference of Municipalities (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 the opportunity to testify on bills of interest to towns and cities.

S.B. 1049, "An Act Authorizing Municipalities to Regulate Blighted Commercial Properties"

CCM supports this bill.

SB 1049 would be a tool towns and cities could use to curb blight and make communities more livable. It would allow communities to assume a greater role in ensuring the health and safety of residents.

CCM urges the committee to amend the bill to clear up language from last year's blight bill, PA 12-146, that allowed the State to keep the \$250 per day assessment for willful violations of local blight ordinances. Towns and cities do all the work - conducting inspections, initiating court cases, etc. Towns should reap the benefit from assessments placed on violators.

CCM urges the Committee to amend SB 1049, then favorably report it.

★ ★ ★ ★ ★

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

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**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2013**

**VOL. 56
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SENATOR LOONEY:

Thank you, Madam President.

Before returning to the Call of the Calendar, I have a couple of additional items to place on the Consent Calendar. I appreciate the cooperation of the members. The first is Calendar page 20, Calendar 413, Senate Bill 1049, move to place that item on the Consent Calendar.

THE CHAIR:

So ordered.

SENATOR LOONEY:

And also, Madam President, under "Matters Returned," Calendar page 38, Calendar 48, Senate Bill 519, move to place that item also on the Consent Calendar.

THE CHAIR:

Seeing no objection so ordered, sir.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, if you might -- if the Clerk might now return to the items marked earlier: Calendar page 17, Calendar 360; and Calendar page 18, Calendar 372.

THE CHAIR:

Mr. Clerk.

THE CLERK:

On page 17, Calendar 360, Substitute for Senate Bill Number 430, AN ACT CONCERNING THE STATE FLEET AND MILEAGE, FUEL AND EMISSION STANDARDS, favorable report on the Committee on Environment.

THE CHAIR:

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May 8, 2013

So ordered, sir.

SENATOR LOONEY:

Thank you, Madam President.

Calendar page 48, Calendar 309, Senate Bill Number 899, Madam President, move to place this item on the foot of the Calendar.

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

Thank you, Madam President.

And Madam President, on Calendar page 50, Calendar 405, Senate Bill Number 848, Madam President, move to refer this item to the Committee on Finance, Revenue and Bonding.

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, if the Clerk would now read the items on the first Consent Calendar and then if we might proceed to a vote on that first Consent Calendar.

THE CHAIR:

Mr. Clerk.

THE CLERK:

On page 1, Calendar 496, House Joint Resolution Number 98; Calendar 497, House Joint Resolution Number 99.

On page 2, Calendar 498, House Joint Resolution Number 100; Calendar 499, House Joint Resolution Number 101;

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also on page 2, Calendar 500, House Joint Resolution
Number 102.

On page 4, Calendar 119, Senate Bill 564.

On page 5, Calendar 155, Senate Bill 231.

On page 6, Calendar 169, Senate Bill 881; and Calendar
188, Senate Bill 1029.

On page 7, Calendar 192, Senate Bill 835.

On page 12, Calendar 284, Senate Bill 964.

Page 16, Calendar 353, House Bill 6481.

On page 18, Calendar 376, Senate Bill 878; Calendar
372, Senate Bill 977.

On page 19, Calendar 387, Senate Bill 386; and
Calendar 392, Senate Bill 366.

On page 20, Calendar 396, Senate Bill 991; and
Calendar 413, Senate Bill 1049.

On page 21, Calendar for 424, House Bill 6212.

And on page 25, Calendar 463, House Bill 6405.

THE CHAIR:

Those are all the bills on the Calendar.

At this point, Mr. Clerk, will you call for a roll
call vote of the first Consent Calendar of the day and
the machine will be open.

THE CLERK:

~~Immediate roll call has been ordered in the Senate.~~
Voting the first Consent Calendar of the day.
Immediate roll call has been ordered in the Senate.
Senators please return to the chamber.

(Senator Coleman of the 2nd in the Chair.)

THE CHAIR:

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Would members please check the board to see that your vote has been properly recorded? If all members have voted and all votes have been properly recorded, the machine will be closed.

And would the Clerk please take and announce the tally.

THE CLERK:

On the first Consent Calendar of the day.

Total Number Voting	36
Those voting Yea	36
Those voting Nay	0
Those absent and not voting	0

THE CHAIR:

The Consent Calendar has passed.

Senator Looney.

SENATOR LOONEY:

Yes, thank you, Mr. President.

If we might stand at ease for -- for just a moment.
Thank you.

THE CHAIR:

The Chamber please stand at ease.

(Chamber at ease.)

SENATOR LOONEY:

Mr. President.

THE CHAIR:

Senator Looney.

SENATOR LOONEY: