

**PA 14-019**

HB5055

House	1186-1208	23
Senate	1583-1774, 1776	193
Planning & Development	105-123, 138-144, 171-187, 204-206, 210, 237, 238-239, 243-244, 245, 282-292	
		<hr/>
		<b>62</b>
		<b>278</b>

**H - 1184**

**CONNECTICUT  
GENERAL ASSEMBLY  
HOUSE**

**PROCEEDINGS  
2014**

**VOL.57  
PART 4  
1027 - 1360**

pat/gbr  
HOUSE OF REPRESENTATIVES

182  
April 16, 2014

The House of Representatives is voting by Roll.

Members to the Chamber please.

DEPUTY SPEAKER SAYERS:

Have all the members voted? Have all the members voted? Please check the board to be sure that your vote has been properly cast.

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

THE CLERK:

House Bill Number 5477.	
Total number voting	144
Necessary for passage	73
Those voting Yea	144
Those voting Nay	0
Those absent and not voting	6

DEPUTY SPEAKER SAYERS:

The bill passes. Will the Clerk please call  
Calendar Number 125.

THE CLERK:

On Page 36, Calendar Number 125, Favorable Report of the Joint Standing Committee on Finance, Revenue and Bonding, Substitute House Bill Number 5055 AN ACT ELIMINATING MUNICIPAL MANDATES.

pat/gbr  
HOUSE OF REPRESENTATIVES

183  
April 16, 2014

DEPUTY SPEAKER SAYERS:

Representative Rojas.

REP. ROJAS (9th):

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

DEPUTY SPEAKER SAYERS:

The question is acceptance of the Joint Committee's Favorable Report and passage of the bill. Representative Rojas, you have the floor.

REP. ROJAS (9th):

Thank you, Madam Speaker. And what we have before us is a bill that is eliminating municipal mandates. Section 1 provides tax collectors the flexibility to submit their delinquent property tax bill to the Department of Motor Vehicles as part of their delinquent property tax program.

Section 2 enables municipalities to delay re-evaluation projects.

And Section 3 repeals a mandatory reporting requirement for towns to report where cell towers and antennas are located.

pat/gbr  
HOUSE OF REPRESENTATIVES

184  
April 16, 2014

Madam Speaker, the Clerk is in possession of an amendment, LCO 3759. I ask that it be called and I be granted leave of the Chamber to summarize.

DEPUTY SPEAKER SAYERS:

Will the Clerk please call LCO Number 3759, which will be designated House Amendment Schedule "A".

THE CLERK:

LCO Number 3759 designated House Amendment "A" offered by Representative Rojas, Senator Osten, Representative Ritter, Representative Nafis.

DEPUTY SPEAKER SAYERS:

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

REP. ROJAS (9th):

Thank you, Madam Speaker. The Amendment makes three changes. In Section 1, it clarifies that the collector can submit a delinquent property tax list to DMV at any point during the month at which it's due instead of having to happen between the first of the month and the fifteenth of the month.

In Section 2, it essentially changes the effective date to upon passage and also clarifies that municipalities would be able to delay their revaluations for the 2013 assessment year for two years, and for the 2014 assessment year for one year. I move adoption.

DEPUTY SPEAKER SAYERS:

The question before the Chamber is adoption of House Amendment Schedule "A". Will you remark on the Amendment?

Representative Aman of the 14th.

REP. AMAN (14th);

This particular Amendment does clarify some of the language, so I do urge my colleagues to support it.

DEPUTY SPEAKER SAYERS:

Representative Smith of the 45th.

REP. SMITH (108th):

Thank you, Madam Chair, Madam Speaker, a few questions through you to the proponent of the Amendment.

DEPUTY SPEAKER SAYERS:

Please prepare your questions, sir.

REP. SMITH (108th):

pat/gbr  
HOUSE OF REPRESENTATIVES

186  
April 16, 2014

Thank you, Madam Speaker. I'm looking at Line 3 and it has the language shall at least once during each calendar month, and the word shall seems to be mandatory to me, and I know the proponent of the bill indicated that this bill and Amendment seeks to do away with municipal mandates, and I'm just wondering if the good Chairman of the Planning and Development Committee could address that?

Through you, Madam Speaker.

DEPUTY SPEAKER SAYERS:

Representative Rojas.

REP. ROJAS (9th):

Through you, Madam Speaker, yes. This is current law now. Municipalities are currently required to submit those lists to DMV if they would like taxpayers who are delinquent in their property taxes to be stopped from registering their vehicles, so it's already required.

The change in the Amendment is simply to allow the collectors to submit that at any time in a month as opposed to between the first and the fifteenth. Through you.

DEPUTY SPEAKER SAYERS:

Representative Smith.

pat/gbr  
HOUSE OF REPRESENTATIVES

187  
April 16, 2014

REP. SMITH (108th):

And I thank you for the clarification. So as I understand it, it's just an expansion of the timeframe in which the municipalities have to file the reporting. Am I correct? Through you, Madam Speaker.

DEPUTY SPEAKER SAYERS:

Representative Rojas.

REP. ROJAS (9th):

Through you, can you repeat the question? I'm sorry. I couldn't hear him.

DEPUTY SPEAKER SAYERS:

Representative Smith.

REP. SMITH (108th):

Yes. The question is, I just wanted to confirm my understanding. It's really just an expansion of the timeframe that mandatory requirement of the, informing the Commissioner of the violation of the tax is already in statute but we're now just expanding the timeframe in which they have to do that. That's the understanding I have and I just wanted to confirm. Through you, Madam Speaker.

DEPUTY SPEAKER SAYERS:

Representative Rojas.

REP. ROJAS (9th);

pat/gbr  
HOUSE OF REPRESENTATIVES

188  
April 16, 2014

Through you, Madam Speaker, yes, that's correct.

DEPUTY SPEAKER SAYERS:

Representative Smith.

REP. SMITH (108th):

And then just finally, and I think this is a good thing in terms of the ability of the towns to postpone the revaluations. I didn't quite catch the dates and I didn't have time to look in the Amendment, when that would be.

First of all, does it apply to all municipalities? Through you, Madam Speaker.

DEPUTY SPEAKER SAYERS:

Representative Rojas.

REP. ROJAS (9th):

Through you, Madam Speaker, it would only apply to municipalities that were due to have a revaluation for the assessment years 2013 and 2014. Through you.

DEPUTY SPEAKER SAYERS:

Representative Smith.

REP. SMITH (108th):

Thank you. And for those that fall within that timeframe, they have the ability to extend that time frame out under this proposed Amendment? Through you, Madam Speaker.

pat/gbr  
HOUSE OF REPRESENTATIVES

189  
April 16, 2014

DEPUTY SPEAKER SAYERS:

Representative Rojas.

REP. ROJAS (9th):

Through you, Madam Speaker, for those who would be due in 2013, they have a two-year period. For the municipalities that would have a revaluation due in the assessment year 2014, they would have one year.

Through you.

DEPUTY SPEAKER SAYERS:

Representative Smith.

REP. SMITH (108th):

Thank you, Madam Speaker, and I thank the good Chairman for his answers.

DEPUTY SPEAKER SAYERS:

Will you remark further? Will you remark further on this Amendment that is before us?

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

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER SAYERS:

Those opposed, nay? The ayes have it. The  
Amendment is adopted.

pat/gbr  
HOUSE OF REPRESENTATIVES

190  
April 16, 2014

Will you remark further on the bill as amended?

Will you remark further on the bill as amended?

Representative Rojas.

REP. ROJAS (9th):

I'm good.

DEPUTY SPEAKER SAYERS:

Representative Aman of the 14th.

REP. AMAN (14th):

Yes, Madam Speaker. In looking at the bill, talking about the delay in revaluation, my own personal feelings on this for the municipalities is that it's a bad idea.

Having been a mayor and gone through a phase in, the pain and agony of revaluation just drags it out over a longer period of time and I think it is a mistake for the municipalities to do that.

But on the other side of me that says that the municipalities themselves are the ones that should have the decision on how to do this within reason. One of the things that I believe is in this bill, and through you, Madam Speaker, I have a question to the proponent.

DEPUTY SPEAKER SAYERS:

Please prepare your question, sir.

pat/gbr  
HOUSE OF REPRESENTATIVES

191  
April 16, 2014

REP. AMAN (14th):

Yes. In the delay that they're talking about we currently have a system that every five years and then every ten years there's a calendar that people have to follow, or municipalities have to follow for revaluation. Does this delay that calendar two years, or is that future five and ten year calendar still hold as it is currently?

Through you, Madam Speaker.

DEPUTY SPEAKER SAYERS:

Representative Rojas.

REP. ROJAS (9th):

Through you, Madam Speaker, it doesn't change that, no. Through you.

DEPUTY SPEAKER SAYERS:

Representative Aman.

REP. AMAN (14th):

And the reason I ask that, I think it's very important that we do that in there in that if you look at the problems that several of our cities had, it was because they delayed revaluation for many, many years, and their property values versus the assessment was just completely out of phase with each other and it led to incredibly high mill rates, low assessments,

pat/gbr  
HOUSE OF REPRESENTATIVES

192  
April 16, 2014

high taxes on cars and just a variety of problems that we have.

Could the Chairman explain a little bit more about the participation with the Department of Motor Vehicles and what practical effect that has on the municipalities?

Through you, Madam Speaker.

DEPUTY SPEAKER SAYERS:

Representative Rojas.

REP. ROJAS (9th):

Through you, Madam Speaker, participation in that program often required a fee to be paid to the state for providing, for the DMV providing the service to the municipality. It's about an \$800,000 cost that's spread across 169 towns.

By eliminating that fee, we essentially save our municipalities \$800,000 yearly that they no longer will have to pay to DMV for them to do the work of stopping a registration from taking place from a delinquent taxpayer.

Through you.

DEPUTY SPEAKER SAYERS:

Representative Aman.

REP. AMAN (14th):

Yes. I'm very glad to see the \$800,000 being saved by the municipalities, but let's make it clear that it's not an \$800,000 to the taxpayers of the State of Connecticut. It's just a shifting of the money going to the state versus going to the municipalities, but there is still, the cost is the same.

I'm looking at the section that deals with the Connecticut Siting Council and I think that's one of the things that have irked municipalities and bothered the Siting Council in that this report was required for the municipalities to send out and the municipalities would contact the Siting Council, find out the information, put it in the report and send it back to them.

Bureaucracy at its absolute worst, so I'm very glad to see that that was taken out of the bill as it was presented.

So in general, I think that this bill does several things that helps municipalities and cleans things up, but I also think that it's definitely mandate light.

We always talk about municipal mandates and the cost of mandates and this unfortunately, I believe is

pat/gbr  
HOUSE OF REPRESENTATIVES

194  
April 16, 2014

the best we're going to be able to do this year, but we never dealt with any of the bit issues at all, the mandate issues that the municipalities have complained to us, whether it be the funding for special education, the binding arbitration problems, the prevailing wage, or several other big items are not being talked about once again by this General Assembly, and I think that is a major mistake in policy that we've been having, in that we are not talking about the big ticket items that the municipalities are concerned with.

So while I will be supporting the bill, mandate light is definitely not what the State of Connecticut needs.

Thank you, Madam Speaker.

DEPUTY SPEAKER SAYERS:

Representative Urban of the 43rd.

REP. URBAN (43rd):

Thank you, Madam Speaker. I rise in support of this bill, and I'd actually like to thank the Planning and Development Committee for the work they've done on this.

My small town, one of my small towns, North Stonington, was in a position where they really needed

pat/gbr  
HOUSE OF REPRESENTATIVES

195  
April 16, 2014

to be able to have this delay on the reval and putting it up as a vote to the municipal board is the best way to do this so that the people have the response that they want.

And again, I would just like to thank them for bringing this bill forward, and I urge my colleagues to support it. Thank you.

DEPUTY SPEAKER SAYERS:

Thank you, Representative. Representative Hennessy of the 127th.

REP. HENNESSY (127th):

Thank you, Madam Spéaker. Madam Speaker, I rise in support of the bill. I'd like to point out, as the Chamber knows, that this is a two-year timeframe, so I think that that's responsible.

As a Bridgeport Representative and property taxpayer, these have been tough times and if the reval were to go into effect, we would be facing difficult choices, so I'm very supportive of the bill and I thank the Chamber and I hope for the support. Thank you.

DEPUTY SPEAKER SAYERS:

Representative Smith of the 108th.

REP. SMITH (108th):

pat/gbr  
HOUSE OF REPRESENTATIVES

196  
April 16, 2014

Thank you again, Madam Speaker. You know, when I heard the title of the bill, I was, I must say I was very excited. I haven't sat on Planning and Development for three years or so, or perhaps it was even less, but it was always a great Committee to work with and they're still doing good work and I think they're moving in the right direction.

But the limited nature of this bill should cause us a little pause here in the Chamber and wonder why we're not doing more to relieve the mandates that we put on our towns and municipalities and cities across the state.

Every year we hear from them that we're doing onerous things up here in Hartford that cause them to raise the property tax and put a further burden on our citizens. Until we start looking at some of the real issues that they're facing such as prevailing wage, I think we're going to be hearing their cries for a while to come.

So I support the Chairman's efforts here and the Committee's efforts to bring this forward and to relieve some of the mandates that our towns are experiencing, but as this Chamber knows, the list is long.

pat/gbr  
HOUSE OF REPRESENTATIVES

197  
April 16, 2014

During the public hearing that they have each year, the mayors, the selectmen, they all come up to testify, and they testify at length, and the list is long in terms of what mandates are really hurting them.

And I hope we start paying attention to that cry because we can't keep putting the burden back on the towns.

I do have a few questions for the proponent of the bill, if I may, through you, Madam Speaker.

DEPUTY SPEAKER SAYERS:

Please prepare your question, sir.

REP. SMITH (108th):

Does the Chairman know which towns would be affected by the moratorium that's part of this bill for the one year or the two years? Through you, Madam Speaker.

DEPUTY SPEAKER SAYERS:

Representative Rojas.

REP. ROJAS (9th):

Through you, Madam Speaker, no, I do not. I do know there's about 25 to 30 municipalities that would be impacted by this, but I don't know what exact ones they are. Through you.

pat/gbr  
HOUSE OF REPRESENTATIVES

198  
April 16, 2014

DEPUTY SPEAKER SAYERS:

Representative Smith.

REP. SMITH (108th):

And yeah, I was hoping to find that answer. I was trying to look on line here and through some of the notes of the bill. I think it's important for us to know which of our towns and cities are being affected or potentially helped by this legislation.

I'm glad to hear that it's that many. Oftentimes we have bills in the Chamber that affects one or two different towns or one or two different cities, and I think that's not the way to handle business up here, so it seems like this is a hearty group of towns and I hope we can help more going forward.

If one of the towns wishes to exercise the option to extend the re-evaluation, is there a process in place to do that? Through you, Madam Speaker.

DEPUTY SPEAKER SAYERS:

Representative Rojas.

REP. ROJAS (9th):

Through you, Madam Speaker, it would essentially be a vote of their legislative body. Through you.

DEPUTY SPEAKER SAYERS:

Representative Smith.

pat/gbr  
HOUSE OF REPRESENTATIVES

199  
April 16, 2014

REP. SMITH (108th):

And the nice thing, Madam Speaker, about dealing with the Chairman of the Planning and Development Committee is the answers are always forthright, to the point and quick, so I can appreciate that greatly. He does a great job over there and I hope he continues to do the great work and relieve more mandates in our towns.

Thank you, Madam Speaker, and thank you, Mr. Chairman.

DEPUTY SPEAKER SAYERS:

Thank you, sir. Representative Srinivasan of the 31st.

REP. SRINIVASAN (31st):

Thank you, Madam Speaker. Through you, Madam Speaker, to the Chairman of the P&D Committee, my former colleague from Glastonbury. Through you, Madam Speaker.

DEPUTY SPEAKER SAYERS:

Please prepare your question, sir.

REP. SRINIVASAN (31st):

Through you, Madam Speaker, in this two years that a municipality can opt to extend their re-evaluation, how will the municipality inform the

pat/gbr  
HOUSE OF REPRESENTATIVES

200  
April 16, 2014

residents that evaluation of their property is now going to occur and that it has been extended for two years? Through you, Madam Speaker.

DEPUTY SPEAKER SAYERS:

Representative Rojas.

REP. ROJAS (9th):

Through you, Madam Speaker, the municipality would have to revise their assessment list back to 2012 and notify property tax owners about that.

Through you.

DEPUTY SPEAKER SAYERS:

Representative Srinivasan.

REP. SRINIVASAN (31st):

Through you, Madam Speaker, I'm not so sure I heard it clearly, the last part of the sentence.

Through you, Madam Speaker.

DEPUTY SPEAKER SAYERS:

Representative Rojas, if you would repeat the last part of the sentence, sur.

REP. ROJAS (9th):

Sure, through you, Madam Speaker. If there was a change in their assessment on their property they would be notified as any municipality would notify a

pat/gbr  
HOUSE OF REPRESENTATIVES

201  
April 16, 2014

property owner in a municipality. Through you.

DEPUTY SPEAKER SAYERS:

Representative Srinivasan.

REP. SRINIVASAN (31st):

Thank you, Madam Speaker. And my final question, if initially the municipality decides it's going to take a two-year extension for whatever be their reasons, and down the line they feel that that two-year extension is not needed and they want to do it now in one year, would they be allowed to do that? Through you, Madam Speaker.

DEPUTY SPEAKER SAYERS:

Representative Rojas.

REP. ROJAS (9th):

Through you, Madam Speaker, yes, through a vote of their legislative body they could choose to proceed as they see fit. Through you.

DEPUTY SPEAKER SAYERS:

Representative Srinivasan.

REP. SRINIVASAN (31st):

Thank you, Madam Speaker, and I want to thank the Chairman for his answers. Thank you.

DEPUTY SPEAKER SAYERS:

Representative Belsito of the 53rd.

pat/gbr  
HOUSE OF REPRESENTATIVES

202  
April 16, 2014

REP. BELSITO (53rd):

Thank you, Madam Speaker. First of all, the title of this bill is a little vague. It says eliminating municipal mandates. If we're going to eliminate municipal mandates, why don't we start eliminating the really big ones?

These are very small. I feel that we should start with the top one, binding arbitration and go on from there. This is sort of a farce.

The other thing is, these towns that want to hold back on revaluating their homes are just kicking the can down the road. This is not going to do anything. If they revalue this year and the valuation goes down, all they do is bring up the tax rate to match the income that they need, all the taxes that they need to run the town. So why put it off for two more years? That doesn't do any good, because we're still going to have to value it in three years after that.

So all they're looking for is to hold on to their tax base, which they'll do anyway, because they have to, they're going to spend X amount of dollars so they're just going to raise the tax rate. We'll still pay the same, more or less.

pat/gbr  
HOUSE OF REPRESENTATIVES

203  
April 16, 2014

But going forward, it should be revalued.  
There's no sense in fooling ourselves. So initially,  
I was for this bill in P&D and now I'm not really for  
it because it's not a truthful bill.

This is not going to help the taxpayers of  
Connecticut. It doesn't really do anything. It just  
kicks the can down the road, and the same thing goes  
for the eliminating the mandates.

I'm all for eliminating the mandates and I'd like  
to eliminate them one by one, but so far we're not  
really doing much at all. Thank you.

DEPUTY SPEAKER SAYERS:

Will you remark? Will you remark further on the  
bill as amended? If not, will staff and guests please  
come to the Well of the House. Will members please  
take your seat and the machine will be opened.

THE CLERK:

The House of Representatives is voting by Roll.

Members to the Chamber please.

The House of Representatives is voting by Roll.

Members to the Chamber please.

DEPUTY SPEAKER SAYERS:

pat/gbr  
HOUSE OF REPRESENTATIVES

204  
April 16, 2014

Have all the members voted? Have all the members voted? Please check the board to see that your vote has been properly cast.

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

THE CLERK:

House Bill 5055 as amended by House "A".

Total number voting	143
Necessary for passage	72
Those voting Yea	120
Those voting Nay	23
Those absent and not voting	7

THE CHAIR:

The bill as amended passes. Will the Clerk please call Calendar Number 128.

THE CLERK:

On Page 10, Calendar Number 128, Favorable Report of the Joint Standing Committee on General Law, House Bill Number 5258 AN ACT CONCERNING BAKERIES AND FOOD MANUFACTURING ESTABLISHMENTS.

DEPUTY SPEAKER SAYERS:

Representative Baram, you have the floor, sir.

REP. BARAM (15th):

**S - 673**

**CONNECTICUT  
GENERAL ASSEMBLY  
SENATE**

**PROCEEDINGS  
2014**

**VOL. 57  
PART 5  
1340 – 1655**

On page 14, Calendar 418, substitute for House Bill 5055, AN ACT ELIMINATING MUNICIPAL MANDATES, Favorable Report of the Committee on Planning and Development.

THE CHAIR:

Good afternoon, Senator Osten.

SENATOR OSTEN:

Good afternoon, Madam President.

Madam President, I move acceptance of the Joint Committee's Favorable Report and passage of the bill in concurrence with the House of Representatives.

THE CHAIR:

The motion is on acceptance and passage. Will you remark, please?

SENATOR OSTEN:

Madam President, this -- this bill is very simple to explain. It provides a mechanism for those municipalities who, if their legislative body agrees, a delay in revaluation if they have a revaluation due in 2014 and 2015 for up to two years.

It also removes the cost for tax collectors on motor vehicle, those from the Department of Motor Vehicle. It saves municipalities about \$800,000 cumulatively.

In addition, it also eliminates the requirement of reporting to the Siting Council on Cell Towers.

I would yield to the Senator from Bridgeport, Senator Ayala.

THE CHAIR:

Senator Ayala, will you accept the yield, sir?

SENATOR AYALA:

Thank you, Madam President. Good afternoon. How are you today?

THE CHAIR:

Good afternoon. Good to see you, sir.

SENATOR AYALA:

Thank you. I'd like to first of all thank the Chairwoman of Planning and Development for bringing this bill out and the work that she's done on this.

There's been a lot of conversation in regards to this bill and the importance of what it would do for the city of Bridgeport. Due to the downturn in the economy, the city of Bridgeport has seen a tremendous amount of foreclosures and a tremendous loss of property values. And as a result -- the reason why we're pushing this idea forward is because we believe with a -- an extension on this reval, it would create the opportunity for those markets to continue to turn up and to see property values increase in the city.

Another thing that is really important to us is the fact that by having this delay, it would actually help to kind of encourage the development that is happening now at this time in the city of Bridgeport. In meeting with our director of economic development at the city level, we actually see that there are a lot of projects that are in different phases of development.

One of the ones that is most important to us is SteelPointe, which we've seen is going to be the economic engine for the city of Bridgeport and the state. And we're happy to be able to report that as of late, we've seen some movement on that and, as a result, there will be -- Bass Pro Shop will be in development this upcoming summer.

And alongside all of that, we talk about development in our downtown areas with having different contractors already slated to continue the work that's happening in our downtown area. So by having this two-year delay, it would actually help to get us in a place where we will be able to see the benefits of all of these developments that are in different stages of planning at this point.

So with that, I'd like to just say thank you once again to the Chairwoman of Planning and Development and ask my colleagues around the circle to support this as well. Thank you.

THE CHAIR:

Thank you. Will you remark? Will you remark?  
Senator Musto.

SENATOR MUSTO:

Thank you, Madam President.

Just briefly, to echo what Senator Ayala said, I wanted to add that this bill puts both the responsibility and the power back where it belongs, on the municipalities. The municipalities, as Senator Osten said, the legislative body has to approve it.

So we are not imposing our will on the municipalities in this case, as some people -- there were some conversation in some of the committees about that. We are really allowing municipalities, should they so choose, with their own structure and their own people, to make this decision for themselves. And then, it's going to be their responsibility to see it through.

I do not believe we like municipal mandates around here. We're always talking about them. This, if anything, relieves a municipal mandate that we have. It gives the cities a little leeway and I would ask, again, for concurrence with the bill from my colleagues.

Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark? Will you remark?  
Senator Welch. Good afternoon, sir. Are you sitting next to that birthday boy or something today?

SENATOR WELCH:

I am, Madam President, and it's -- it's quite an honor. I don't think I've ever sat next to a 50-year-old before, but -- I don't even know if that's his age, Madam President. So I should go easy on him.

Thank you, Madam President. I wish our ranking member of Planning and Development could be here to talk about the ins and outs the pluses and minuses with respect to this bill, but he's not. So I'm going to, I think, as a few questions, if I may, to the proponent of the bill, through you, Madam.

THE CHAIR:

Please -- please proceed, sir.

SENATOR WELCH:

Thank you, Madam President. And the first part of my questions has to do with this reval that we heard Senator Musto and Ayala talk about. And -- and I guess to start with the question of when was the last reval for the city of Bridgeport? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

Senator Welch, I -- while the bill -- while the -- both Senator Ayala and Senator Musto talked about Bridgeport, which this would impact, their last reval, if it went through the normal pattern, would have been five years ago because it is due in 2014. So it would have been five years ago, if following normal pattern.

And as there has been no report that they were not following normal pattern, that's what I would assume, based on that. But I did not actually see their reval.

THE CHAIR:

Senator Welch.

SENATOR WELCH:

Thank you, Madam President. And then, I guess to follow up on that, assuming it was five years ago, or 2009, do we know what has happened as a -- a mean to the value of residential properties in Bridgeport since 2009? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

I'm sorry. If you could just repeat that. Did you say that you wanted to know what led to a -- to the devaluation of property? I -- I didn't hear that one word.

THE CHAIR:

Senator Welch.

SENATOR WELCH:

Thank you, Madam President. I guess a little bit more simply, have house prices, have the value of residential properties in the city of Bridgeport, since 2009, gone up or gone down? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

They've gone down.

THE CHAIR:

Senator Welch.

SENATOR WELCH:

Through you, Madam President. And then, have the -- has the value of commercial properties gone up or gone

down in the city of Bridgeport since 2009? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

I believe since 2009, the value of commercial properties has gone down, but is starting to rebound.

THE CHAIR:

Senator Welch.

SENATOR WELCH:

Through you, Madam President. And I think that's probably an accurate -- or accurate answer, although I realize you're not from Bridgeport and these probably were questions that were more appropriate for other members of the circle.

And I think therein lies one of my first problems with respect to this bill and that is by -- by failing -- by not doing a reval now, by postponing this reval, we're essentially shifting the tax burden from commercial properties onto the residential properties.

Because if their values have gone down and commercial properties are going back up, there is going to be -- there's going to be an unfair shift to those homeowners if we delay the reval.

And so I think, Madam President -- and -- and the only reason why I know this is because I've thought about this for the city of Bristol. Would it have been beneficial if we were able to delay our reval last year? And the answer, I think at the time, was no.

And so that's one of the -- the concerns that -- that I have with respect to the bill before us.

Another concern that I have is this wonderful, marvelous, grandiose title that this bill has, AN ACT ELIMINATING MUNICIPAL MANDATES. Madam President, when

I saw that title, I got real excited because this is something we've been talking about for years. For years.

But that's all we've been doing is talking. And so when I saw this title and knowing that the M.O.R.E. Commission's out there and knowing that there's been traction even outside these chambers with respect to getting rid of municipal mandates, I was hoping I would see a list of unfunded municipal mandates on this bill that we would be getting rid of.

And from what I'm hearing today is we're really only talking about three, one of which is going to benefit not all communities, some communities, and I question whether or not it's going to be a good benefit at the end of the day, although they clearly will be saving the money that would have to have been incurred to actually have this reval.

And the other ones, as far as I can tell from going through the fiscal notes, we're not really quantifying how much money we're going to be saving, other than a potential of \$800,000, and it's not clear from the fiscal notes to me where those savings are going to be realized. Are they going to be realized on all municipalities, some municipalities, some maybe more than others? It's an unknown.

So thank you, Senator Osten, for at least continuing to have the conversation about reducing unfunded mandates on municipalities. Gravely disappointed that we're not going a lot further than we really -- and we really should be because I'm sure every single person here in this room has heard on multiple occasions from at least one or more of their chief executive officers in the towns that they represent how we, the municipalities, need relief.

Look, in the city of Bristol, it was just, you know, it was just announced a week ago that our taxes are going up 4 percent; very unwelcome news for a town that prides itself on fiscal economy.

So Madam President, I -- I don't know what I'm going to do at the end of the day. I -- I like voting for getting rid of municipal mandates, so my inclination

is to continue to do that. Maybe we can add a -- add a few more unfunded mandates that we're willing to get rid of by the time this debate's over and I welcome that opportunity as well.

Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark? Senator Kane. Happy birthday.

SENATOR KANE:

Thank you, Madam President. Thank you very much. And -- and, you know, sitting next to Senator Welch for the last four years, he hasn't -- he's not been wrong very often. In fact, I could probably count on one hand the number of times he's been wrong. But when he claims I'm 50, he's way off mark. So I -- I think he needs to correct that.

I -- I rise for a couple of questions to Senator Osten, the -- the good Chair of the Planning and Development Committee, please.

THE CHAIR:

Please proceed, sir.

SENATOR KANE:

Thank you, Madam President.

I -- I noticed, Senator Osten, the conversation between yourself and -- and Senator Welch and then, of course, yielding to the two fine members that represent Bridgeport, that it seems as if this bill is catered to the city of Bridgeport. Am I correct in that assumption or no? Through you.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

It impacts Bridgeport, but it's not catered towards Bridgeport. It's available to any municipality that would be experiencing a revaluation between the years 2014 and 2015.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President. So besides the -- Bridgeport possibly asking for the help in this legislation, has any other community asked for help in this legislation? Through you.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

I am not aware of any other municipality that, as such, asked for that.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President. And how many towns would qualify under that category of towns that would be doing reval between 2014 and 2015, I think you mentioned? Through you.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

I don't have an exact number and -- and would hate to estimate that.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Okay. Then, can you speak to, as -- as being the Senate Chair of the Planning and Development Committee, what happens when towns delay implementation of reevaluation? Through you.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

There are many reasons why a town may want to delay a revaluation. For example, the town where I've been first selectman, we delayed our revaluation twice in order to participate in a regional revaluation system that was being handled through a -- a council of governments that we are next to, not a part of, and we had to go through a certain process.

And by doing that, we save about \$40,000, a lot of money for us. They may want to delay a reval that shows a dramatic decrease or -- or increase that will level out in between commercial and real estate that would allow that to -- to flatten the impact on both sides of those numbers. Because there is often a shift in revaluation between commercial and residential.

Sometimes, it goes to the commercial side. Sometimes, it goes to the residential side. And that is a reason why, rather than create an unfair disadvantage for either side of the ledger, to allow a municipality the option, at their request, to delay that revaluation. That would be a reason why. Those two in particular.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

I have -- I have a follow-up to that, but first, you mentioned something, that your community was able to save \$40,000. How was that? Was that on the fee that it cost to hire the -- the company to do the reevaluation? Was that -- is that the \$40,000? Through you.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

That would be correct.

THE CHAIR:

Senator Kane. I'm sorry.

SENATOR KANE:

Thank you, Madam President. I didn't want to go out of turn.

My original question was actually not so much why a community would want to delay it, but what happens as a result of delaying it. I know years ago, the -- the city of Waterbury delayed reevaluation for years and years and years and years and -- and it kind of bit them years later because they did not do that.

And so I'm wondering, in your Committee, if that has come up? What happens when towns delay? Is it ultimately a good thing, a bad thing? Is it a dangerous thing to -- to delay? The way we -- we sometimes let communities do, Through you, Madam President?

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

So sometimes it's a good thing and sometimes it's not a good thing. And that's just a -- you know, it depends on the municipality that it's -- that it's

impacting. There are some real reasons to delay a revaluation, through you, Madam President, that lead to a good outcome for a municipality. That's why there usually should be a reason.

So Senator Ayala and Senator Musto talked about the increase in commercial property in Bridgeport, which will allow them to have many more taxpaying commercial properties, which will increase their grand list and potentially decrease the impact on residential property owners as well as other commercial property owners.

So that is one reason why. So whether it's a good or a bad thing, it's the reason why often revaluations come up before this body or go before the Office of Policy and Management for a reason why that revaluation would -- would be happening.

I was not here when the Waterbury situation happened and have no intimate knowledge on it. I would think it would be a mistake for any municipality to delay longer than two years a revaluation because then it does create a certain problem in regards to the level and the correcting of the system and what property should be valued at.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President. And just to go back one more time, I believe towns are required to do a full reevaluation and then sometimes a statistical reevaluation. Is that true? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

Generally speaking, a full revaluation happens and they actually look at -- at 50 percent of the

properties during that full revaluation, but based on that, change the valuation of every property, and then look at that 50 percent that did not get an actual look at in the next five years.

So every five years, 50 percent of your properties are being looked at. The full revaluation, though, would be done on the 10-year mark, even though 50 percent is being looked at.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President. So this revaluation that was to be done, for example in the city of Bridgeport, would that have been a full or a statistical? Through you.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

My understanding, it's a full revaluation.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President. I -- I thank Senator Osten for answering those questions for me.

Now, going back to Senator Welch's point about the title of the underlying bill, which is to reducing mandates, eliminating municipal mandates I believe is -- is the title, where in the bill are we eliminating mandates? Through you.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

Thank you.

SENATOR KANE:

Thought I was done.

SENATOR OSTEN:

I'm sorry. I wasn't certain if you were still asking questions. But in -- I don't make the -- first, I would like to say that I didn't necessarily title the bill as AN ACT CONCERNING MUNICIPAL MANDATES. The two mandates that -- it really doesn't eliminate three mandates. It -- it has an impact on revaluation, which I don't perceive as a relief of a mandate, personally.

It -- it relieves a municipality from filling out the forms on cell towers that are -- that are turned into the Siting Council, which costs nothing for the municipality to fill out, but what often happens is municipalities go on the Siting Council website and just regurgitate the information that's on the website itself.

So it was an unnecessary process and it does take up time, which ultimately costs money.

The other mandate that's out there that is in this bill is a relief of paying the Department of Motor Vehicle for the data that you request from them on what cars are valued at for that particular year.

Now, in small towns, you're spending very little money on it. It's -- it's about \$800, so it will save in the town of Sprague \$715 next year. I'll take the \$715 and I think any municipality appreciates saving even those small dollar amounts for small towns. But in the larger cities, it will save them more money. It should be an easy number to calculate and I think the \$800,000 is an accurate number. Savings for municipalities, ultimate loss of revenue for the state.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

I see that in the fiscal note, that it says it's a -- a revenue loss to the State of Connecticut, of \$800,000 in fiscal year 2016. So the implementation of this bill would not take place until that fiscal year. Through you, is that correct, Madam President?

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

That would be correct.

SENATOR KANE:

All right.

THE CHAIR:

Senator Kane.

SENATOR KANE:

And -- and -- thank you, Madam President. And subsequently, each year, would that be the same fiscal note? We would see a revenue loss each year of \$800,000 based on this bill? Through you.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

Through you, Madam President, it's not -- it would be ultimately a loss every year of about the same dollar amount because you are not asking the municipalities to turn in that revenue. But my -- again, my

assumption would be that we would never, again, put it on the ledge of revenue.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President. And one -- one last question, if I may. You know, when I think of eliminating municipal mandates, I think about prevailing wage, I think about collective bargaining, I think about binding arbitration. Some the larger issues that towns and municipalities go through on a daily basis. Any of those conversations take place in your Committee in regards to this bill? Through you.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

Not in regards to this bill.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Okay. Thank you, Madam President. I thank Senator Osten for answering my questions. I do always think about the mandates that we put on our municipalities.

Certainly, I heard that every day in the communities that I represent. And we see it very often in the Appropriations Committee, certainly, when we look at bills that come across that Committee.

So I would always think that we'd want to reduce municipal mandates. I do think, though, that we would want to have some real discussions about some of the things that I just mentioned if we want to talk about the mandates that we force upon our communities, though.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Kane. Will you remark further?  
Senator Witkos. Good afternoon again, sir.

SENATOR WITKOS:

Yes. Good afternoon, Madam President. If I may, just  
a couple of questions to the proponent of the bill  
(inaudible).

THE CHAIR:

Please proceed, sir.

SENATOR WITKOS:

Thank you. Through you, Madam President, to Senator  
Osten, I voted for the bill in Finance and I'm most  
likely going to vote for the bill today, but I just  
had a couple of questions and I -- I was intrigued by  
the discussion between you and Senator Kane on one  
part of the bill, which actually confused me. I  
thought it was something else. So I -- I'm going to  
ask for some clarification on it.

This has to do with the property tax that -- not  
property tax, the, yeah, the motor vehicle taxes paid  
into a program. So if -- what I'm understanding that  
you said was a town, if they wanted to get an assessed  
value of vehicle, it would pay X amount of dollars  
into the state and the state would send to the town  
what a 1985 Chevy Chevette value is for tax purposes?  
Could you just explain that? Maybe I don't understand  
that. Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

The -- the assessor in a town does not differently  
assess motor vehicles. Motor vehicles are -- the --

the value of a motor vehicle is -- comes from the Department of Motor Vehicle to each town. In addition to that, each town has to, through the -- that goes through the tax assessor and then the tax collector has to provide the Department of Motor Vehicle, whether or not that person has paid their taxes.

So it's a bifurcated system. So one goes to the tax assessor, one goes to the tax collector, and the tax collector has to provide that information because a person will be denied renewal of their registration should they owe taxes on that particular property.

But it's a two-part system. It goes from the assessor over through the tax collector. The assessor gets the information first. That provides the value of the car so that they can do the grand list so that they can send out the tax bills. It goes over to the tax collector and the tax collector then sends information to the Department of Motor Vehicle every -- this bill will say send every month so that they can find out if those people have paid their taxes or not.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you. Through you, Madam President, so it's not only the value assessed, I guess, through Motor Vehicles. They're also sending notice as to vehicles that are registered.

Because if somebody turns in their marker plates, it's, to my knowledge, that you don't pay property tax on it if the car is not registered. You could have it sitting in your driveway as long as -- if you still own it, but you're not registered, you don't pay property taxes on that. Is that correct, through you, Madam President?

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

Are you saying that if you don't register your vehicle, you won't be paying property taxes? Through you, Madam President.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Yes. That's exactly what I'm saying. So at some point, you -- you buy a car, you register it, and you -- you get your annual bill, through the whole process we just had. And then, maybe I decide, well, I'm going to -- it's an antique car so I want to strip it down so I'm -- I'm going to cancel the registration it and -- because I know it's going to take me a couple of years as I'm going through the refurbishment of, you know, making it a classic car.

At that point now, when Motor Vehicle sends the list to the town, that car won't be on there because if it's not registered anymore, so I wouldn't be paying property taxes it on it any longer. I don't -- I believe.

And I'm just asking if that's correct, through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

That's correct. What the -- the Motor Vehicle is sending the assessor is what each vehicle is worth. Not by what you own, but what each vehicle is worth. The tax collector -- the assessor has what the person owns, sends it over to the tax collector. The tax collector is sending whether or not they've paid their taxes.

So if you decided not to register the vehicle and/or driving it on the road, you would -- and you -- you had to register and had not paid your taxes, the

Department of Motor Vehicle would not allow you to reregister that vehicle unless you had paid those taxes.

This is not for someone who parks a car in their garage and doesn't -- and takes it off the road.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Well, so -- I -- I wasn't talking about the -- the class of folks that either default or -- for non-payment. This is -- my thought was if -- if you're not -- if the car is not registered, then you're not paying property tax on it and it won't go through that process.

So the Department of Motor Vehicles provides two sources. One, it provides the towns with the number of vehicles that a resident of that community owns, because it's registered, so they know that. And then, they give you the value of that vehicle.

So then, that goes to the assessor or assessor or clerk's office -- assessor, I guess. They look at it and they say this is -- apply the mill rate to the town. Goes to the tax collector and the bill goes out to the resident to pay.

Is that -- did I characterize that correctly, through you, Madam President?

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

Correct.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you. And so right now, the current law where we require the towns to send twice a month a list of the vehicles that folks have been in default of payment and this -- and this -- the purpose of this is to reduce it to -- to once a month? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

The purpose -- the purpose of this is to provide us once a month that the tax collectors will provide that information to the Department of Motor Vehicle. But the real purpose of this is to not have the municipalities have to pay for the software, that program, to get the information back and forth.

It -- it does require that the tax collector let the Department of Motor Vehicle know that that has been paid, all delinquent motor vehicles have -- which have been paid. But it doesn't -- it more -- more importantly takes off the charge to the municipality.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you. And I agree that it's a -- a good enforcement tool, if you will, that folks cannot get their vehicle reregistered because if they have an outstanding tax bill on their -- their local municipality, then they're not going to be able to reregister their car. I think that's a good part.

But I -- I'm a little confused as to the system. Once -- is there a monthly fee to this system that the state and the towns pay into? I mean, I look at it as almost an e-mail account, like the DMV would e-mail the town and say this is your list of vehicles that

are registered in your town, this is the list of the assessment.

And then, on a current law, I guess on the 15 and 30, the towns send the list back to DMV saying these vehicles' owners have not paid. So if they try -- they come up during the renewal period, don't allow them to renew yet because they got to come and pay us first.

So is there a -- I guess my question is is there a monthly fee that the state and the town pay to utilize this computer program? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

It's not a monthly fee. It's a yearly fee that you pay to have the conversation with DMV about unpaid taxes on delinquent -- delinquent taxes on motor vehicles. It's a once a year fee that you pay. So you don't pay every month; you pay once a year.

And it -- what this does is this requires now that the tax collectors notify DMV monthly on who has paid those delinquent property taxes for -- delinquent motor vehicle taxes. Sorry, I keep saying property and it's motor vehicle that we're talking about.

And this -- that's what it does. It -- right now, they don't -- DMV -- a tax collector doesn't notify DMV on a regular basis on a certain date -- on a date certain when those delinquent taxes are paid.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Through you, Madam President, I'm asking you this only because with your other hat as the First Selectman of Sprague, I -- I'm gaining a lot of wealth and knowledge here. Most motor vehicle tax bills, aren't

they either due in January and then, June, you get a supplemental in October?

So how -- I guess through you, Madam President, are we really talking three months of the year that we would find where the bills come from the town and then -- it depends on how often people can get down to the -- the town hall to pay their taxes? That's -- I guess that necessitates the monthly reporting back to DMV? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

So the payment of taxes for motor vehicles is the most complicated and arduous part of collecting taxes. People that are -- because motor vehicles move from resident to resident, people move, their cars move with them, they're very -- they -- they're rolling. They're not necessarily static.

So they are the hardest to collect. They take the most time for tax collectors to participate in. And by having the system of -- of having the tax collectors report once a month, it's easier for the Department of Motor Vehicle to deal with constituents that go in there that are talking about I've already paid my taxes, how come I have to go back and get a slip from the tax collector, who often works part-time in many municipalities?

So it is -- again, it's the -- it's the hardest tax. It's the least amount of money that a municipality gets, and it's the hardest tax to collect.

This part will make it easier for DMV, or the Department of Motor Vehicle, to -- sorry about the acronym usage, but to actually work hand in hand with people who are trying to reregister their vehicles. The Department of Motor Vehicle says that this is hard for them, so taking away the charge gives something to the municipality. This also gives something to the Department of Motor Vehicle as an easier way for them to reregister vehicles.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you. And right now, if -- if -- under the current law, they have to report twice a month, the town, to the DMV. I -- I think remember reading something like the 15 and the 30. If those dates aren't correct, I -- I -- current law is, I guess, twice a month.

Would this -- passing it to once a month, would this make it more difficult to -- for a resident to renew their car? Say I go down to -- for whatever reason, I was late on my taxes. I go down to my town hall because I had a birthday and somebody gave me some extra money. So I said, well, I'll go down there and pay because I have to renew my -- I know my registration renewal is this month.

So I go down there and I pay and now, the town doesn't send that notification that I paid until once a month. So I go to renew and then DMV, I get caught in this quagmire that says, well, you didn't pay. And I said, no. I did pay. But they're only getting the information, rather than twice a month, now they're only getting it once a month.

So how -- what provisions, if we know, or conversation did DMV have to assure that -- that those people that made that payment are going to be -- are not going to be harmed by an unreasonable delay in getting their registration issue? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

So most tax collectors, all the ones that I know, ask someone who comes in to pay motor vehicle taxes if they need a slip to release their -- so they're going

to register their vehicles. That -- that happens on a normal basis.

DMV feels that they would get better response by getting it on a date certain once a month the information from the tax collectors. This just sort of streamlines the system a little bit.

But anybody who wants to -- who is coming in and they're coming in in an off time, not January, not July. They're coming in in April and they're paying their taxes, they're paying motor vehicle, the normal question is do you need a release to register your vehicle? That's a -- that's almost a -- a everyday question that happens in our tax collector's office and in the tax collectors' offices that I've been in.

Because people don't generally come in to pay motor vehicle taxes in off times, from not January nor July, but in any other -- any of the other 10 months unless they are paying to register their vehicles. That's why they're coming in then. So it's a normal question to ask.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you. And I'm glad to see the -- the title of the bill is eliminating the municipal mandates. And sometimes when we do things in the Chamber, we hear from our CEOs -- town managers, et cetera, that, you know, I have a very small staff. Sometimes, it's just me and one or two other people in the town hall or some people, I think, may still do things via a ledger book.

Do all town halls, if you're away, have the computer system that talks to DMV for this specific purpose? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

To my knowledge, they do.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you. And I guess my last line of questioning will be about the parking ticket program. If -- and I just briefed myself on the bill. If a town wants to participate in this program, right now they pay a -- a sum fee to Department of Motor Vehicles and then, I guess for uncollected parking tickets, then the same thing will happen to them when you go to register your vehicle, DMV won't register that? Is that correct, through you, Madam President?

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

I'm sorry. I don't see the parking ticket piece of it here. Do you have a line?

THE CHAIR:

Senator Witkos, do you have a line for that?

SENATOR WITKOS:

Yeah. Madam President, if we could just stand at ease for just a second? I'll get the line number.

THE CHAIR:

The Senate can stand at ease.

(Chamber at ease.)

THE CHAIR:

Senator Osten?

SENATOR OSTEN:

Through you, Madam President, I believe.

THE CHAIR:

The Senate will come back to order. Please, Senator Osten.

SENATOR OSTEN:

Line 126, I believe, is -- Lines 126 through 140 talks about the parking ticket section

SENATOR WITKOS:

That's exactly it.

SENATOR OSTEN:

And this is allowing the city to notify if -- coming from a town that doesn't do parking tickets, so sorry about that, that this will allow them to participate if they so chose, if there are five or more parking violations, yes.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

You may not be able to answer this, Madam President, through you to Senator Osten, since they don't -- I'm glad to hear they don't issue parking violations in the town of Sprague. But do -- does a municipality have to pay into this program to -- to do it? Because otherwise, we're -- we're actually making the -- it sounds like the State of Connecticut, the -- the collector of -- or enforcer of parking violations, through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

To my knowledge, there is no charge for the program.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you, Madam President. Is there a mechanism for the state to collect, I don't know if you can answer this, again, all municipal ordinance violations? Because, from my understanding, if it's not a -- an infraction in violation of a state statute, handicap parking or something that's centered along those lines, and you may be violating a town ordinance, you -- you park too close to an intersection or on the wrong side of the road, or if there's an overnight parking ban, does the state -- can -- can they be the -- the bounty hunter for municipalities to collect this money by holding somebody's registration hostage? Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

I -- Senator Witkos, I really -- I can't answer your question. I'd have to do a little bit more research into that. It does say in here that it -- they'll be issued a temporary registration until they pay such parking tickets, but I don't think that they're -- sort of don't -- can't imagine anyone bounty hunting out there on parking tickets. But.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you, Madam President. And Senator Osten, I -- I want to thank you for answering that. It wasn't until our -- our little discussion here -- I didn't think that was a pretty innocuous section of the bill.

But now, it actually causes a little concern to me that -- you can say sit, I -- I'm set with the questions -- that we have the state saying, you know, if somebody, without due process, of issuance of a municipal ordinance violation, i.e. a parking ticket, they'll suspend somebody's registration. But then, they'll allow you to get a temporary registration.

So -- so that, for me, starts down a litany of, well, a temporary registration? Well, how long is that temporary registration for? How -- how many temporary registrations can I get? Can I get an extension on that? And what -- what due process does the person have for paying for the violation?

I know in -- in my hometown of Canton, the police officers issue parking tickets. But the parking ticket not only says, you know, parking violation, a \$15 municipal fine, which stays in the town, there's something for overnight parking, parking on a curb, parking on the wrong side of the road, parking facing the wrong way, walking where you're not supposed to be walking.

And then, there's a little box that says violation of municipal ordinance and that could be smoking on town property or alcohol on town property, because we have ordinances that prohibit that. But it's on a parking ticket violation.

So if somebody does these types of actions, which really have no relationship to a car, why would we -- and they -- they -- maybe they fight it. Say you know what? Really? I -- I didn't know about. You know, say I'm from out of town or I'm attending an event at the -- the local park. I was smoking a cigarette and a cop came over to me and said put it out and I said, well, this is America. I can smoke here if I want.

And then, they have a little discussion, maybe getting heated, and so the officer issues a parking violation, because it says parking violation on it, but it's for

a violation of a town ordinance. And then, the guy says, well, I'm not from around here. I live in Connecticut, but I'm not from around this neck of the woods. I'm never coming back to this town again. He says I'm not paying it.

So then, if it happens five times, apparently, the town can say to the Department of Motor Vehicles, suspend this person's registration on their car because they owe us a, quote, parking ticket. And then, imagine the surprise in the -- the individual that goes to register their car. They said oh, you owe -- you have five outstanding parking tickets in the town of Canton.

And for what? And then, they come to find out it's because you missed your deadline on -- on a smoking violation in a public park, which has nothing to do with a car.

So for me, I wish I read the bill a bit closer, because I probably would have offered an amendment to strike some of that out or clarify it a little bit, because that's concerning that we would use the full weight of the State of Connecticut to enforce parking violations in the state.

So many times on the news where cities offer amnesty programs for folks because interest adds up, too, as do penalties and fines, and people rush to pay. I mean, we think it's comical when we see on television where somebody opens up their glove box and out pour a whole bunch of parking tickets, you know, but that actually happens.

Some people, you drive around and, nowadays, with the new pay at the machine things, not everybody has a piece of plastic to put into that machine to say I want parking here for two hours. So they -- they take their chances. Well, if it was a coin operated one, I -- I'd throw a couple of quarters in there and I'd be all set. But not everybody has a piece of plastic, a debit card or credit card, to put in these machines, and then they get the ticket on their window.

Or what happens if it rains and the ticket blows off the window? It's still on their file and they didn't

pay it not because of negligence or because they refuse to do it. They may have been unaware of it. They were ignorant of the fact that they were issued an infraction.

But yet, if they got five of them, and five may seem like a lot, but it's not if you're in a situation where you have to park in a public parking lot or pay parking space every day. There are folks that commute to the -- all of our great cities, that if their employer doesn't pay, they pay out of pocket for parking and sometimes they're in a rush. They just didn't pay and, you know, they pay the fine and then -- I -- I just can't imagine that at some point, and I hope it never happens.

It sounds like Senator Osten wasn't aware of it and hopefully, throughout the debate, I'll hear if any other Senators talk about it, that people have had their registrations suspended for not paying a parking fine.

But, you know, I did vote for the bill in -- in finance. Madam President, I think that it's up the municipalities to make that determination, if they want to delay the -- revaluation. I understand that folks are claiming this is the Bridgeport bill. They have a lot of construction going on around there and if -- if that's what Mayor Finch and the Board of Finance believe is the right direction for this city, then -- then they'll adopt this and they'll -- they'll make it happen.

If they -- at the end of the day, if they don't believe it's right for the city, then they won't. We always talk about giving our municipalities the option. And there's also the flip side of that, where we have to be responsible in the decisions that we make.

Although we may delay revaluation, the other part is the revenue that would be coming in isn't going to be there. So we've got to make sure that we -- we do an analytical analysis of the implications. I think that Bridgeport has done that.

I think this is something that they need. I know if it was one of my communities, they asked me for it, I'd be right up here cheerleading this on next year if we were on the list for 2015. Because we're all good stewards of our -- of our towns and our cities and we just want to do the best for them and this gives them one more tool.

And again, I wish we could have, as previous speakers have said, added more to eliminating some of the municipal mandates. If we had taken a look at the cost agenda, the Council of Small Towns, and CC on -- the Conference of Municipalities, we'd see the same reoccurring theme every year of municipal mandates that they'd like to see some relief from.

And they don't appear on the bill, but for me, that's not a reason to vote against the bill. I just hope that we can a larger discussion in the future of offering some real relief to some of our municipalities.

Now, I want to thank Senator Osten for the answers to her questions and thank you, Madam President.

THE CHAIR:

Thank you, Senator. Will you remark? Senator Boucher. Good afternoon, ma'am.

SENATOR BOUCHER:

Good afternoon, Madam President. It's good to see you this afternoon, especially on UCONN day.

THE CHAIR:

Good day.

SENATOR BOUCHER:

Where we're really proud of our teams, there is no question, as the rest of the nation should be.

This is a very important afternoon in discussing an issue that has been bantered around this Legislature for quite some time. The issue of mandate relief is

something that all of our towns have been screaming about, as well as our educational institutions as well.

So there was a great deal of anticipation on the amount of work that was being done by committees of the Legislature to really attack this issue in a very serious way.

So there were a number of individuals and legislators that came together over a long period of time to put on the table something that was finally substantial that we could really tackle.

The reason for that is that there's nearly 1,200 or more unfunded mandates in the state, according to the Connecticut Conference of Municipalities, and they range through all manners of things; our school systems, our towns, our businesses, our tax payers.

Things such as prevailing wage, workers' compensation issue, paid sick leave, water treatment, to binding arbitration, in-school suspension, treating our youths as minors if they're criminals rather than adults.

However, really putting a dollar amount or a number on all of these have been very difficult to do, and particularly as a lot of these mandates vary from community to community. For most municipalities, special education represents probably one of the fastest growing segments of the unfunded mandates, where towns and cities have been known to pay 61.4 percent of special education costs, according to CCM. And now, where this area or population of schoolchildren are now representing nearly 20 percent of the budget.

One of the suggestions have been made, but is not a part of this bill, is that we should be requiring two-thirds vote of the General Assembly to pass any more unfunded mandates to our cities and towns and a full review of those that are in place to see where we can eliminate some of these costly burdens.

Things such the nearly 100 mandates we put on healthcare insurance plans. In fact, places in other states have been looking at that area just to reduce

the cost and we can see it playing out in some of the highest premium costs in healthcare reform.

However, the bill that we're looking at here, that we're discussing this afternoon, does only a few little things, and they don't seem to be really pertinent to most of our cities and towns that are really burdened by the vast numbers of mandates that they're required to comply with. The bill simply, from what I understand, is delaying a revaluation that may only pertain to just a few select locations.

It eliminates the requirement that municipalities pay to participate in the Department of Motor Vehicles delinquent property tax enforcement program and requires them -- that participate to report these delinquencies at least once a month to the DMV. And then, finally, a good idea, eliminating a report.

We could -- there are probably hundreds, if not maybe even in the thousands, of reports that could be looked at and reviewed. But at least here, it's eliminating a report that's redundant, apparently, from the Connecticut Siting Council.

But it -- it is very disappointing to say that this is what we're looking at on the topic of mandate relief after the amount of time and effort and the numbers of individuals that have spent the better part of this last year trying to come up with some things. I would maintain that we probably could and should do more, and maybe we should be discussing that this afternoon since this is our one opportunity to really broach a topic that is incredibly important. So much so that most of us that sit on a committee, anytime someone says is this a mandate, is this a town mandate, it could almost actually kill a proposal if that is brought up.

And yet, as I said, I'm very disappointed in what we're looking at right now. You know, our school systems have been increasingly -- and maybe some of us have been a part of that in reviewing some of the things that they should or shouldn't do, and it is rather disheartening that we didn't at least put something in here that had to do with our educational system and the number of mandates in that area.

Because for many, many years, the state government has imposed a great number of mandates on our school systems. Some of them are directly related to the mission of public education, but many of them are really not. And those that are not directly related to the mission of public schools have constituted a considerable amount of what some term as mission creep that has diverted a lot of staff time and financial resources from efforts to accomplish the basic mission of public schools.

Some of those that are directly related to a school's mission have been so crafted as to cause a great deal of time and the allocation of staff and financial resources that are necessary, really, to meet the very basic mission of a public school.

And in addition to all of this, many of these mandates are integrated with other mandates so that there's now a very complex structure of these mandates and it takes considerable -- which makes -- which makes consideration of the relief from just one very difficult to do without considering the impact and the implications on other mandates.

So it's a big web that's been created and most of it, without any analysis at all of the system impact of each of these mandates and the entire structure as a whole.

Now, we've been provided with quite a bit of information by our different educational associations as to what we can do about this. And some of the areas that they have mentioned, I think bear us to review. They talk about -- very good programs, by the way. Oftentimes, there's great intentions. The best program was one of the really great programs to help teachers do better in their work and get a lot of help and mentoring on that.

But yet, you know, we would mandate this and then not provide the financial -- real support that is required. Secondary school reform; we've talked a lot about that. A lot of mandates regarding this, but yet, again, with very little financial support for most of our towns and cities.

We've recently discovered that school schedules have become of great interest to state government for some reason. And yet, there's no clear need to have a uniform school schedule for the entire state and why not leave it to the local communities?

How about building codes? How many mandates do we put on building codes when, in fact, and I'm sure that's well appreciated by the good Chair, who has a great deal of responsibility in their local community, knowing full well that the local approval process should be sufficient to approve things such as different roofing pitches or what have you.

Prevailing wage is talked about a great deal and will be talked about some more because this is an issue that comes up regularly over and over. This area, a mandate that raises costs locally, hasn't been looked at for decade and that, in fact, should be looked at because some propose that we should raise the threshold from where it is now to quite a bit more.

Professional development; we all agree professional development is critical to a good functioning school system, to preparing of staff. And yet, we should consider any expansion of those requirements should not be discussed until sufficient support from the state is available.

In-school suspension; that got a lot of talk here as well.

And very importantly, something called the MBR, minimum budget requirement. We have given that short shift here. We should be discussing it now more than ever because a phenomenon is occurring, along with our difficulty in our economy and the cause for concern in our job market and individuals leaving the state. That has produced a result of shrinking enrollments in our school systems.

Almost all of them are undergoing a reduction in enrollment and yet, we still mandate a certain dollar threshold that must be spent. And many of our state educational organizations, those comprised of leaders, superintendents, principals' associations, or school

boards' association, they have been proposing that the amount by which a municipality may reduce its MBR per student drop in enrollment, be the amount that a district actually saves per student drop in that enrollment.

And that makes common sense to most people, but yet, it's not something anybody wanted to touch, and yet it would have a lot to do with -- with budgets this year.

And speaking of budgets, we've also been asked many times, I'm sure many of you have, that the simple change in our approval process for a state budget could certainly help our local municipalities if it was consistent with, and at the same timeframe, as our local budgets. I know you've heard about that as well. Why was this not discussed and put on the table for us?

We also have issues with regards to the funding of our magnet schools, that many would have liked for us to bring up. And I -- I -- one topic that is extremely controversial is special education and I know that many do not have the stomach to approach the very controversial issue of the burden of proof in special education's due process.

But again, we, in Connecticut, are the anomaly, and some would think that that is a good thing. That, in fact, it really helps that population in a way that they are not helped in other places. But yet, it's an important subject to discuss because there might be things in that -- that burden of proof's process that could actually shorten the timeframe, make it less onerous both for parents and for school systems, and make that process better. We shouldn't shy away from broaching that subject.

Not to mention everyone would like, and yet we can't - - we can't find the money to do it, it seems, as a state, but for the funding cap on special education cost sharing grant be removed and the state meet its obligations to cover all of the excess costs incurred as result of special education program placements. Because certainly, that is one of the largest cost drivers in a local municipality.

Something that some haven't thought about, and I think this should get bipartisan approval, it shouldn't be that hard to do, and that is simply proposing the statutory limit on superintendent contracts be removed and let the local boards of education given the local control they need to arrive at a superintendent's contract lengths that are most suited for the needs of a local district.

So I got on about education. As you well know, it's an area of great interest of mine and of great passion. We are all looking to support and make better our educational system for all of our students, no matter where they reside; whether they're in a large city or a very small community, whether they're in an affluent location or a less affluent. That is very important.

But I do have a proposal, Madam President, that I think might be easy to be able to add to this particular bill, because it does, in fact, deal with the municipality issue that is important and it has actually been vetted and gone through the approval process at both the House and the Senate and got just as far as the Governor's office only a year ago, but did not make it for a signature. And I think that this would be a mandate relief that could -- is a very small and simple one.

It's not necessarily my -- my priority and the top priority, because there are many others that represent a much larger financial burden, but here's a smaller simple one that could move us in the direction. And it has -- it really talks about creating a pilot program for our primary system in our local municipality.

So Madam President, I would like to -- to have the Clerk, who should be in possession of LCO 4724.

THE CHAIR:

Mr. Clerk. 4724?

THE CLERK:

LCO Number 4724, Senate "A", offered by Senators  
Witkos and Boucher.

SENATOR BOUCHER:

Thank you, Madam President. I move the amendment or I move adoption and seek leave to summarize, if I may.

THE CHAIR:

Motion's on -- on adoption. Will you remark?

SENATOR BOUCHER:

Madam President, this is a very simple amendment to create a pilot for certain communities to see if the reduction of the number of polling places for a primary, many of which only have 5 or 6 percent of the public that comes out to vote in -- in certain years, to attest this and to see exactly what impact this would have on the voting process and what impact it would certainly have on the finances for a community. Particularly in small communities throughout the State of Connecticut.

And Madam President, I hope that others find this, as they have in the past, to be a fairly friendly amendment and one that is not controversial and hope that they will support it.

Thank you very much, Madam President.

THE CHAIR:

Thank you. Will you remark? Will you remark?  
Senator Osten.

SENATOR OSTEN:

Thank you very much, Madam President.

And I appreciate all that the good Senator had to say revolving around mandate relief. And quite frankly, if I get to ever choose the title of a bill, I'm going to make sure it doesn't say municipal mandate relief unless it has large mandate relief in it.

But I would respectfully request that the body reject said amendment, having not had the opportunity to read it until just now. And I would ask for a roll call vote.

THE CHAIR:

Roll call vote will be taken. Senator Witkos.

SENATOR WITKOS:

Thank you, Madam President. I'd be more than happy to talk about the amendment to give Senator Osten time to read it.

You know, I rise in support of the amendment. This pilot program resonates with a couple of my communities. In fact, this exact language had a hearing last year.

Madam President, it was passed on consent in this body. It passed in the House of Representatives and there was unfortunately a line in the bill, which caused the Governor to veto the bill, but I don't believe that is contained within the pilot program here today.

So this concept did have a public hearing by this General Assembly and talk about a good relief program, which would allow, and I think in some cases enhance, the number of voters, because they're going to get an actual additional notification saying just so you know, we've reduced the number of polling places in the district. You're all voting in this location. Whereas normally, they wouldn't even get a card telling them that, so -- or reminding them that an election is about to take place.

So -- so difficult it is for the registrars to find volunteers and moderators that have to be at their polling places, you know, by 5:00 o'clock in the morning and they're there until 8:00 o'clock at night. And you have a community in some of these pilot towns that have three and four multiple locations, when they really, based on voter turnout, could have it in one.

The number of volunteers that are required and the training that goes on with that and the -- the feeding of the individuals that work that and -- and the -- the printing of the paper and the machines and it goes on and on and on and on and on.

The relief that the communities would feel, this would be a -- a great pilot program, if you will. Again, it's -- it's only -- looks -- I believe nine communities that this would be piloted in. If the pilot program doesn't work, if we hear from the registrar's office that we need to offer a tweak before we roll this out to the statewide community, and again, we can make this -- again, if the towns -- it's a -- something that they can opt into. They don't have to do this if they don't want to.

What a great tool to say this is a -- a measure for you to try out because you're telling us, the Legislature, why -- because we have great voter turnout during the presidential years at the general election that can't be accommodated on a once base, so we're going to divvy the town up into these different voting districts. But yet, when we have a small voter turnout for a primary, why we can't combine those things?

So I stand in strong support of the amendment. It's passed this Chamber before. It's passed the House before. Unfortunately, there was -- again, just to reiterate, it was a small piece that the -- the Governor didn't like, vetoed the bill. It's not in here.

This is something that is a tool for these communities to showcase to the rest of the state that it does work. It doesn't hamper voter turnout. Actually, I think it will enhance voter turnout and -- and it should, hopefully, be adopted by the Chamber.

Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark? Senator McLachlan.

SENATOR MCLACHLAN:

Thank you, Madam President.

I stand in support of the amendment and thank Senator Boucher and Senator Witkos for raising the issue that we've talked about in the Government Administration and Elections Committee, I believe for four years now.

This particular topic, again, bipartisan support of registrars and town clerks who testified at public hearings on this topic, we discovered that in some communities, fewer than five people showed up at a polling place for a primary and, yet, the primary resources all had to be set up with multiple personnel, equipment, telephones, fax machine. All of this work for five people to come to a particular polling place.

And what they suggested was we could very easily notify the voters. Certainly, the candidates will notify the voters of a change in polling place, a centralized polling place, that could simplify the primary day operations, save money, and, most importantly, save money for the tax payers.

So this really makes sense. It's not in any way, shape, or form limiting the access to the polls. And in the case of the original bill, we even had the candidates involved in the decision making process.

So I would encourage this trial, if you will, to proceed so that the Legislature can study how it worked and see if it's appropriate to go statewide.

Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark? Senator Welch.

SENATOR WELCH:

Thank you, Madam President.

I applaud Senator Boucher and Senator Witkos for this good idea. Everything I heard sounds great. We've voted out of this Chamber unanimously, voted out of

the House, and the only objection to the concept has been removed from the concept, if I understand Senator Witkos' discussion.

And -- and I think, when you look at unfunded mandates, this is one that, if it weren't a pilot program, might cause some concern, and that is the voter confusion. That's something you want to avoid, which is, I think, rolling it out in such a limited way to test it, to study it, to make sure that it is not something that is going to disenfranchise anybody, is a great idea.

So it's a -- it's a relief of unfunded mandate I can get behind. We've got a bill before us that provides relief for three unfunded mandates. I say let's make it four.

Thank you, Madam President.

THE CHAIR:

Will you remark? Senator Markley. Good afternoon, sir.

SENATOR MARKLEY:

Good afternoon, Madam President.

I want to also rise in support of this amendment. And I think is a good opportunity to do something that we all realize is a good idea.

A lot of times, amendments get proposed, as Senator Osten pointed out, that come out of nowhere, that we don't really know the background of, that we have reason to wish we had had more input on. This is a case of an amendment that has been thoroughly vetted by both Chambers, has been through the committee process in its previous manifestation as a -- as a bill and passed and was vetoed by the Governor on narrow grounds.

Those narrow grounds have been addressed. We've got something that I think everybody here can agree to. And it addresses something that's a real frustration. I remember in last year's municipal primaries reading

at a certain -- that at a certain point on -- on voting day, in one of the big city precincts, not a single vote had been cast at the polling place at 5:00 p.m.

Of course, having worked the polls myself, what amazed me about that was that the poll workers themselves usually would be the first people into the machines, maybe were not actually from that voting district and hadn't voted there, and nobody else had at that point in the day.

And obviously, it's -- it's sad to see resources wasted. Not simply the cost to the cities of keeping those polling places open and paying people to -- to man them, but the man hours of the -- of the poor poll workers who are sitting there from 6:00 in the morning or from 5:00 in the morning, you have to get there and get things ready, until sometimes after 8:00 p.m. at night, and not actually serving any voters at all, or maybe at the end of the day, serving a small handful of voters.

Especially again in the cities, where things are close enough together. If the polling isn't taking place at one school, it's likely to be the school very nearby. And if the lines are drawn anywhere -- anything like they are in my home town, sometimes the school that you don't vote at is actually closer to the -- to you than the school you do vote on -- at. So it doesn't even necessarily create a hardship for anybody.

And again, as has been -- has been pointed out, it's something that nobody is being forced to undertake. It's something that gives us an opportunity to see how it works and it has protections for the candidates who are involved.

And I guess I would say to my Democratic colleagues that I hope that, under the circumstances of this particular amendment, that it not be rejected simply because it's -- simply because it's come from Senator Boucher, but that we consider actually casting a vote for it.

So when your colleagues rush back into the Chamber and see the buttons, they'll see some green Democrats and stick with us on it. Thank you very much.

THE CHAIR:

Thank you. Will you remark? Senator Kane.

SENATOR KANE:

Thank you, Madam President.

Through you, I have a couple of questions to the proponent of the amendment.

THE CHAIR:

Please proceed, sir.

SENATOR KANE:

Thank you, Madam President.

In standing up and -- and rising in favor of your amendment, Senator Boucher, Senator McLachlan mentioned that the GAE Committee had seen this proposal before. And I was just curious if you could speak to some of the testimony that was put forth in front of that Committee. Through you.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Thank you, Madam President.

Madam President, through you, yes. We actually didn't come up with this idea ourselves. In fact, it was brought to us by our registrars, who had encountered a great deal of -- of concern over the amount of effort and cost associated with primaries that oftentimes, as was just mentioned, very few people did show up for, sometimes, only 5 or 6 percent, and that to have all of the polling places open was a great cost. It also

was difficult to get manned and that extra expense didn't seem rational. It didn't make sense.

So the common sense approach was to give them some latitude to make a determination and -- and also addressing a lot of the concerns that might have come up. For example, I think a lot of the language here actually goes very far in trying to protect a candidate.

In other words, if a candidate objects to this, then it doesn't happen. And in fact -- and also to apprise the electors of the change and they have to be given 25-days notice ahead of time for the change that's being -- that is taking place.

So it -- it all made a lot of sense. But because it would be a new process, the thought was that instead of just basically approving this throughout the State of Connecticut, that it could be done as a pilot so that it can show whether there would be any concerns or problems that would arise and that they can fix that going forward. Through you, Madam President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

I -- I appreciate that answer because we -- I, like yourself, hear from my registrars of voters as well, as well as our communities, about the cost associated with the primaries. Not only that, I -- in our town, our budget goes out to referendum and I know that the cost associated with that is in the tens of thousands.

And I'm looking at the fiscal note attached to your amendment and it's -- claims that there would be a savings for the communities that are in the pilot program of up to \$25,000. Would that be your understanding as well? Through you, Madam President.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Yes, Madam President, that is my understanding as well. And just in the event that someone might think that that's a small amount of funds, one has to appreciate the budgets of some of these very small towns and how little in-state reimbursement they get for the functioning of their town school systems and road programs, many of them who only get one, two, or three cents on a dollar, and some of them that are less perceived as affluent, they get, maybe, 25 cents or 30 cents, at the most, to the dollar.

So for them, any expenditure can mean -- actually, \$25,000 could represent one paid staff person. Through you, Madam President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

And thank you, Madam President.

And the communities that are in the pilot program, do they have more than one polling place in -- in those communities? Through you.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Yes, Madam President. Through you, yes. It is my understanding. I certainly know several of them and the one with the smallest number, from the communities that I know, have three polling places. Most of them have four or more. Through you, Madam President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

I appreciate Senator Boucher for her answers. I, too, will rise in favor of this amendment. As I mentioned, my community, to which I live, we have four polling places and it certainly gets very costly when we have to put out our budget for referendum among other votes that take places.

So if we had the ability to reduce the number of polling places in an effort for savings, then we're really talking about municipal mandate relief. I think the pilot program that Senator Boucher and Senator Witkos talk about in this amendment gives us a wide variety of some of the towns that could take advantage of this and it's an array.

It's not necessarily in -- in one part of the state, but throughout a cross-section of the state, and would be able to take advantage of this and -- and be a good thermometer, if you will, a good litmus test, of -- of how our communities would be able to benefit.

So I, too, will rise in favor of the amendment. Thank you.

THE CHAIR:

Thank you. Will you remark? Will you remark? If not, Mr. Clerk, will you call for a roll call vote. The machine will be open.

THE CLERK:

Immediate roll call has been ordered in the Senate on Senate Amendment Schedule "A". Immediate roll call in the Senate.

THE CHAIR:

Mr. Clerk, can you call for the roll call vote one more time, please.

THE CLERK:

Roll call on Senate "A" ordered in the Senate.  
Immediate roll call in the Senate.

THE CHAIR:

All members have voted. All members voted. The machine will be closed. Mr. Clerk, will you please call the tally.

THE CLERK:

On Senate Amendment Schedule "A".	
Total number voting	35
Those voting Yea	14
Those voting Nay	21
Absent and not voting	1

THE CHAIR:

The amendment fails. Will you remark? Senator Kane.

SENATOR KANE:

Thank you, Madam President.

It's -- I rise for the purpose of an amendment.

THE CHAIR:

Please proceed, sir.

SENATOR KANE:

Thank you, Madam President.

I would ask -- the Clerk is in possession of LCO 4723. I would ask the Clerk call the amendment and I'd be allowed to summarize.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO Number 4723, Senate "B", offered by Senator Kane.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

I move adoption.

THE CHAIR:

Motion is on adoption. Will you remark, sir?

SENATOR KANE:

Thank you, Madam President, I will.

This idea or this bill, this proposal, is nothing new, and is actually something that I have been putting forth for a great deal of time. Back in 2008, when I first got elected, a gentleman from my community brought this to the -- to my attention.

And what it is, Madam President, is back in 1991, this is how far this goes back, but we have a tax on the books, currently, which is a controlled substance tax. And what happens is if a person is in possession of a controlled substance, then they would pay a -- a tax on the amount that they have and the market value of that amount.

Well, since that time, the Department of Revenue Services has really not seen this a great revenue stream and pretty much have failed to collect on this tax and have almost, dare I say, dismissed it in a way that they feel is not important.

So my proposal for the last six years, and it's ironically gotten through the Planning and Development Committee. In fact, it got through the Planning and Development Committee this year, but ended up dying on the Calendar of the Finance, Revenue, and Bonding Committee.

But my proposal, what it does, Madam President, is instead of the Department of Revenue services be able

to collect this tax that, again, is already on the books, that it would give this opportunity to the communities that you and I and all of us represent. Because there is literally no incentive for communities to go after this tax because they're not getting anything in return.

What we can do with this legislation, if you want to talk about giving money to our communities, especially with the underlying bill, is allow the municipality that these infractions, these occurrences, take place to levy the tax on that individual and collect it themselves so they could put it into their own coffers and hopefully deter or use for the war on drugs, for education, for policing; you name it. There's great opportunity.

The fiscal note is a revenue gain to our municipalities. And although small, because I think that's based on history, based on prior years, the last 23 years that the Department of Revenue Services, as I mentioned, has -- has unfortunately not been pursuing, but I think could be rather large and could be greater than what is shown in this bill right here.

So this gives us an opportunity to help the municipalities that we represent. And actually, if you look at the -- the language, it's communities of 75,000 population or fewer. So the Bridgeports of the world, the New Havens, the Hartfords; they wouldn't have a concern with this legislation because it would be communities smaller than those. So it would help the smaller communities that have a difficult time in collecting revenue.

And we all know that our budgets pretty much rely on the backs of the residential homeowner and we're here talking about reevaluation and about how the shifting of the burden gets shifted between the commercial tax base and the residential tax base and how we plan reevaluation at times strictly for that.

I think this is what the underlying bill does. We -- we mentioned Bridgeport and -- and the difficulties they're going through.

So what this will do is help the communities that we represent, certainly a community like the good Chairman of Planning and Development, by any infractions that these take place.

It's not a -- it's not a criminal proceeding, by the way. It's a civil. So it -- it's a tax that could be put on a person's property. It could put a lien. It -- it gives us a good opportunity to raise revenue for our communities. And actually, not going after taxpayers, if you think about it, because the people who would be in possession of these substances, not necessarily the good guys. They're -- they're people who are not paying taxes probably, or if they are, they're certainly not paying taxes on the underlying language in this bill.

So rather than continue to raise taxes on people's -- on their homes, on their personal cars, on you name it, this would be on something that could have lucrative benefit, yet only affect a small number of people because these are the people who are perpetrating these type of acts.

So I -- I think it's a good amendment. I think it's very a propos for the underlying bill considering we're looking to give mandate relief to our communities. This actually gives revenue to our communities and I'd ask for a roll call vote.

THE CHAIR:

Roll call vote will be had. Senator Osten.

SENATOR OSTEN:

Thank you very much, Madam President.

I urge the members of the circle to reject this amendment. But I do have a couple of questions for the proponent of the amendment, through you.

THE CHAIR:

Senator Kane. Please proceed, ma'am.

SENATOR OSTEN:

I just noticed in Section E that in order for a municipality to collect the tax imposed, disregarding who the people are who conduct themselves in this way, that the chief elected official of the municipality shall appoint one or more hearing officers other than police officers to hear petitions of aggrieved tax payers and shall establish by ordinance a hearing procedure.

Do you have any idea, Senator Kane, if you know, what the cost of establishing and paying for that hearing officer or the procedure and the passage of an ordinance would cost municipalities?

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

Well, you know, looking at the fiscal note, there is no cost associated with it. So I would have to go with the Office of Fiscal Analysis on that answer. Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

Do you know -- and -- and may -- you may or may not know, were they thinking that these people -- did -- did you ask the question if they would be working for free or they would be pulled off of other jobs to do this?

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

No. I -- I think what it is says is that the chief elected official of the municipality shall appoint one or more hearing officers other than police officers or persons.

So I would imagine that would be someone in the tax department, the tax collector's department. In my community, we have a tax board of appeals that we can -- who are volunteers who can certainly -- you -- be used in this role. Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

Thank you very much, Madam President. And through you, you -- so your intention would be to recommend to municipalities that the Board of Assessment Appeals work towards whether or not a taxpayer of real property felt they were aggrieved based on an infraction on possession of marijuana?

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

No, I'm not making any recommendation. I think in the legislation, you'll see that the chief elected official would make that decision. I just happen to give you an example that, in my town, we do have a volunteer board set up. Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

Thank you very much, Madam President.

I -- I appreciate the good Senator's intention here.  
I still urge rejection. Thank you.

THE CHAIR:

Thank you. Will you remark? Senator Frantz.

SENATOR FRANTZ:

Thank you, Madam President.

I appreciate the couple of minutes. I rise in favor of the amendment. I think it's a well thought out one. Senator Kane has tried obviously here for several years to try to get this passed as a bill into law unsuccessfully.

But here's another chance to take a look at this and -- and I think we should take a close look at it because not only is it an additional punishment for someone who is breaking the law by having in their possession illegal substances, but what it does is it -- is it -- it puts a tax on them that would presumably be a burden for that particular person and is something that would probably be talked about, such as the sentences that are given to people for various amounts of illegal substances and in terms of how much time they might have to spend either behind bars or doing public service.

So I think it's a pretty bulletproof concept or -- or amendment here, in that there is a provision for a hearing, which we just heard about. And -- and we just heard about how that would actually be provided by the municipality and also the fact the Office of Fiscal Analysis has given it their blessing that there is not, in fact, a -- a fiscal burden on the municipality.

So there is -- there is room for a day in court, so to speak, in this -- in this amendment here. It adds to the revenue base of municipalities, which is another wonderful thing about this bill. We have to get creative going forward. We know that because the municipalities are so burdened with unfunded mandates, revenues that have been down for four to five years

now, and with really no significant recovery in -- in sight here for -- for the near term -- term future.

Hopefully that changes. But in the meantime, we should be looking at every revenue source that we can possibly find under the sun here in Connecticut and I think this is a pretty decent way to do it. So I hope you all at least consider voting it.

Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark? Senator Boucher.

SENATOR BOUCHER:

Good afternoon, Madam President.

Well, I certainly didn't anticipate that our discussion on mandate relief would lead ourselves to a topic that I have spent, and we all have spent, an inordinate amount of time discussing in so many different ways.

So through you, Madam President, if I may ask a few questions on this amendment to the proponent, because I'm still not sure if it's something I'm going to support or something that I would oppose. And maybe in -- in a more thorough explanation of what this amendment is trying to accomplish might help me to arrive at a position on this.

Through you, Madam President, does the proponent anticipate that his tax that would be proposed would work much like the tobacco taxes that we now put on tobacco products? Through you, Madam President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

I -- I thank Senator Boucher for the -- for the question. First, if I may, this is not a tax I am proposing, but a tax that is already on the books and that has been on the books since 1991 and has been in statute for that long. If you look at the OFA fiscal note, it has listed what each type of substance is calculated at.

So for example, marijuana is -- each gram, or portion thereof, is \$3.50, but a controlled substance, each gram or portion of, is \$200. Then, if you look at a controlled substance not sold by weight, but if the -- each 50-dosage unit, or portion thereof, is \$2,000. So there's some pretty hefty figures on here that can equal to some rather large monies for the communities that we represent.

And it's not based on sales. It's not based on, you know, a percentage of sales. It's simply a formula that has been in place since 1991 that the State of Connecticut is now taking advantage of and that our communities could benefit from. Through you, Madam President. I hope that answers her question.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Madam President, I thank the proponent of this amendment for his answer. But no, I'm still pretty much left in the clouds on this for the moment in that we now -- from what I understand is, we have this tax on the books, it has not been used.

So through you, Madam President, am I to understand that it is a tax or a penalty for someone that illegally uses the drug or a tax for those that are producing it and/or buying it legally for medical purposes? Through you, Madam President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

You know, it -- anyone in possession. Basically, if -- if you were in possession of a substance, the way it -- way it started was you were supposed to buy stamps and these stamps would equal the -- the formula that I mentioned for the amount that you were in possession.

So it's literally on the books or anyone in possession of these type of substances. So what -- what I'm suggesting is right now, current law, if a police officer finds someone who is dealing drugs out of their home, and let's say they have a -- a pound of marijuana, that person, obviously, would go through the criminal process, but financially, civilly, what happens is they would fill out this form. The form would go to the Department of Revenue Services and the Department of Revenue Services would levy a tax on that individual based on the amount that they had and the formula that I mentioned.

My bill would take the Department of Revenue Services out of it because they don't go after this money, they don't pursue it, and give it directly to the municipality. So again, take my example. A police officer finds someone with a pound of marijuana, they would literally levy it right then and there and give them a bill and says, okay. Here you go. You -- you were -- you were found in possession with this amount. This is what it's worth. Give that to the -- to the tax collector in town.

And -- and has nothing to do with the criminal proceedings. Has -- has nothing to do with who bought it, who sold it, who -- who did what. It's simply a tax that is already on the books that would give our communities an opportunity for revenue. Through you, Madam President.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Thank you, Madam President.

Very interesting indeed. Then, through you, Madam President, so that I understand this. We're talking about a pound. We now have a law on the books that allows an individual to possess half an ounce or less for an infraction. Through you, Madam President, how is a tax assessment anticipated for that circumstance? Through you, Madam President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Well -- thank you, Madam President.

And that's a good question and we've heard this question in the Committee. But, you know, like anything, it would be on discretion. I mean, certainly, police officers have discretion to -- to use in -- in any infraction, whether it be motor vehicle or anything else.

So I don't believe you would have police officers pursue something of that small in nature. There -- there simply is not enough revenue for that. So this would be for -- for something quite larger and more significant. Through you, Madam President.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Thank you, Madam President. So through you, Madam President, that in this amendment, it actually states the quantity of pot that a person possesses as it relates to the tax that's imposed. Through you, Madam President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Right. So thank you, Madam President, and through you.

So as I mentioned earlier, each gram is \$3.50. So I don't believe police officers are going to spend their time on \$3.50. But, you know, it just doesn't add up. It doesn't make sense.

So what this would be potentially is -- is some larger amounts. We had, just in the -- the newspaper about a month ago, a gentleman in my district, who had well over 100 marijuana plants in his possession. So something like that could bring in some -- some good revenue to our community. Not something of a small nature, really, but certainly, you know, we would use some discretion in that.

But the -- but the formula is there. It -- it's in the fiscal note, if the good Senator would like to see it. Through you.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Thank you, Madam President.

Madam President, through you, once again for clarification, as I am very curious about how this system would work and whether it is a benefit or not to our towns and the state. The tax that's collected, through you, Madam President, is strictly, all of it, 100 percent of it, going to the municipality or city, but not to the state at any time? Through you, Madam President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Yes, Madam President. Thank you. Through you to Senator Boucher, that's the change that I'm proposing.

So again, currently, as it -- as it -- at -- at -- as current law is, the Department of Revenue Services would pursue this. They are obviously not. What this bill would do is give it directly to the municipality, just like levying a tax or a lien on -- on anything else.

It's a property that you're in possession of. It has a formula for taxation and you would be able to levy that tax right then and there. Through you, Madam President.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Thank you, Madam President.

So it is our town and city tax collector that would be responsible for this -- for both the collection of and the use of these taxes? Through you, Madam President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

Yes, that's correct.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Thank you, Madam President.

Madam President, also for clarification, we have been talking about penalties as a tax. In other words on the unlawful possession. However, Connecticut just recently passed a bill allowing for the legal

dispensing of marijuana for medical purposes and there are growers in various towns and cities in the state.

So through you, Madam President, what is anticipated with regards to taxing any of those dispensaries, growers, users of medical marijuana? Through you, Madam President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

If I may, just a moment.

Thank you, Madam President.

In Section A, it says that a tax is imposed on any marijuana or controlled substance purchased, acquired, transported, or imported into the state. Through you, Madam President.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Thank you, Madam President. So by that answer, then I am interpreting this to mean that, in fact, this tax would apply to our growers, to the dispensaries, to the individuals purchasing and using marijuana for medical purposes, as well as for any ticket for the unlawful use. Through you, Madam President.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

You know, I certainly am not an attorney and -- and nor do I pretend to be one. But whatever is in the letter of the law, that's what we would follow. Through you.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Thank you very much, Madam President.

I really appreciate the proponent of the amendment for those answers. This is a very difficult issue for me because I look at this and I think about the massive opposition we seem to have in the state to encouraging more gambling by introduction of keno to our state.

And yet, now we are embarking on a possible process that would then encourage the use of -- of funds, of taxes, for municipal school purposes and so forth that is tied an illicit drug and the greater use of, just as we would be unhappy with the greater use of tobacco. And yet, here we're embarking in the same direction as creating a dependency on the funds received from a - a drug that is extremely controversial and is being played out throughout the state -- throughout the country.

And I am concerned about going in that direction simply because, as we now do use money from the tobacco settlement for so many important state purposes, that it funds even the state budget for that matter and that we would somehow tie the greater use of or the process of gaining or -- whether legally or illegally, a substance that is extremely controversial gives me great pause.

There are arguments to be made. Then, well why not pot if we do it with tobacco? And we don't necessarily approve of tobacco. And yet, the funds obtained from tobacco is supposed to be tied to the reduction of the use of tobacco and for helping certainly some of our citizens that unfortunately have emphysema that are occupying many of our nursing homes in our state.

It is unfortunate that the -- the topic has even come up, but I guess, in a way, this is pertinent to the underlying bill if there's a desire to increase funds in some way. But, you know, only recently have we started to really see of the problems and the cost associated with the propagation of the legalization of this particular drug throughout the country.

So on one hand, we may be gaining some funds if we were to approve this amendment, but on the other hand, would be spending a great deal more from a state's perspective and a municipality's perspective, particularly in the area of law enforcement and particular in the area of healthcare and the use of EMTs. Because only just this month, in fact on Wednesday, there was an article that was published about marijuana causing heart problems in young adults. That young adults who smoke marijuana may risk -- may be at risk for serious or even fatal heart problems.

And in the findings of the Journal of the American Heart Association, raising new concerns about the safety of this product, just as many parts of the world and in this country are relaxing laws for the use and medical -- and medicinal use of marijuana, which is gaining popularity in treating all kinds of conditions, not necessarily for the ones that they originally intended.

And in fact, we even here in Connecticut have had problems with our young elementary school children that have overdosed on -- on this drug, particularly when it's mixed with certain food products. Two Colorado fourth graders were busted for selling marijuana at their elementary school, which then prompted reactions about keeping this product locked away from kids. Much as we might want to talk about keeping our guns locked away.

They are also finding now that the extensive use is also leading to extensive drug rings in affluent communities because oftentimes it's mistakenly discussed as it is a problem in our inner cities when, in fact, it's much more of a problem in our suburban suburbs, where the funds for this are more plentiful.

In Connecticut, three New Milford High School students were arrested and face possible expulsion over the possible selling of marijuana-laced brownies at their school. And now, in California, we have county after county trying to ban pot farms as that business thrives and is causing so much harm because they're close to schools, group homes, other sensitive areas.

That, in fact, the entire issue of this probably leads one to want to put in a bill of this type or an amendment of -- of this type because they can see there's a huge financial gain to be had from the possible taxing of this substance. But it leads us to have to ask ourself philosophically is this the right thing to do? Is it morally right? Just as many have trouble with the idea of tying gambling to funding of many important state functions.

And there's -- was such an outcry. I still can't get over the fact there's such an outcry against keno gambling and yet we seem to turn our heads when it comes to this particular substance that is increasingly becoming a problem. And even in our best research universities, Yale University, that has this year conclusively proven that it is singularly a gateway drug to many of the other drugs out there, whether it's crack or heroin. And every day now, we're picking up the paper reading about the epidemic of heroin use amongst our (inaudible) and the deaths that occur because of it.

It's very unfortunate to pick up these headlines. 83-year-old grandmother arrested for selling pot near a school. College students that ate six times the recommended amount of pot cookie before jumping to their death.

This is an unfortunate discussion that we should be having this afternoon, a very unfortunate one. I am very concerned.

The health issue surrounding this drug now, the fact that it has become fairly well accepted that it is a gateway drug. The fact that it leads young people to problems with brain development and older adults with heart problems, lung problems, and many of the maladies that surround the tobacco product as well and

that has led to an enormous amount of cost on the part of our states with regards to just our healthcare system, our nursing homes, our law enforcement systems, our Department of Children and Families, our department of law enforcements.

When 80 percent of our children that are taken out of homes come out of homes that have substance abuse problems to such a magnitude and we can't find good placements for those young -- those young children and they become the victims of all of this. The fact that I even have to bring it up this afternoon is very discouraging. Very discouraging indeed.

And although this might be a very, very good idea to get more resources for our towns, to me it is promoting and in an indirect way supporting something that I believe is a negative to the health, the safety, and the future proper functioning of our society in the state.

So I don't believe I can support it this afternoon. I just believe that this is the wrong message and a way to become dependent on a funding source that is just downright wrong.

Thank you, Madam President.

THE CHAIR:

Will you remark? Will you remark? If not -- Senator Musto.

SENATOR MUSTO:

Thank you, Madam President.

I rise in opposition to the amendment. I have several issues, but I'm not going to ask the proponent any questions because I believe that the answers are pretty self-explanatory.

But the fact that this amendment has no state fiscal impact indicates that the state is already not collecting this money, as he indicated. The reason the state's not collecting this money is something we haven't talked about and there is several reasons.

First of all is, as Senator Frantz pointed out, this is an additional penalty on someone who is in possession of illegal substances. That is a violation of the double jeopardy clause of the United States Constitution, has been ruled by several courts around the country. Many states have this tax and it's rarely collected for that reason, because when it is challenged, it is often stricken down.

The state has pretty much a total ability to collect his tax, should they so choose, because people who are arrested for these drugs end up in court. And whether they get a diversionary program or convicted, the courts know who they are and the state knows who they are.

But the state doesn't do that and there's several reasons for that, not the least of which is the inability to collect the tax because the people don't have the money, especially people who are being arrested and thrown in jail for periods of time are going to be unable to pay it.

And realistically, this would be a tax -- this is a state-level tax. If there is money to be made, it would be a fiscal impact to the state. There is not -- it would, as Senator Osten indicated, be a cost to the towns to set this up, but there's not going to be any revenue here. And no -- no state tax is collected by municipalities at this time.

Municipalities collect property taxes; that's their job. That's their expertise. Income tax and sales tax, et cetera, even though taxes of which the municipalities receive a portion are collected by the state. Municipalities are given a portion.

For those reasons, and not the least of which is that this tax is likely not able to be administered and perhaps already unconstitutional, I would oppose the amendment. Thank you.

THE CHAIR:

Thank you. Will you remark? Will you remark?

If not -- Senator Boucher for the second time.

SENATOR BOUCHER:

Thank you, Madam President.

I do ask your indulgence and your permission to stand up for a second time.

THE CHAIR:

Please proceed, ma'am.

SENATOR BOUCHER:

And -- and only briefly, I might add. That -- I know that the proponent of this amendment has done so with only the best of intentions from the standpoint of providing additional funding sources that towns sorely, sorely need. However, I think that -- that by doing so in a way that concerns me, it may, in some -- some way, legitimize this entire process. And I think the jury is still out because it's still being played out all over the country as to what is happening.

And oftentimes, as things evolve and problems occur to such a magnitude, oftentimes, changes are made and many laws are rescinded, as have -- as they have been done in other countries, particularly in England, where they have found their problems were so great that they had decided to no longer allow the substance to be legalized, but in fact, put more restrictions upon them.

We have to really consider that in working to normalize this entire substance, we have to consider that the few states that have taken this path have seen an alarming increase in its use, in crime, in higher cost to communities and state services, law enforcement, lower property values, negative changes in the quality of life of their communities, and it has shown by the experience of other states the abuse inherent cannot be prevented.

That the increased demand coming from some other states has produced an outcry even from other

governments in that they can't keep a lid on the cartels and the mass production of this.

And so in -- in the -- in the effort to try to add funds to a municipality, we actually could be inadvertently creating higher -- much, much higher costs and that, quite frankly, it is unfortunate that we have this issue in our state because I do believe that we -- and -- and even discussing this even this afternoon, we continue to send a negative message to our children and our families that -- somehow that this is a dangerous drug. That, in fact, it -- it does, and has, ruined the lives of many of our families.

And unfortunately, we see too many of our jails and our foster homes that have to bear the burden of this.

Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark? Will you remark? If not, Mr. Clerk, will you call for a roll call vote on Senate "B" and the machine will be open.

THE CLERK:

Immediate roll call in has been ordered in the Senate. Roll call on Senate "B" has been ordered in the Senate.

THE CHAIR:

Mr. Clerk -- Mr. Clerk, will you please give another roll call.

THE CLERK:

Immediate roll call on Senate "B" ordered in the Senate. Roll call on Senate "B" has been ordered in the Senate.

THE CHAIR:

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

THE CLERK:

On Senate Amendment Schedule "B".  
Total number voting 34  
Those voting Yea 8  
Those voting Nay 26  
Absent and not voting 2

THE CHAIR:

The amendment fails.

Will you remark further? Will you remark further?

Senator Welch.

SENATOR WELCH:

Thank you, Madam President.

I rise for the purposes of an amendment.

THE CHAIR:

Please proceed, sir.

SENATOR WELCH:

Thank you, Madam President.

The Clerk is in possession of LCO 4733. I ask that he call the amendment and I seek leave to summarize.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO Number 4733, Senate "C", offered by Senator McKinney.

THE CHAIR:

Senator Welch.

SENATOR WELCH:

Thank you, Madam President.

I do move adoption.

THE CHAIR:

Motion is on adoption. Will you remark, sir?

SENATOR WELCH:

Thank you, Madam President.

In listening to Senator Boucher early on, she mentioned an idea that I think is a really good idea, and that had to do with a two-thirds requirement in order to pass another unfunded mandate.

We have heard a lot today about how our towns and our cities are constantly asking us for relief, especially relief from the mandates for which we do not -- do not supply any money for them to comply with. And -- and notwithstanding those requests, and notwithstanding us saying I'll see what I can do and we'll work on it, more often than not, we find ourselves passing additional unfunded mandates.

Might not seem like it's going to be an unfunded mandate when we first come up with the idea, but clearly, at the end of the day, we are requiring our towns and cities to do things, things that will have expenses, albeit some of it nominal, but will have expenses. Notwithstanding our commitment to them not to pass more unfunded mandates.

And so what this bill is designed to do -- what this amendment is designed to do, Madam President, is to require that a two-thirds -- a two-thirds majority, in essence a super majority, be required anytime the House and the Senate are seeking to -- seeking to place another unfunded mandate on our municipalities.

Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark? Senator Osten.

SENATOR OSTEN:

I apologize for that. Thank you very much, Madam President.

And I move that this amendment -- I would request that this amendment be rejected by my colleagues and I would asked for a roll call vote.

THE CHAIR:

A roll call vote will be had. Will you remark? Senator Boucher.

SENATOR BOUCHER:

Thank you, Madam President.

Madam President, I rise to strongly support this amendment. We have asked time and time again for there to be a thorough review of any mandates that were passed here in the Legislature to see what the fiscal impact would be, what the impact would be on the functioning of either our municipalities, our schools, and -- and the structure of their -- of their budgets for sure.

And since we -- we're not able to achieve that in statute, then this is a very good way, because it actually does force the issue of truly investigating the impact of any new mandate that we put on our towns, our cities, in fact even our businesses. There is no question that we are in a depressed economy. It has not recovered. Even our revenues have come up short, even in the best, most optimistic projects that could have been.

And we are not there yet. So there -- there has never been a time when we've needed mandate relief more, when we should be putting the brakes of anything that increases cost at whatever level of government we have and our private sector and our citizens as well so that a bill such as this makes sense. Because if two-

thirds of the General Assembly, which, by the way, is now controlled by one side of the political aisle, so there's really not a great deal of risk to that side of the aisle in passing a bill such as this because it really -- if it's something that -- that seems right, would be right for folks, then it certainly can move forward.

But it should get a -- a very strong support, much like we do it during our budget times because there's a lot of similarities between passing a unfunded mandate and passing a budget. It will have real implications for our towns and cities.

And so I think this is an excellent amendment. We should be seriously considering it, and, as I said, it -- it should not really change too dramatically the way we do businesses, but I think it will, in the end of the day, produce better results in legislation that we bring forward.

Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark? Will you remark? If not, Mr. Clerk, will you call for a roll call vote on Senate "C". The machine is open.

THE CLERK:

Immediate roll call has been ordered in the Senate on Senate Amendment Schedule "C". Immediate roll call ordered in the Senate.

Immediate roll call on Senate "C" has been ordered in the Senate. Roll call on Senate "C" in the Senate.

THE CHAIR:

If all members have voted, all members voted, the machine will be closed.

Mr. Clerk, will you call the tally.

THE CLERK:

**S - 674**

**CONNECTICUT  
GENERAL ASSEMBLY  
SENATE**

**PROCEEDINGS  
2014**

**VOL. 57  
PART 6  
1656 - 1970**

On Senate Amendment Schedule "C".  
Total number voting 34  
Those voting Yea 13  
Those voting Nay 21  
Absent and not voting 2

THE CHAIR:

The amendment fails. Will you remark further? Will you remark further? Senator Welch -- Senator Witkos.

SENATOR WITKOS:

Thank you, Madam President.

I just need a clarification on an amendment that I'm about to call. You know, in this Chamber, we've had the discussion about a -- a fantastic service that our state provides to those communities in some respects as a -- as a cost savings measure because they can't afford to do something all on their own.

And what I'm talking about is the Resident State Trooper Program. You know -- and -- what that is is that towns that are served by a barracks because they don't have their own municipal police department, a town can contract with the state police to have a resident or two or three provide police services to that community.

And under the current law, the town pays 70 percent of the cost of -- of the -- the resident state trooper. So it's a -- it's a -- you get a good bang for your buck, if you will

But what happens is there's an issue when the trooper works overtime because we changed the law a few years ago that says well now, the town is going to pay 100 percent of any overtime cost and you're going to pay 100 percent of fringe benefit costs. But they've already paid the fringe benefit costs.

So in essence, the towns are getting double billed for the same fringe that -- you can't have more than one fringe. I can see the salary you're getting paid, because you actually worked those hours, but the

fringe benefits is something that I believe that they're being double billed for.

And that bill had come up before this assembly last year or two years ago and -- and the state police said that they agreed. It was in statute. They were allowed to do it, but they didn't have time to plan for it in their budget. I know that we heard it in the Public Safety Committee and there was also a bill that allowed the towns to be billed after the fact so they could plan for that bill.

But it still doesn't address the fact that our communities are small towns. We're not talking about large towns. We're talking about very small towns, our communities, that have the services of a resident state trooper. They're being -- they're paying for something twice.

And -- and that's -- and that's not fair. When we talk about fairness in this building, let -- let's address that. And this would be a great municipal mandate to correct while we're talking about this bill.

So with that, Madam President, the Clerk has in his possession LCO 4736. I ask that it be called and I would be allowed to summarize.

THE CHAIR:

Mr. Clerk. Mr. Clerk.

THE CLERK:

4736?

THE CHAIR:

4736. Let's stand at ease. The bill is not -- the amendment is not in the possession of the -- of the Clerk. He has -- is now in possession. Mr. Clerk.

THE CLERK:

LCO Number 4736, Senate (inaudible) by Senator Witkos.

(D)

THE CHAIR:

Put your mike on.

Senator Witkos.

SENATOR WITKOS:

Thank you. I move adoption, Madam President.

THE CHAIR:

Motion is on adoption. Will you remark, sir?

SENATOR WITKOS:

Yes. Thank you, Madam President, I will.

What the amendment strikes to do is change the 100 percent payment to the state from the towns for overtime and fringe benefit costs and reduce that to 70. So it would be a 70 percent cost to the towns across the board.

We'd pay 70 -- we, I mean, the -- the municipalities that have a resident state trooper program, and these are only the communities that participate in the resident state trooper program, under current statute, they pay 70 percent of the cost for regular salary and for fringe benefits. This extends that same parameter to overtime costs and fringe benefits. Keeps it at 70 percent.

And I ask for adoption. Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark? Will you remark?

Senator Osten.

SENATOR OSTEN:

Thank you, very much, Madam President.

And I -- I respectfully would ask that this amendment be rejected and ask for a roll call vote and the reason.

THE CHAIR:

Roll -- roll call vote will be had.

SENATOR OSTEN:

Thank you very much, Madam President.

And the reason that I would request that this -- that -- that this be rejected is because this is already being dealt with in substitute Bill Number 288, through the Public Safety Committee.

And I agree that the towns are being double billed on the overtime, but I would respectfully request that my colleagues reject this amendment and vote for the bill in Public Safety that would come up later.

THE CHAIR:

Thank you. Will you remark? Will you remark?  
Senator Guglielmo.

SENATOR GUGLIELMO:

Thank you. Thank you, Madam President.

As we all know, the Resident State Trooper Program is a great program. Many of our small towns in eastern Connecticut depend on it for -- for public safety. It's worked very well.

But each year, the cost increases and it's pressing our small towns to the point where some of them are -- are going to have to cut back on the number of resident state troopers, which is exactly the opposite of what I think we should be doing.

I mean, I -- I really believe that that's one of the important things that government does, is public safety, public health, public education, infrastructure. Those are the things we ought to be doing.

We had Stever Werbner come up. He's a town manager, town of Tolland. Really knowledgeable, intelligent guy, and he's -- was testifying on behalf of cost and just explaining to us on the Public Safety Committee how he really wasn't able to absorb these kind of increases any longer and they were looking for some type of relief.

And this amendment would certainly do that. So I hope my colleagues would serious consider it. Thank you, Madam President.

THE CHAIR:

Thank you. Senator Chapin. Good afternoon, sir.  
Senator Chapin.

SENATOR CHAPIN:

Good afternoon, Madam President.

THE CHAIR:

Good afternoon, sir.

SENATOR CHAPIN:

Madam President, a couple of questions to the proponent, through you, please.

THE CHAIR:

Please proceed, sir.

SENATOR CHAPIN:

Thank you, Madam President.

As you know, I come from a -- a House District that had their own police force. So the Resident Trooper Program is somewhat new to the towns, new to me, in that I'm now representing towns that do participate in the program.

Can you tell me the history behind why it was set at 100 percent for the overtime cost on the municipality? Through you, Madam President.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you, Madam President.

It wasn't always at 100 percent. I know that it was done several years ago. So I -- I couldn't speak to the reason why it was increased to 100 percent from what it was originally.

This amendment tries to -- attempts to move it back to what it was originally. Through you, Madam President.

THE CHAIR:

Senator Chapin.

SENATOR CHAPIN:

Thank you, Madam President.

And again, through you, and as far as the 70 percent threshold on I believe you said salary and fringe benefits, that has been constant at 70 percent? Or was that recently changed when the overtime percentages were changed? Through you, Madam President.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you. Through you, Madam President, the -- originally, it was 60 percent for regular costs and fringe benefit cost. That increased July 1, 2011, to 70 percent. And now, for regular costs and fringe benefit costs and I -- I believe, though I'm not 100 percent certain, that it was in 2011 when the overtime

costs and the fringe benefit costs went up to 100 percent. Through you, Madam President.

THE CHAIR:

Senator Chapin.

SENATOR CHAPIN:

Thank you, Madam President.

And again, through you, they went up to 100 percent from 60 percent? Through you, Madam President.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

It appears as the -- the language that I'm looking at, Madam President, that it was at 100 percent for the overtime costs.

THE CHAIR:

Senator Chapin.

SENATOR CHAPIN:

Thank you, Madam President.

And I thank the gentleman for his answers. Madam President, based on what I just heard, it seems like in -- not too long ago, we took a step backwards. We put more of a burden on our municipalities.

I think the amendment today seeks to offer some relief to our municipalities and, in many cases, these are smaller municipalities that have -- that -- that may have tremendous needs when it comes to have the resident troopers be engaged in overtime periods. And I think that the amendment before us would provide immediate relief for our smaller municipalities and therefore I encourage my colleagues to support it.

Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark? Will you remark?  
Senator Witkos, for the second time.

SENATOR WITKOS:

Thank you, Madam President, for the second time.

With all due respect to the proponent of the bill, I -- I looked at the underlying bill for -- that was mentioned during the debate that we may be discussing here later on, Senate Bill 288, and how it addresses the -- the costs and the fringe benefit costs. But it doesn't address what this amendment addresses, what that -- what we may be voting on, and that's a big may, be voting on in this Chamber.

It says, quote, "For the fiscal year ending June 30, 2015, and each fiscal year thereafter, the town's portion of such fringe benefits shall be equivalent to the portion of fringe benefits that such town own for the prior fiscal years."

But the percent remains at 100 percent. That is to allow the municipality so they can plan for budgetary purposes. This was the cost at 100 percent.

The amendment before us moves to reduce the cost to the municipality to 70 percent of the cost of overtime. The bill that Senator Osten said we may be talking about later on keeps the rate at 100 percent of the costs, which, in my opinion, we're double billing for a portion of fringe benefits that the towns have already paid for. Because you can't have more fringe benefits on the second time.

I agree on the salary end. If there's an additional cost to pay a salary, then maybe the town should pay that all. But you're -- you're charging for a fringe benefit that you've already paid for initially.

So with that, Madam President, I -- I'll rest and hopefully the Chamber will look favorably upon the amendment. Thank you.

THE CHAIR:

Thank you. Will you remark? Senator Osten for the second time.

SENATOR OSTEN:

Thank you very much, Madam President.

And I would -- I would just like to clarify a couple of things. On resident trooper salaries, the towns pay 70 percent of the benefits and the salaries, the fringe benefits and the salaries, for that resident trooper because they generally only spend about 70 percent of their time inside that town and they're deployed to do other things, just as point of clarification. And on the overtime, it's at 83.5 percent. In the upcoming year, it -- it is slated to go to 100 percent, thus the bill had it as -- because it was phased in in 2011 in the implementer to go up to 100 percent. So what's why the 288 says that.

I agree with Senator Witkos that that is, in my opinion double billing the towns for things that they have already paid for. And the fringe benefits include the trooper's vehicle and the training that that trooper attends, too, and -- and a variety of other things, too. Include their pension and their healthcare.

But I would look forward to this debate more fully under 288 and would still recommend that this amendment be rejected.

THE CHAIR:

Thank you. Will you remark? Senator Welch.

SENATOR WELCH:

Thank you, Madam President.

I do have a question for the proponent of the amendment, if I may through you.

THE CHAIR:

Please proceed, sir.

SENATOR WELCH:

Thank you, Madam President.

Senator Witkos, under the current law before this amendment, and I'm not sure that this amendment would even impact that, but can a resident state trooper be shared by more than one town? Through you, Madam President.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you, Madam President.

And through you, that -- yes, they can. That was passed by this General Assembly. I believe it was last session. As long as there was an MOU between the two municipalities. Through you.

THE CHAIR:

Senator Welch.

SENATOR WELCH:

Thank you, Madam President.

And then, do we know if that is actually happening today? Through you, Madam President.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you. Through you, Madam President, I'm sure that that is actually happening. I, unfortunately, have heard stories and I -- I'm not going to share them, that it's been not well received by the agency

that provides the troopers for this. So it's difficult for -- for the towns.

So -- and I thank you for the question, Senator, because while we're trying to make sure we reduce costs and eliminate mandates upon our municipalities, we, the policy makers of the state give the towns the mechanism to share one. Because maybe it doesn't -- one doesn't need one 100 percent of the time or they have something going on in the town.

So some of these towns are so close. They share a lot of different services and this one -- this is one way -- we talk -- for them to regionalize, if you will, and -- and share that -- that asset that they're meeting resistance from our own state agency to be able to provide that function.

Thank you, Madam President.

THE CHAIR:

Senator Welch.

SENATOR WELCH:

Thank you, Madam President.

And -- and I think that just kind of illustrates why this is so much more important. Because, you know, these resident troopers are fantastic. We've got one for the town of Harwinton, which is in the 31st District. And -- and they're -- they're like family.

And -- but they serve, I think, or can serve at least more than just the function of being the chief police officials in that one municipality. In fact they, under and MOU, can go into other towns as well.

And so, they're serving a broader -- a broader purpose in the state of Connecticut. And, you know, we all love our police officers, but we -- we all know that -- that they get called upon not only to just do the day in and day outs of their duties, but to do a lot of extra time, a lot of overtime, whether that just be aiding construction, whether that be additional law enforcement.

It's significant and it's a significant burden for our municipalities to continue to bear at 100 percent level when there is more than just that municipality that they are concerned with.

So Madam President, this is a -- a great amendment. I -- I think it's something we've been talking about in this Chamber for a while. I agree with Senator Witkos that it goes -- the next -- the -- I think the necessary extra next steps, then the bill that Senator Osten mentioned early. And so, I will be supporting it.

Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark? Senator McLachlan.

SENATOR MCLACHLAN:

Thank you, Madam President.

I stand in support of the amendment; thank Senator Witkos for being persistent on this topic. Certainly in my district, I have two towns, one of whom has a very small municipal police force and a resident state trooper, who supervises that police force, and another town with just a resident trooper.

And in both cases, both chief elected officials are very persistent on this topic because of the budget burden that they've experienced over the last few years as it relates to resident state troopers.

It is, indeed, a good program. It's appropriate for our small towns and I would urge -- urge adoption of this amendment. Thank you.

THE CHAIR:

Thank you. Will you remark? Will you remark? If not, Mr. Clerk, will you call for a roll call vote. The machine will be open on Senate "D".

THE CLERK:

Immediate roll call has been ordered in the Senate.  
Immediate roll call on Senate Amendment Schedule "D"  
has been ordered in the Senate.

THE CHAIR:

All members have voted. All members have voted. The machine will be closed.

Mr. Clerk -- oops, I'm sorry. I closed the machine. Sorry. Sorry, Eric. I closed it. Eric, I -- Eric. Senator Coleman, I closed -- Eric -- Eric.

Please call the tally.

THE CLERK:

On Senate Amendment Schedule "D".	
Total number voting	34
Those voting Yea	14
Those voting Nay	20
Absent and not voting	2

THE CHAIR:

The amendment fails.

Will you remark? Will you remark?

Senator Welch.

SENATOR WELCH:

Thank you, Madam President.

I have one more amendment and I rise to -- to bring that forward.

THE CHAIR:

Please proceed.

SENATOR WELCH:

Thank you, Madam President.

The Clerk is in possession of LCO 4731. I ask that he call the amendment. I move the amendment and seek leave to summarize.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO Number 4731, Senate "E", offered by Senators Boucher and Welch.

THE CHAIR:

Senator -- Senator Welch.

SENATOR WELCH:

Thank you, Madam President.

This amendment seeks to address another issue that I hear about a lot from the municipalities within the 31st and, frankly, within municipalities outside the 31st District. And it has to do with the minimum budget requirement that we have here in the State of Connecticut.

I actually think there are a lot of good things about MBR, but as time goes on, I think we're starting to see a lot of negative consequences from MBR. And so I bring this bill forward, or this amendment forward, to address some of those negative consequences. And essentially what this amendment would do would be to remove MBR.

The biggest criticism I have about MBR, Madam President, is this, and that is I see it stifling the development of creative education tactics within the State of Connecticut. I don't know why that was so hard to say, but I got it out.

And -- and here's how that is. There are a lot of good ideas I hear about from teachers and colleagues and citizens within the 31st District, but they are ideas that boards of education are reluctant to act

on. And -- and the sole reason is because if they move forward with an idea that has a cost, and that idea turns out to be not so much of a good idea, they are still locked in to carrying that cost for time out of mind.

And so as -- as good as it can be for us to say to our towns and cities, education's important, you have to fund it, the MBR doesn't seem to be the proper vehicle for making that case. Especially when I think it's having the opposite effect, and that is preventing towns, preventing boards of education, from doing good creative work that they might not necessarily otherwise do because they would be locked into -- to those costs.

So Madam President, in essence that's what this bill does and I urge its adoption.

THE CHAIR:

Will you remark? Will you remark? Senator Osten.

SENATOR OSTEN:

Thank you very much, Madam President.

While I appreciate the good Senator's intentions, I would urge my colleagues to reject this amendment and I would ask for a roll call vote.

THE CHAIR:

Roll call vote will be taken. Will you remark?  
Senator Stillman.

SENATOR STILLMAN:

Yes. Thank you, Madam President.

I -- I, too, stand in opposition to this amendment. I know that the minimum budget requirement issue is a -- is one that is somewhat contentious in this building and amongst the boards of education and town leaders. But I also know that it still has a value and to just eliminate it, I think would -- I know would be poor public policy.

Every year, we have a bill before the Education Committee on MBR. Over the last few years, we have made some changes to MBR so that if there are changes within the community, such as a school building that's closed or the population of the students has -- has gone down, that we have allowed some criteria in terms of the MBR formula.

So it is true it's an issue that the Legislature needs to revisit. It's my hope that the Committee will do so next year when we have a long session. But for now, I would hate to do this without the appropriate input and a public hearing.

This has not had a public hearing on this particular issue to get rid of it and I would urge rejection. Thank you.

THE CHAIR:

Thank you. Will you remark? Senator Markley.

SENATOR MARKLEY:

Thank you, Madam President.

I rise in support of this amendment and, again, I'm glad to see it brought forward. It's certainly one of the things I hear the most frequently, is the burdens that we place on towns and the way in which we tie their hands. And I think that above all is true on education issues.

And behind that hand tying that we perform, behind the direction, which cannot be ignored, which we provide to towns, is the conviction, which I do not share, that we know what is best in these cases. I think that sometimes, we make laws based -- I don't doubt based on our best -- on the best intentions and on our best understanding of the situation, but also like anyone else, subject to the political pressures, which are common to all levels of state government and everybody that's involved in this process.

I think that this minimum budget requirement is largely a reflection not of concerns over the

provision of education in the towns, but protection of the people who are employed in these individual school systems who are worthy of protection, but who need to be working through the same channels as everybody else on the local level.

And the bottom line on this is that I do not believe that we care more or we know better about how local communities should run their education system than they do themselves.

And in the four years I've been back here, I have been particularly impressed, I think more than I was in my first term of service, by the ability and the dedication and the effectiveness of the five boards of education that I deal with personally and I would say with the results that I see them get in many cases on limited budgets.

The town of Wolcott, for instance, is a town that has proudly produced some of the highest -- most -- most gratifying results from its students in testing. And yet, its per pupil expenditures are very, very near the bottom of the list. I think that's been because of the wisdom of the school board and the administrations, the very effective job they've done of using every dollar that they have.

It's a community that is profoundly conservative and does not like to see money wasted. Republicans, Democrats, and Independents, I believe, in Wolcott are unusually united in that respect. And I have confidence in their ability to make their decisions and not to do anything which would put the quality of their children's education at risk.

Why would they? Why would the voters or the parents of a community do something that would be to the long-term disadvantage of the very kids that are the future of that community and that of the -- the center and the purpose of those families?

So I think this would be a way to untie the hands of -  
- of municipalities as they constantly beg us to. Something that's very straightforward, clean, understandable, and that I don't think any of us can really believe would lead to any bad effect.

I will support it wholeheartedly and I would encourage those in this circle with me to support it as well. Thank you, Madam President.

THE CHAIR:

Will you remark? Senator Boucher.

SENATOR BOUCHER:

Thank you, Madam President.

Madam President, the subject of MBR and -- or the minimum budget requirement probably doesn't get a lot of attention. It's not a subject that really has a high profile, but yet, it has a big financial impact on our towns. And as the very distinguished Chairman of the Education Committee said, that this policy still has value, that there -- there is -- it's trouble as of late, however there was very good intentions in putting this in place originally.

And I remember this from many years back, when we had some major cities that had failing school systems that were underfunding their education in a way that was unconscionable in fact. And I was there for the times when millions of dollars of penalties were exacted on some of our large urban school systems for severely underfunding their educational system, which was in need of great support.

And so there was a very strong reason to put this policy in place originally. However, as with all good intentions, oftentimes painting the entire state school system with one brush can have some negative consequences and that is what is happening now.

In the times of when enrollments were growing at a very rapid pace, this was not so much an issue because every year, the school budget would be increasing because the school population was increasing.

Now, remember, these public school systems also pay for public transportation, for some of their students to go to private schools in their area as well. So that adds to the cost of their school budget.

And other services were also provided at that time. That has eroded over the years. What has changed, and why this is issue of MBR is such an important issue to be brought forward, is because now there is declining enrollment and in some places, by quite a large amount.

And as was just stated, there have been some changes made to the formula to try to consider this and make some accommodations. However, the reductions that can be made with declining enrolling, I think, if I'm correct in my remembrance, it's about \$3,000 per student in school districts now that oftentimes spend anywhere from 15, 17, or 19,000, and in some urban centers, even \$20,000 per student.

So \$3,000 would not represent a fairly good number to be able to really responsibly change the budget numbers in a way that the towns can move forward. I do have one school system in particular that's a regionalized school district that is looking at anywhere from 15 to 20 percent decreases in enrollment, and they are really facing a very severe budget crisis coming up because of the MBR and their changes because the formula just doesn't work well enough for them.

As was stated, this is a subject that does need to be pursued. This is speaking a -- a real mandate relief. This, in fact, is one that could be in the top two or three of what we would be discussing this afternoon and for that reason, I would really like to support this amendment because I think it's an issue that has tremendous merit. It would make a huge difference in our local communities and on our budgets and on their budgets.

And as was stated as well, which I did not even think about before, but should be something we should consider, is that when school districts do try to experiment with a special program or whatever they want to put in place that's a new program or activity that is being created for the school system and they decide that it is not appropriate or it's gotten out of date, for them to take it offline would make it very difficult because of this particular restriction.

So again, I think we should be more careful about when we put these systems in place. We might want to consider keeping it in place for school districts that have failing school systems that show directly that funding is an issue for them, but to allow those that are succeeding well to be able to make those kinds of changes given the flexibility that they need to be able to function well.

Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark? Senator Witkos.

SENATOR WITKOS:

Thank you, Madam President.

I -- I rise in support of the amendment. You know, it was interesting. I recalled a Hartford Courant article probably about two weeks ago that spoke to one of our larger cities in the State of Connecticut that was having an issue with the minimum budget requirement, that was the city of New Britain, and how monies were allocated. That's what it came down to.

And we're -- we're talking down to \$4.6 million. Currently, the -- the New Britain city budget for education is around \$118 million and they've got a grant for \$4.6 million that was put into their general fund rather than in a grant allocation fund. That's the discrepancy there between the Board of Education and the powers to be in the mayor's office.

But what will happen is since they can't agree, then state education officials will determine who's right and who's wrong. And I'm not so sure that that's best for all the residents in -- in the city of New Britain, who will be at the whim of the state education officials to determine the counting mechanisms of -- of city leaders.

And so -- but I think this goes beyond that. We've had many communities wherein there are a decline in

enrollment and I believe that the MBR allows adjustment for a decline in pupil enrollment.

So if I may, through you, Madam President, a question or two to the proponent of the amendment.

THE CHAIR:

Please proceed, sir. Senator Welch.

SENATOR WITKOS:

Thank you, Madam President.

Through you to Senator Welch, if a school believes that they are seeing a decline in their student population, how much is a -- is a school allowed to reduce the MBR? Through you, Madam President.

THE CHAIR:

Senator Welch.

SENATOR WELCH:

Thank you, Madam President.

Thank you, Senator Witkos for that question. It's a -- it's a very good question and it kind of, in a lot of ways, goes to the heart of the amendment. And the direct answer is -- is that it's \$3,000 per student, but that cannot exceed in totality one half of 1 percent of the entire budget expenditure for that year.

It is possible, although I don't think it's ever been done, that a -- a board of education, if they can demonstrate efficiencies to the Commissioner, they might be able to seek more than that. But other than that, it's \$3,000 per student.

Thank you, Madam President.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you. And through you, Madam President, I -- being a former Board of Education member, I know that we don't rely -- one student in a classroom doesn't equate to the whole cost of educating students. It's a -- a larger number that would require huge changes.

So while many schools -- I don't know if one school educates a student at \$3,000, through you, Madam President, to Senator Welch, do you know approximately how many students it would take to -- and a reduction of a number to have a demonstrable effect in a classroom? Through you, Madam President.

THE CHAIR:

Senator Welch.

SENATOR WELCH:

Thank you, Madam President.

I -- I guess I'm -- I'm not quite sure the question that Senator Witkos framed. Perhaps he could frame it differently. But let me restate what I understood and he can nod if that's correct.

How -- what -- what kind of reduction in student population would you need to see in a class to have an effect? And I guess I'm not sure whether the question is an effect financially or an effect basically on the dynamics or the chemistry of that classroom?

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you. I -- I would say financially, because the amendment before us is on -- is a financing mechanism. But it's also based on a number. So from -- from my awareness of education, the fewer students you have in a classroom, the better, especially in the early childhood level -- entry level, you have a -- a better sense of an educational environment because you have

the student-teacher ratio is lower, and that's a good thing.

But we get to a point now where you have classrooms that are operating with two and three students and if the demographers out there are saying you can expect your reduction in your total student population next year at X number, how do we -- and I'll use 30 -- 30 students, and that's a small number. So out of a whole school district, 30 students are -- are -- won't be there. We'll have 30 less students next year.

Does that -- that number 30, does that allow you to apply an MBR, through you, Madam President?

THE CHAIR:

Senator Welch.

SENATOR WELCH:

Thank you, Madam President.

I think I get the question now and -- and I think it's a great question and I appreciate it, Senator Witkos.

So let me just kind of back up a little bit. Since we're talking about the financial dynamics, which is true, that's what MBR is all about, the -- the cost of educating a child varies dramatically depending on the school district you're in, whether it be a city, whether it be a regional, whether it be a town.

And that number can be anywhere between 7,000 to maybe 14, \$15,000 in some of these inner city areas. So if -- if that essentially is a reduction in cost, but you're only allowed to depreciate your MBR by the \$3,000, well you could see that there's a significant delta there.

Let's say that in an extreme case, that delta could be \$10,000 and if you were to see a declining enrollment, like you say, of -- of 30, you know, the -- the numbers can begin to add up.

But I think another important point that you touched on is what's going on in America demographically, but

maybe even more important, what's going on in -- in Connecticut demographically.

We've heard a lot this session about the silver tsunami. Well, unfortunately, we are not seeing a birth boom on the other end and we have a number of people leaving our state as we speak. So we are not necessarily seeing a growth in population as a whole in Connecticut, but we're also not necessarily seeing a growth in population in the age categories where -- of -- that we're attending to through our education system, K through 12.

So this is a significant cost. Declining enrollment is one issue, but it's not the only issue. Because for instance, in -- in my town of Bristol, we've built a few new schools, but we've actually shut down a few new schools.

Now, there's going to be some cost savings there to us as far as energy and insurance and things like that, but at the end of the day, we're not educating as many people as we used to be in our school system. Through you, Madam President.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you and through you, Madam President, you brought up a good point. One of the things sometimes we can forecast, because you can't build a school in a day, so as boards of -- that's a very long process if a board determines that we're going to need a new school, whether it's we're going to shutter one because of the -- it's -- it's so old, it's antiquated, there's -- could be, you know, health issues with the building, or they -- they're building a new one.

And I don't know if you're aware, but I'd like to ask you a question, through you, Madam President. Are you aware of the school construction program here at the state? If we're seeing new schools being built so that may show a sign that the population is increasing

or are we seeing them -- the numbers of school construction -- new school construction, not renovation, but new construction, decrease? Through you, Madam President.

THE CHAIR:

Senator Welch.

SENATOR WELCH:

Thank you, Madam President.

I -- I do have some familiarity and we are still building schools, but it's at a lesser rate than we used to. And I think that's a great -- a great point. In fact, when I -- just the other day, one of my kids had -- fell down and ripped his pants. And, you know, he said Daddy, I'm sorry for ripping -- ripping my pants. I said don't worry about it.

When -- when I was going to elementary school at North School in Torrington, Connecticut, we didn't have any grass; it was asphalt. It was all asphalt and, you know, every week I would come home with torn knees because that's what happens when you play on a asphalt playground every day.

North School, great education, had a lot of fun there; it's now a police station, closed down. The city decided it wasn't something that they needed anymore and that they could use that building for something -- they could make use of that building by turning it into a police station.

And that wasn't the only school in Torrington where I grew up that has been closed down since. So I think, you know, that that is the trend. We are building new schools, but not as many, and a lot of our old ones we're -- we're either mothballing or -- or closing. Thank you.

SENATOR WITKOS:

Thank you. And through you, Madam President, to Senator Welch, if -- does it differentiate the MBR between local appropriated funds through a budget

referendum and grants? Through you, Madam President, to Senator Welch.

THE CHAIR:

Senator Welch.

SENATOR WELCH:

Thank you, Madam President.

And that's a great question. It does not. And that has been a -- a point of consternation over the last few years, especially during the time where we saw a lot of federal stimulus money come into the United -- come into Connecticut from the United States government.

Just a few years ago, a lot of the towns and boards of ed took that money and essentially that lifted their MBR. Now, the State of Connecticut stepped in and provided some relief, but, you know, those numbers are still there. They're -- they're locked in.

And in fact, I think you find in some school districts a reluctance to take grants because they know that if that money is not going to be there in the out years, and chances are with grants they are not, the town is going to have to come up with that shortfall, which, in a lot of cases, will mean cuts to the municipal side of the budget or higher taxes. Through you, Madam President.

THE CHAIR:

Witkos.

SENATOR WITKOS:

Thank you. And through you, Madam President, Senator Welch, do you see a -- a stark contrast in what the State of Connecticut provides for education costs for a different -- an urban district versus a suburban or rural district? Through you, Madam President.

THE CHAIR:

Senator Welch.

SENATOR WELCH:

Thank you, Madam President.

I do and -- and I think it's something that a lot of us here in this circle struggle with. I mean, the ECS notion to begin with, I think, is challenging for most of us. A lot of times, it's very difficult to kind of put your finger on a formula or totally understand how the numbers are what they are or why the numbers are what they are.

And many of us here have -- have pushed and argued for years that there really needs to be a -- a very kind of open objective formulaic way to -- to at least communicate to the cities what the ECS grants are going to be for each town and city so there at least can be a -- an expectation on the budgeting side of the municipality, which is a whole other can of worms. The fact that our towns and cities have to come up with budgets before the State of Connecticut has to come up with its budget.

But I think that's -- that's the -- a general frustration that you see out there and I think your question underscores that in a very poignant way.

Thank you, Madam President.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you. And through you, Madam President, I'm just curious if the Senator is aware of the term priority school district. Through you, Madam President.

THE CHAIR:

Senator Welch.

SENATOR WELCH:

I am, Madam President. Through you.

THE CHAIR:

SENATOR WITKOS:

Thank you. And through you, Madam President, to Senator Welch, as you know, we in the Legislature have made it a policy that schools located within a -- a priority school district get preference for programs, for money, because those school districts are falling behind and we have a very large achievement gap, which is well documented here in the State of Connecticut. And I think it's a good public policy decision that we -- we identify those schools and we provide the necessary resources to those.

And as a matter of fact, the other day, I think it passed on the Consent Calendar here, the Office of Early Childhood Development, where we bonded \$20 million for pre-K school slot programs in these -- in a grant fashion, that schools can partake in if they meet a certain poverty level and housing level and median income levels.

And so, in an earlier question, Senator, you had said that it doesn't differentiate between a general fund appropriated through your budget and grants. So if a school district now were to apply to provide the necessary resources to give these students a head start, because we know, by history, that they fall behind, so we know that we could start educating these kids earlier, then they're going to do better and they're going to rely on less state resources.

Now, are we not handicapping the communities that apply for these grants and say if you get this money, this now becomes the new threshold for your minimum budget requirements that you must maintain forever, unless there's a decline in student enrollment? But then again, it's only going to be half of 1 percent in totality, no matter -- irregardless of the number of students that you have. Is that not correct, through you, Madam President?

THE CHAIR:

Senator Welch.

SENATOR WELCH:

Thank you, Madam President.

I -- I believe that's correct. Through you, Madam President.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you, Madam President.

So imagine the fact that a school district opens up 1,000 pre-K seats in its district at a cost of -- well, let's just say it's \$10,000. And then, the monies that we allocated in the program are done in five years. We pass that. That's in our -- if it passes downstairs, I -- the Governor signs it. It's going to become our -- our law.

We have this program. It'll be funded for five years. And then, the towns can reapply after five years. We're forcing them to reapply because if they don't and they have to close out those thousand seats, they have to pay for it. We're not allowing those -- those seats to go unfilled because the minimum budget requirement says if you had it before, you're going to have it again.

And although your enrollment declined -- and we're talking, in my example, 1,000 seats; that's substantial. But yet, we're saying the aggregate number is only going to be half of 1 percent of that budget amount.

So these towns are going to be on the hook. Once we start something here, or once the boards -- local boards of education or regional boards of education start something, they've got to see it to the end, and there is no end in sight. And that's the -- that's the problem.

That if we don't allow some substantial form of relief, make a threshold. Let's promulgate regulations that say if you meet X, Y, and Z, you can get out. Because nobody wants to take away the educational opportunities for young folks.

But the reality is that some point in time, you abandon the school district, as Senator Welch has said in his -- his hometown. Well guess what? Now, you're not heating it possibly. Maybe you -- the -- the board of education shifted it over to the town government side.

So you've had the savings in janitorial services; heating, cooling, water, regular maintenance. That's a substantial savings. But yet, the board of education is not allowed to reduce that in their budget because the state law says you're not allowed -- you can't?

And that's not including -- that doesn't count for student enrollment declination. I don't even know if that's a word, but I've just used it. It sounded pretty good.

So we're -- we're handicapping our -- our communities by not giving some escape hatch. I'm not saying that they have to use it, but we should be able to provide the communities with some -- some means and form to say, hey, this is where we are and we need relief.

We've had -- there's a -- a town just -- just outside my district that the state looked at taking over and it's because the treasurer of the community stole money, embezzled it, cooked the books. Is that the fault of the taxpayers? Certainly not.

The schools are asking for relief because somebody mismanaged and now they're held hostage. They're asking for relief to say, hey, if we can prove our case, can we have a reduction in our MBR?

But there's no tool for them other than student decline in enrollment. So I support the amendment from Senator Welch and I'd urge the Chamber to do so as well.

Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark? Will you remark? If not  
-- Senator Gerratana.

SENATOR GERRATANA:

Thank you, Madam President.

I rise to speak in opposition to this amendment. You know, I just want the Chamber to know a little bit about what the MBR means to the city of New Britain.

Ensuring that we have a minimum basic requirement in our education budget means that the children in our city will get the education that they need and that they deserve.

I want you all to know that New Britain, our whole delegation, has worked very hard over the past couple of years to make sure that we have an increase in our educational funding in our city. This means so much to us because in the past, New Britain was actually one of the lowest funded per student, if you will, funded in our educational budget amongst all others in the State of Connecticut.

So keeping the MBR is essential and critical to our city. I just wanted to make that clear and urge the members to please vote no.

THE CHAIR:

Will you remark? Will you remark? Senator Kelly.

SENATOR KELLY:

Thank you, Madam President.

I rise in support of the amendment and for several reasons.

First and foremost, just the concept of this, that you're guaranteed a budget, doesn't enable the people that we trust with our children's education the

ability to look at economies and savings and the ability to do what they're empowered to do in a better way, more effectively.

I think when we -- when we look at this, it's not just the -- an amendment that's against children, but it's an amendment that looks at how can we better do government?

One of the concerns I have with just having a minimum budget requirement is if the town experiences a windfall, whether it's through efficient and effective tax collection, whether there are people who -- who bequeath revenue to the municipality, and the board of education finds itself in an opportunity where they could spend more money, but it's a one-time shot, they may not do so because they'd be on the hook for every year thereafter at the same level.

So in a sense, mandating that you have to make sure that you fund at the same levels may not always be in the best interest of the children. After all, I think that's when we look at education, that -- what we try to do.

Another concern I have with this is just the general philosophical perspective of giving any government agency the same amount of money that they got the year before. When we go back to our constituents in our home districts and talk to the folks that I see in my neighborhood and around town, how many of those individuals would love to have the same amount of revenue that they had last year?

How many companies that are struggling to make ends meet in Connecticut would love to have the revenue from last year and be guaranteed that they're going to get it?

If every family in Connecticut was guaranteed the amount of money they made last year, that would be a great thing. Unfortunately in this economy, many of Connecticut families aren't enjoying that, either through a loss of a job or through loss of earning power.

Those aren't guarantees to our citizens and our citizens are who we work for. And we got to be mindful of that so that when we start to look at what government is or isn't doing, and the size and scope of the government that we are creating, guaranteeing the government has to have a certain guaranteed revenue from the prior year, is putting a huge burden on our taxpayers at a time that it's very difficult to make ends meet.

From that perspective, I believe that this amendment is a good amendment because it empowers our municipalities to look at their own set of circumstances, to do what they think is in the best interest of our children, which is our future, and to budget accordingly.

I know in my own life and situation that when revenue comes down or the household budget is reduced, you look for efficiencies, whether it's -- it's cutting back on your cable bill or your electric use, or you just don't spend like you used to. But you live with your means.

And this is the type of governmental initiative that gives the government that credit card that says no, you don't necessarily have to live within your means. You're going to be guaranteed what you did last year and maybe we'll salt the pot a little bit more going forward, irregardless of whether the people that pay that bill can afford it.

And I just think we need to be a little bit more mindful when we do pass bills here in Hartford of the folks back in home that are paying the bill. So in that regard, I will be voting in favor of the amendment.

Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark? Will you remark? If not, Mr. Clerk, will you please call for a roll call vote and the machine will be open.

THE CLERK:

Immediate roll call has been ordered in the Senate.  
Immediate roll call on Senate Amendment Schedule "E"  
has been ordered in the Senate.

(Senator Duff of the 25th in the Chair.)

THE CHAIR:

Have all members voted?

If all members voted, the machine will be closed and  
the Clerk will announce the tally.

THE CLERK:

On Senate Amendment Schedule "E".	
Total number voting	35
Those voting Yea	13
Those voting Nay	22
Absent and not voting	1

THE CHAIR:

The amendment fails.

Will you remark further on the bill? .

Senator Markley.

SENATOR MARKLEY:

Thank you, Mr. President.

The Clerk is in possession of an amendment, LCO Number  
4753.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO Number 4753, Senate Amendment Schedule "F",  
offered by Senator Markley.

THE CHAIR:

Senator Markley.

SENATOR MARKLEY:

Thank you, Mr. President.

I would move adoption of the amendment and ask that the Clerk -- that the reading of the amendment be waived.

THE CHAIR:

Mr. Clerk -- Senator Markley.

SENATOR MARKLEY:

I've gotten a little rusty on the verbiage on that since last year.

THE CHAIR:

You did fine.

SENATOR MARKLEY:

Thank you, Mr. President.

Mr. President, this amendment, again, goes to the title of the bill, AN ACT ELIMINATING MUNICIPAL MANDATES. Again, I think the kind of title that makes Republican hearts flutter and that it was -- that I'm glad to see addressed, whether it's in a big way or a small way.

Every mandate we can get rid of I think is a step in the right direction. And I think there's a few things we could do that would more earn us the acclaim of the towns that we serve and the -- the voters themselves.

And I -- like -- like some of my other colleagues here in the circle, I was disappointed that this bill didn't go further than it did and I went looking for some examples of mandates that I think were generally acknowledged to be good targets for elimination.

And in looking at testimony that was provided on this bill by CCM and COST, the two associations which most deal with the -- with the impact of the mandates that we pass here in Hartford, this was one of the ones that came to mind.

It's also something that I -- I've heard about directly by -- from constituents of mine, including my fire chief back home, who's an old friend of mine. He called me not too long ago about this situation, which is addressed in this particular mandate, which concerns the contract that municipalities have with emergency medical service providers; ambulance services, essentially.

At a certain point, the municipalities were authorized to assign that service to a provider. And in many cases, they did -- did so in a way which was outright. In other words, they simply said ambulance company X shall be our service provider for the purposes of emergency medical services and assigned that responsibility without retaining the power to take that assignment back again.

And under the law as currently written, they have no mechanism at all for getting control again about -- of who provides these emergency medical services.

Fortunately, in Southington, this has not presented a problem, but the reason for the conversation was the possibility that down the road, we might find ourselves with less satisfactory service, with more expensive service, service that somehow did not seem to meet our needs, and without any recourse at all for -- or any procedure for getting the service reassigned to the town.

And it was brought to my attention at that time that in some towns, this already has become a problem. It seems like CCM was aware of this problem, too, and in the testimony they provided on this bill, specifically addressed it by saying the mandate to authorize this service ought simply to be eliminated and the towns allowed to go out and get the emergency medical service in whatever method they saw best.

And the amendment, which was before us, would do exactly that by authorizing the chief executive officer of the municipality to select the emergency medical service provider and to make that a contract like any other contract that the city might enter into, which could be terminated under the rules of the contract or by agreement of the -- of the parties involved.

So again, to my mind, a very straightforward amendment. I have to say I'll invite -- I'll invite criticism of it in the sense that if somebody here in the circle has a good reason for defending it, I would be interested in hearing it. I know that we have at least one chief executive officer among us who may -- who may well have an opinion on it, but I don't -- I don't demand it.

But I believe that it's -- it's a worthy amendment and I would encourage my colleagues to consider it and to adopt it if they agree with me.

Thank you, Mr. President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

Thank you very much, Mr. President.

And I rise in opposition to the amendment and I would urge my colleagues to reject this amendment.

This is pending in a couple of other bills, although I have not had yet time to pull up those bill numbers. But there is all -- in addition to that, there is already a mechanism right now. If a chief executive officer is dissatisfied, not -- not with the cost, but with the handling of emergency medical services to report such to the Department of Public Health and a determination could be made if the public safety was at jeopardy, whether or not that -- that PSA could -- could be removed from that particular organization that is handling the emergency medical services.

In the town of Sprague, where I'm -- my colleague pointed out I'm the chief executive officer, we're very satisfied with our volunteer fire department, which handles all of our medical situations.

So that being said, I urge that this amendment be rejected and I would ask for a roll call vote.

THE CHAIR:

Roll call vote will be ordered. Senator Frantz.

SENATOR FRANTZ:

Thank you, Mr. President.

This is an interesting amendment as proposed. There's no question, I think, in anybody's mind around the circle that emergency medical services is one of the most important things that a town or municipality can offer to their citizens. And I'm sure we all have some war stories about both the good and the bad in terms of that service being provided. I personally had two very, very bad ones, and -- and I won't go into details about that.

But -- but I will say this, that in our town where I live, we have an excellent EMS service, Greenwich EMS, that does a spectacular job and has continued to do that for many, many years now. Partially funded by donations, philanthropy, and partially paid for by the municipality, and then, of course, insurance when one needs to use this service, picks up the tab as well.

But since I do not sit on this Committee, I just wanted to make sure I fully understand what the funding mechanism is or what the requirements are currently under statute. And so I will ask that, through you, Mr. President, of the sponsor of the amendment.

THE CHAIR:

Senator Markley.

SENATOR FRANTZ:

Thank you very much, Mr. President.

The first question I have for you, Senator Markley, is could you run over how this structured in statute today?

THE CHAIR:

Senator Markley.

SENATOR MARKLEY:

Through you, Mr. President, if Senator Frantz wants true illumination, he may not be talking to the right person, but I'll do the best I can for him. My understanding, based on the conversations I've had with people in my own district, since I'm not involved in the committee that oversees this either, is that this -- this -- there was a period of time when the municipalities were granted the power to make a decision.

And at that time, to -- some cases, they retained control, but entered into a contract, in which case they could always back away from the -- from the contract, which they had entered into.

But in other cases, the municipalities perhaps, or actually, simply said this is how we will do it and have left themselves in a position where it's difficult for them to change track on it.

Senator Osten has said that in the cases of -- of safety, of -- of a real failure of the EMS service, that a procedure exists to circumvent that, but not in -- in the case of cost.

I think that cost from a municipal point of view is maybe the next most important thing after outright public safety and I believe that the -- even the procedure that exists for getting out the current situation is difficult enough that at least one town struggled at great length to -- to be able to free itself of the arrangements that it had made.

As for the -- the question of -- of expense of the contract, which I think specifically may be what you

asked about, I believe that was the case of the arrangement that was made at the -- at the time that the contract was initially entered into and whatever adjustments both parties have agreed to since then.

I believe this system has placed the municipalities at a relative disadvantage in negotiation because they're in a position where they can make a deal, but their options, if they don't make a deal, are extremely limited. So it's -- the provider is in a -- a strong position relative to the towns.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Thank you. And through you, Mr. President, I appreciate the answer on that particular question. It would be very interesting to delve at some point into the history of how this all came about. Because there isn't a whole lot of logic in -- in structuring arrangements like that.

I mean, a contract really should be a contract at the end of the day and there should be options to get out of a contract and clauses within that contract that would allow for that with very specific language.

So it would, I think, at some point be interesting. If anybody in the circle would like to give us a -- a lecture on that tonight, we'd be more than welcome to hear it.

But in the meantime, I will -- I will run with what Senator Markley has said here in terms of the statutory history here and how -- how that affects the contracts with EMS services in the different municipalities.

I find it kind of interesting that -- that we have do an amendment like this, which is a very good one now that I know a little bit about this situation, where a chief executive officer is given the authorization to select the emergency medical services and is able to enter into a contract, a full modern, up to date

contract that would allow for there to be lots of optionality in terms of being able to back out of a contract if those services are not being provided reliably or efficiently and effectively.

So at the end of the day, I'll say it again. Emergency medical services are one of the most important things as far as first responders are concerned within the State of Connecticut, within any geographical area for that matter. Super, super important.

This addresses an issue that I didn't even know about. I'm glad it does and I hope that everybody around the circle considers it. And -- and keep in mind, again, this is one of the most important things that you can possibly do for the citizenry of the town you come from and the district that you represent.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator. Will you remark further on the amendment? Remark further on the amendment? If not, Mr. Clerk, please announce the pendency of roll call vote. The machine will be open.

THE CLERK:

Immediate roll call has been ordered in the Senate.  
Immediate roll call on Senate Amendment Schedule "F" has been ordered in the Senate.

THE CHAIR:

Have all members voted?

If all members have voted, please check the board to make sure your vote is accurately recorded. If all members have voted, the machine will be closed and the Clerk will announce the tally.

THE CLERK:

On Senate Amendment Schedule "F".  
Total number voting 35  
Those voting Yea 7  
Those voting Nay 28  
Absent and not voting 1

THE CHAIR:

The amendment fails.

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

Senator Osten.

SENATOR OSTEN:

I would -- would just ask the -- my colleagues to support the underlying bill as it does provide minor relief. I -- I emphasize minor. And it also provides a mechanism for municipalities who would so -- would so like to -- to delay their revals -- revaluations.

THE CHAIR:

Thank you. Senator Markley.

SENATOR MARKLEY:

Thank you, Mr. President.

Let me say that, in fact, I do plan to support the underlying bill if I am driven to that expedient. But in the meantime, I would like to see if an additional mandate or two might be removed from it.

And I have another candidate in the form of an -- of an amendment in the possession of the Clerk, LCO Number 4755, if he might call that.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO Number 4755, Senate "G", offered by Senator Markley.

THE CHAIR:

Senator Markley.

SENATOR MARKLEY:

Thank you, Mr. President.

I would move adoption of the amendment.

THE CHAIR:

On adoption. Will you remark, sir?

SENATOR MARKLEY:

Yes, I will. And -- and let me ask that a roll call vote be held when the -- when the amendment is voted on.

This amendment concerns -- again, brought to my attention by CCM, and concerning of a requirement in statute, which is simply not honored. And I think this is one of the dangerous things we do. We pass things that sound like a good idea, that, in the abstract, might well be a good idea, but which simply don't happen.

And I think it's worse than useless because it gives us a false sense of security, gives us a false sense of accomplishment in many cases. And perhaps worst, I believe it opens it up -- opens it up to a kind of a liability or opens the towns, who are under our mandates, up to a type of liability.

In this particular case, we're talking about a mandate concerning the inspection of multi-family homes by local fire departments. The inspection -- all inspections conducted at the local level are directed by the state fire marshal and he determines the -- the schedule for these inspections, with the exception of this multi-family homes, which under statute, are required to be inspected every year, by the local fire department.

Now, this could only be a good thing if it happened. But the fact of the matter is it's -- I would suspect that there's not a town in the state that is actually inspecting each of its multi-family residences every year.

And I think that we would be better off giving this power back to the fire marshal, where it belongs, somebody who has the authority to make those decisions, who has the expertise to make realistic decisions, who can work with the towns on what would be a practical and effective method of -- of inspection, rather than simply putting something into statute, which is then ignored by all parties.

And yet, should a disaster occur, become something that is a liability to the town, at the point of which somebody says how long has it been since that inspection took place? Weren't you required to inspect it under -- every year under state law? Why didn't the inspection happen?

The inspection happens because the towns cannot afford to make it happen. They don't have the manpower to make it happen. If we really -- if - like so many of these things, if we really wanted to make it happen, we would have to help the towns do it financially. And I think the financial cost, again, if you think about the number of residences we're talking about, the financial cost would be staggering.

I know in Waterbury, for instance, in east end Waterbury, which I represent, almost seems to consist of nothing, but three and four-family houses.

And I know how important it is that these places be safe, but I think we would be better off trying to do that effectively, rather than do it this way, which is to attempt by fiat to accomplish something, which we simply do not do in practice.

So that is the purpose of this amendment. I would encourage my colleagues to consider it. To consider also the fact that the Connecticut Conference of Municipalities, the people who actually have to deal not simply with the enforcement of these laws, but

with the consequences of the enforcement and with the consequences of disasters, has asked us to repeal this part of the law.

Again, I believe that we err if we believe that we care more than the towns themselves do. They want to be safe just as much or more than we want to keep them safe. And they believe it could be better accomplished with this kind of flexibility.

So for that reason, I would urge adoption of this amendment.

THE CHAIR:

Thank you. Senator Osten.

SENATOR OSTEN:

Thank you very much, Mr. President.

I urge rejection of this amendment. I understand what my colleague is trying to do, but I do not believe this is the appropriate vehicle for this. And as a roll call vote has already been asked for, I just urge my colleagues to reject this amendment. Thank you.

THE CHAIR:

Thank you, Senator. Senator Chapin.

SENATOR CHAPIN:

Thank you, Mr. President.

Mr. President, some questions to the proponent, through you, please.

THE CHAIR:

Please proceed, sir.

SENATOR CHAPIN:

Thank you, Mr. President.

As I read the language before me, it would appear that the state fire marshal can adopt a schedule that's less frequently than annual, and by deleting the provision, "except for inspections of residential buildings designed for three or more families," does that leave it up to the town to decide whether it should be less than or more than annually? Is there some other statute that dictates what that schedule would be? Through you, Mr. President.

THE CHAIR:

Senator Markley.

SENATOR MARKLEY:

Thank you, Mr. President.

Through you, my understanding, according to the statute -- or the amendment, as I see it before you, is it would then be left like the other inspections are to the state fire marshal to determine the frequency.

THE CHAIR:

Senator Chapin.

SENATOR CHAPIN:

So the effect of the statute -- thank you, Mr. President. Again, through you. So the effect of this amendment, if it were to pass, would that be more inspections or, again, would it provide flexibility for the town to make that decision? Through you, Mr. President.

THE CHAIR:

Senator Markley.

SENATOR MARKLEY:

Through you, Mr. President, my understanding is that it would provide the flexibility for the decision making to the state fire marshal, who is already doing it in all the other cases of inspections. And I

assume the fire marshal is in a position to work these things through with the town, given an understanding of what the situation is, the type of building that's involved, and the capacity of the town to make the inspections.

The statute currently requires that in these particular cases, it be a yearly inspection. What this would do would be to say that if it's a three or more family residence, that the fire marshal would be able to determine what is appropriate as he -- as he or she currently does for all the other inspections that are taking place in Connecticut.

THE CHAIR:

Senator Chapin.

SENATOR CHAPIN:

Thank you, Mr. President.

And again, through you, so it would be the state marshal -- state fire marshal making that determination? Through you, Mr. President.

THE CHAIR:

Senator Markley.

SENATOR MARKLEY:

Yes. Through you, Mr. President, I -- that is my understanding, Senator.

THE CHAIR:

Senator Chapin.

SENATOR CHAPIN:

Thank you, Mr. President, and I thank the proponent for his answers.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much, Mr. President. Great to see you up there this afternoon.

THE CHAIR:

Thank you, sir.

SENATOR KISSEL:

Just a few questions for the proponent of the amendment.

THE CHAIR:

Please proceed.

SENATOR KISSEL:

My first question is it refers to the state fire marshal. I'm just wondering who the state fire marshal is and how is the state fire marshal appointed here in Connecticut? Through you, Mr. President.

THE CHAIR:

Senator Markley.

SENATOR MARKLEY:

Mr. President, I -- through you, I'd say I'd have to Google the Office of State Fire Marshal to find out. My -- and I can only offer my suspicion that there's a state fire board, which is responsible for appointing a state fire marshal. But otherwise, I couldn't tell you.

It has not been my area of legislative expertise. And as with the last amendment, it was offered in the spirit of regulation reduction and not -- not profound knowledge of the workings of the department involved.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much. I appreciate that. Through you, Mr. President, it -- the amendment refers to the fire safety code and the state fire prevention code. And I was just wondering where those codes are? Are those easily -- easily accessible online? Through you, Mr. President.

THE CHAIR:

Senator Markley.

SENATOR MARKLEY:

Thank you very much, Mr. President. Through you, I would have to admit that I don't have the slightest idea where those codes are.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much. Through you, Mr. President, I'm just wondering. It states -- the amendment states that the fire marshal may adopt amendments and I'm just wondering if the proponent of the amendment knows how amendments to the fire code are done on a regular basis? Through you, Mr. President.

THE CHAIR:

Senator Markley.

SENATOR MARKLEY:

Thank you, Mr. President. Through you, I do not know. I would imagine that it -- they would have to have the approval of the board that is appointing the state fire marshal, if in fact there is such a board.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much. And through you, Mr. President, so the part that we're changing has to do with multi-family housing and -- and the language seems to say three or more in a house. Would a two-family house fit into this definition or -- or not? Through you, Mr. President.

THE CHAIR:

Senator Markley.

SENATOR MARKLEY:

Thank you, Mr. President. Through you, I have somewhat more confidence in saying that a two-family house would not be covered by it, according to the language.

You know, if you had two-family houses, obviously the number of structures covered would explode. Three-family houses -- three or more family houses already -- I'm sure we're talking about tens of thousands of structures in Connecticut alone.

And again, I guess I'd say we're talking about being realistic, that in an ideal world, we might hope that every house be inspected every year. But it's simply not a practical thing and, again, on a certain level, we -- it's necessary for people to be responsible for their safety.

When you get into multi-family structures, clearly there's things that the residents themselves may not have total control of, which would give the states and the towns a more direct interest in them.

But I feel like we're talking about a statute that, by claiming to provide a kind of protection, gives a false sense of security to these very important structures. Because, obviously, a house fire that involves a structure with three or more -- more families is a very dangerous event that we want to avoid at all costs. Through you, Mr. President.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much. So through you, Mr. President, just so I can get my arms around this, what, in -- in a nutshell, is the fundamental nature of this unfunded mandate, that -- and for -- or let me take a step back. You had referenced CCM and I'm just wondering for those who might just be tuning in on CTN, if they're watching this, what does CCM stand for. Through you, Mr. President.

THE CHAIR:

Senator Markley.

SENATOR MARKLEY:

Thank you, Mr. President.

Through you, that is the Connecticut Conference of Municipalities, one of two organizations, along with COST, Council of Small Towns, that represents municipalities quite ably up here at the Capitol as an association. Through you.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much. Do -- do we know what the distinction is between a small town and a member of the Connecticut Conference of Municipalities, what that population line might be or generally, maybe? Through you, Mr. President.

THE CHAIR:

Senator Markely.

SENATOR KISSEL:

Thank you, Mr. President.

Through you, Senator Kissel, who is famous for his fishing expeditions, is possibly in a pond where there is nothing to be caught when he questions me on some of these things.

But I'll say that I don't know what the cut off line is. I know that Wolcott, among my towns, is a -- is a member of COST, whereas Southington is a member of CCM. So I think the line has to be standing somewhere between 9,000 and 40,000.

And I think as -- reflects a sense that CCM has -- that the big cities have different interests than the small towns and to some extent, they -- they also have shared interests, but that the -- the smaller towns pursuing that interest, formed a separate group in COST, which -- which may be, to my mind, to some extent, has been even more sensitive to the mandates. Because I think the smaller towns have even less capacity to fulfill them.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much, Mr. President. And at the outset, I will say that I am always delighted and informed by Senator Markley's answers to my questions. It's never a fishing expedition in -- in our colloquies here on the floor of the Senate.

So I'm trying to get to the nature of the unfunded mandate. Is it -- is it that the state has put into statute that we're requiring each town to inspect residential housing units of three families or more and just telling them to do that and not giving them any money to do that? Through you, Mr. President.

THE CHAIR:

Thank you. Senator Kissel. Senator Markley.

SENATOR MARKLEY:

Thank you, Mr. President.

Yes. I -- I think you've said it -- you've hit it exactly. The -- the mandate is simply that we're asking every town to undergo this inspection every year. And if you consider what's involved in such an inspection -- and again, when I -- I think of the city of Waterbury, just thinking of my own district and the doors that I've knocked on, the number of three-family houses that we're talking about, it would be an overwhelming job.

It would seem to me that you'd have to practically have a division of inspection within city government on an ongoing basis to get through every multi-family home in Waterbury in the course of a year.

So we've instructed them to do it. We haven't given them the means to do it and we haven't really held them to the -- to the mandate that we've given them because we know we can't them to that mandate.

And at a certain point, it makes a mockery of the mandate. Either the town expends its efforts and its resources in failing to comply the mandate or they -- they ignore the mandate and, in a certain sense, mock the law. I don't think either result is good and I'd rather see the law change than put the towns in that unfortunate situation.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much. And I -- I definitely see the salutary purpose of the amendment in that if we just pass laws that are not enforced, then it may give people an -- an unfounded sense of comfort that could work a -- a hardship on them or -- or even something more dramatic and -- and damaging to their -- to their lives and safety, especially when we're dealing with safety of residential housing units.

You may not know the answer to any of these questions that I'm going to give you at this point in time, but I'm just trying to get a -- a feel for what the universe may look like out there. So I was just going to sort of start alphabetically.

Do you have an idea about how many three-family or more houses are in a town like Ansonia?

THE CHAIR:

A. Senator Markley.

SENATOR KISSEL:

Start with A.

SENATOR MARKLEY:

Mr. President, I -- I couldn't even venture a guess for the benefit of Senator Kissel.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much. How about many (inaudible) like Bridgeport? Through you, Mr. President.

THE CHAIR:

B.

SENATOR KISSEL:

B.

THE CHAIR:

Senator Markley.

SENATOR MARKLEY:

Thank you, Mr. President. Senator Kissel is going -- is going to tempt me into making estimations based on

the population of a town and my sense of how many structures of different sizes may exist in it.

But let me say this. I think that -- my suspicion is -- I -- I would -- I could say with confidence that there are thousands of multi-family residences in a city like Bridgeport.

What's surprising is that I think there may be thousands of them in a town like -- like Ansonia. The -- the only town I can say I know how many multiple-family houses there are is the town of Sprague, which has 10.

THE CHAIR:

T. Senator Kissel.

SENATOR KISSEL:

Thank you very much. No, I actually was going to say perhaps you would have a better feel for a town like Cromwell. Through you, Mr. President.

THE CHAIR:

Senator Markley.

SENATOR MARKLEY:

Thank you very much, Mr. President. I -- I -- Cromwell is a little closer to home, but it doesn't necessarily mean that I could give you a better count. And again, I would -- I would decline to -- to hazard a guess on that, Senator Kissel.

THE CHAIR:

Senator Kissel.

Thank you very much. Perhaps Darien?

THE CHAIR:

Senator Markley.

SENATOR MARKLEY:

Thank you very much, Mr. President. I would suspect that Darien has fewer of them than any of the towns which we have discussed so far. But I -- again, I can't imagine exactly how many there would be.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much. Perhaps a more north central town like Ellington?

THE CHAIR:

Senator Markley.

SENATOR MARKLEY:

Thank you, Mr. President.

I can't imagine how many Ellington would have either. If we were on the Es, I might -- I might imagine that Senator Kissel might have a guess about Enfield. But I would not hazard one on Ellington.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Well, just in the Thompsonville section of Enfield, I believe there would be several -- several dozen. Although when you have three or more -- I know there's a lot of two-family houses. I'd really have to go out and -- and do a -- a count on the three or more family houses.

There's actually not as many as one might think. Certainly not in the hundreds, to my knowledge. But perhaps a town like Farmington? Through you, Mr. President.

THE CHAIR:

Senator Markley.

SENATOR MARKLEY:

Mr. President, I would say that like Darien, it's probably on the lower side than -- than some of the other towns we've talked about. But even though it's very much in my backyard, I -- I would not know how many there are in Farmington.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much. Perhaps a town like Glastonbury? Through you, Mr. President.

THE CHAIR:

Senator Markley.

SENATOR MARKLEY:

Mr. President, again, I would not hazard a guess about Glastonbury.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much. Well, how about the capital city, right here, where we're debating this bill -- or this amendment, Hartford?

THE CHAIR:

Senator Markley.

SENATOR MARKLEY:

Thank you, Mr. President.

Again, in the case of Hartford, like Bridgeport, I would estimate that the number of structures of three or more families may be in the thousands. But I could not give you a -- a accurate number.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you. Well, we probably could go through the entire alphabet a number of times since there's 169 municipalities in the State of Connecticut.

But let me jump to another area. Do we know what's entailed with, let's say, an inspection of one three-family residence? I'm thinking smoke detectors, their batteries, maybe carbon monoxide detectors, their batteries. I don't know whether there's a requirement for fire escapes for three-family residences, or not.

So I'm just wondering, you know, we're talking about getting rid of a mandate that creates -- but perhaps creates a false sense of security, that may be being followed up in somewhat piecemeal fashion.

But fundamentally, if we were going to look at this just as to one fire department assigning men and women to go do an inspection on one three-family residence, what would that entail as far as time and effort and -- and things to check off and make sure they're safe? Through you, Mr. President.

THE CHAIR:

Senator Markley.

SENATOR MARKLEY:

Thank you, Mr. President.

And through you, I'd say that I think that all of us are capable. There's maybe a few of us here that could give a true answer to exactly what's involved because either they've -- they've worked in public safety, in municipal government, in the building

trades, to know exactly what's involved. But all of us a notion of what would be involved.

As Senator Kissel said, the smoke detectors and -- and so forth would have to be part of it. I assume that the fire escapes would have to be part of it. I assume that the electrical system would be part of it. That you would be checking the heating system insofar as there's dangers involved by -- created by furnaces and so forth.

And all in all, I have to imagine that it's a job that is measured in hours, not in days, that a proper inspection of any structure for fire safety couldn't be done in less than hour, but probably could be accomplished over the course of a morning or an afternoon, effectively.

And that -- that, again, would just be a guess based on life experience, not on professional experience. Though you.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much. And through you, Mr. President, I believe you stated that one of the arguments made by the Connecticut Conference of Municipalities was that should a municipality not fulfill their requirements of the state statute, then God forbid some tragedy occurred where there is a fire and let's say someone was injured, would -- is there the potentiality that would expose that municipality to liability for failure to fulfill the requirements of the statute? Through you, Mr. President.

THE CHAIR:

Senator Markley.

SENATOR MARKLEY:

Thank you, Mr. President.

And through you, yes. Certainly, the municipalities who are the most sensitive to that danger believe that it exposes them to liability.

Again, I have no more legal expertise than I do in -- in fire safety, but I can certainly see how it could be the case. You know, not only a legal liability, but say the --the bad feeling that would result in their failure to follow through with something that suddenly the general public would be held up as a -- as a deficiency on the part of the municipal government when, in fact, it's a deficiency common, according to what I've heard, to every municipal government or virtually every single one of them. They may get them all done in Sprague where there's only 10 of them to check.

The -- and, you know, this is -- comes around to the idea that the fire marshal -- the state fire marshal could come up with a reasonable schedule. And I think that's what we would need, not -- not a schedule that's based in a -- in a dream world, but something that's based on an accurate appraisal of the capabilities of the municipalities and a professional understanding of the threats that are involved and -- and the needs in frequency of inspection.

And that between those things, you could come up with a frequency that the towns could actually fulfill, that would not simply be a -- a demand which is -- which sounds good, but simply doesn't work in practice. Through you, Mr. President.

THE CHAIR:

Senator Kissel.

Thank you very much.

And through you, Mr. President, it's my understanding that all of our firefighters, men and women, are professionals, but that we do draw a distinction between volunteer fire departments and firefighters and career fire departments and firefighters. And does this mandate affect municipalities that have only career firefighting departments or would it also

extend to volunteer fire departments as well? Through you, Mr. President.

THE CHAIR:

Senator Markley.

SENATOR MARKLEY:

Thank you, Mr. President.

Through you, I -- my understanding would be that it certainly applies to every municipality, regardless of the constitution of their local fire departments.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much. I know that when the Program, Review, and Investigations Committee did a study as to the deployment of state police resources throughout the State of Connecticut, it -- we discovered, or at least I discovered through the report that was promulgated, that some municipalities have stand-alone police departments.

Some also have resident troopers. But there's -- there seem to be some communities that were in the ambit of the state police, but they didn't have a resident trooper.

And I'm just wondering, out of the 169 municipalities that we have in Connecticut, we -- we talked about some, but there's also Killingly and Lebanon and Marlborough and Prospect and Roxbury and Suffield and Thompson and Vernon and Wallingford, and there's so many that we could -- we could just go up and down the alphabet.

But do they all have fire departments or do some of our communities, are they so small, that they don't have a fire department at all? Through you, Mr. President.

THE CHAIR:

Senator Markley.

SENATOR MARKLEY:

Thank you, Mr. President.

Through you, I -- I believe you're -- that Senator Kissel's previous line of questioning was halted by the lack of -- lack of a town in Connecticut that begins with an I, unless we come up with one since we've been name Connecticut towns. And I'd say in this case, the ideal -- I have two relatively small towns in my district, Prospect, which you just mentioned, and Wolcott. Both of them have wonderful and very active volunteer fire departments that they're very proud of.

I don't know if there's some towns -- there's some -- I know there's some very small towns out in eastern Connecticut where I can imagine that they might throw in together for the purposes of fire. Of course, you've got two problems, which is they -- even the smallest towns in Connecticut are still towns of substantial area and at a certain point, you have to -- the fire departments have to be located centrally enough to be able to cover the entire community.

So my answer would be not to my knowledge are there towns which don't have independent fire departments. But I would not be surprised if such towns exist.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much. And so if there were a set of smaller communities that banded together to have a -- in effect, some form of mutual aid with one centralized fire department, does the requirement for that fire department, if it was located in one town, would they also have to conduct the inspections in the town where it was not located, if that town was part

of that covered territory, if you know? Through you, Mr. President.

THE CHAIR:

Senator Markley.

SENATOR MARKLEY:

Thank you, Mr. President. The -- the responsibility would still fall on the fire marshal to make sure that the inspections were done in each municipality, whether it was done by the local fire department or by some regional fire department. So I don't think that anyone would escape that mandate and it would continue to fall to the fire departments, even in the town of Ivoryton, to -- to make sure that those inspections took place. Through you, Mr. President.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much. And we would never want to miss Ivoryton, although I don't know if it's a stand-alone municipality or a borough within a municipality. I'd have to go back and check my -- my Connecticut state maps. But I humbly acknowledge the masterful nature that Senator Markley responded to my question.

Regarding -- back to regarding the issue, and now we're up to Js and we're still looking for a J town, so we'll work on that as well, you had stated that perhaps there might be some legal liability if these inspections weren't done.

My question would be that if the state fire marshal promulgates these rules and regulations and that we, as a state have passed them, are we checking on this mandate? And if not, would the state be potentially liable? In other words, we have this in statute, is anybody checking up on the towns to make sure that they're following through with this? Through you, Mr. President.

THE CHAIR:

Senator Markley.

SENATOR MARKLEY:

Thank you, Mr. President.

Through you, I would say that the state, too, potentially could be held liable. Senator Kissel is a -- a -- knows the law far better than I could ever dream to. It seems to me that liability is something that one casts about to assign and that the state is sometimes held liable in cases where it seems, to a layman, like quite a stretch.

So yes. I would -- I would imagine that there's some potential liability to the state for failing to force the municipalities to follow through on mandates, which we have created for them.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much. And I know when we talk about mandates, we talk about stand-alone municipalities, but there are also sort of individual areas of our state, such as Jewett City, a -- a J community, following Ivoryton.

And I'm just wondering, there's these things out there also known as boroughs. And I'm just wondering whether the potential liability or the responsibility created by the underlying statute extend to sort of a stand-alone borough? Which always fascinates me as to the fact that these quite often have their elections in the springtime and they have their own municipal officers to, an extent, within these boroughs and stand-alone communities that are within the dimensions of one of our 169 municipalities. Through you, Mr. President.

THE CHAIR:

Senator Markley.

SENATOR MARKLEY:

Thank you, Mr. President. And through you, I would imagine -- it seems to me that the boroughs -- well, let me say in my experience of boroughs, it really only is -- dates to my residence -- my pleasant residence once upon a time in the city of Milford, where they have the borough of Woodmont. And Woodmont, as I recall, actually had its own fire department that I think was part of what the borough administered.

So I would assume that Woodmont would be responsible in a way that other -- that is -- that in addition to the city being responsible, that the borough might be responsible insofar as it has resources and insofar as it's susceptible legal action, as it seems to me everything is susceptible to legal action. Through you, Mr. President.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much. And back to the potential dangers that might be inherent in a three-family residence. There's also an -- you know, its name escapes me for the moment, but there's this kind of gas that they -- they go in and they check, especially in basements, and I'm just wondering if the proponent of the amendment can recall the name of that gas and if that would be part of the testing as far as the habitability of the residents? Through you, Mr. President.

THE CHAIR:

Senator Markley.

SENATOR MARKLEY:

Thank you, Mr. President.

Through you, I would say -- I -- I have said to you in the course of this questioning that I'm outside of my area of expertise. But I have to say that if there's one thing I've learned a lot about a Senator is gas. And the answer to the question you have is radon, I believe, if I'm not mistaken.

Radon is a gas formed from radioactive elements within the mineral deposits within the Earth, which gets into the air and needs to be ventilated for safety, especially in subterranean rooms of houses that are occupied.

I don't think that the fire department would have anything to do with that, though. It's not an explosive gas. It can be a danger. It's something that I came across when I was involved in real estate. But I don't believe that it's a fire hazard. Through you, Mr. President.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much. Well, I appreciate Senator Markley's responses to my questions. I will take his -- his last statement regarding gas and other byproducts as a compliment, because I don't really know of any other way to take that.

But I -- I've asked the -- the good Senator probably almost a good half hour of questions regarding the proposed amendment and I know that there's probably other business that the folks in the circle want to pursue. But I thought those were important issues to get on the record and look forward to chiming in on future amendments as the debate on this bill and perhaps maybe even one other bill or more today, continues. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator. Will you remark further on the amendment? Will you remark further on the amendment?

If not, Mr. Clerk, please announce the pendency of the roll call vote. The machine will be open.

THE CLERK:

Immediate roll call has been ordered in the Senate.  
Roll call on Senate "G" has been ordered in the  
Senate.

THE CHAIR:

Have all members voted?

If all members have voted, please check the board to make sure your vote is accurately recorded.

If all members have voted, the machine will be closed and the Clerk will announce the tally.

THE CLERK:

On Senate Amendment Schedule "G".	
Total number voting	33
Those voting Yea	10
Those voting Nay	23
Absent and not voting	3

THE CHAIR:

The amendment fails. Senator Markley.

SENATOR MARKLEY:

Thank you, Mr. President.

I'm going to try one more time. The Clerk is in possession of an amendment, LCO Number 4754, if he might call that.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO Number 4754, Senate "H", offered by Senator  
Markley.

THE CHAIR:

Senate please come to order. Senator Markley.

SENATOR MARKLEY:

Thank you, Mr. President.

I would move adoption of the amendment and ask the reading be waived and beg leave to comment.

THE CHAIR:

On adoption. Will you remark, sir?

SENATOR MARKLEY:

Thank you, Mr. President.

Let me ask for a roll call vote again on this when the time comes for it.

Let me say this is, I think, the strongest of the amendments I have before you, in terms of its potential to actually attract a majority of the votes. And that's because it's very narrow and it, to my mind, corrects something that to call it an anomaly is almost to give it too much regard.

There's a requirement -- or there's an exception for inspections of municipally -- municipally-administered daycare centers. But that exception only applies to the daycare center if it's located within the school.

And that exception is the result of a legislative dispute of many terms ago, ancient history, but as often happens in these cases, where something is done at the moment for a particular purpose, the towns are still stuck with the consequences of whatever the particular issue was on that day long ago in the Legislature.

The towns, again, have brought this specifically to our attention through the Connecticut Conference of Municipalities. And what they asked was the simple elimination of the requirement that a daycare center

had to be located in a public school for it to be exempt from state licensing or state inspection.

And their argument is a town is just as capable of conducting a good daycare center in another municipal structure as it is to do so in a public school and there's no reason to make a distinction between them.

And I think it's pretty clear that there isn't any reason to make a distinction between them and it is enough of a nuisance to our communities that they -- they petitioned us, through the group, which represents us here in Hartford, and at the public hearing in which this bill was last considered to make that change in the law.

So I think I can say that without either danger to public safety, political consequence, or any other hazard, we could support this amendment and give a little bit of relief to our municipalities and earn their appreciation for our responsiveness.

So I would encourage the members of the circle to support this amendment. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator. Senator Boucher.

SENATOR BOUCHER:

Thank you, Mr. President.

Mr. President, I rise to ask a few questions of the proponent of the amendment, please.

THE CHAIR:

Please proceed, madam.

SENATOR BOUCHER:

Thank you, Mr. President.

Mr. President, through you, could I please have a little bit more background on the impetus for this amendment and the circumstances that would prompt the

municipality from relocating a preschool program to another town building and how that would help to relieve some pressure and be a -- a financial advantage? Through you, Mr. President.

THE CHAIR:

Senator Markley.

SENATOR MARKLEY:

Thank you, Mr. President.

And through you, in response to the question of the -- of the genesis of the particular provision, I have only had it by hearsay and not in any depth. It was between my moments here in this Chamber, so I'm not sure exactly what it was.

I think often, there's a concern about putting particular pressure on a particular spot that leads to write legislation in a certain way. Whatever that was presumably is -- is ancient history at this point.

So what we're left with is something that says if a municipality is operating a daycare center that's in a school, it would be exempt from -- from the state oversight. But if the daycare center is located anywhere else, it would have the oversight.

I believe that the point is that the state feels that the municipality is capable of providing the oversight itself in the school and would be -- and my argument would be it would provide exactly the same oversight wherever that daycare center happened to be located, so there's no need for this particular provision.

I hope that's approximately responsible. Through you, Mr. President.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Thank you. Thank you very much, Mr. President. I appreciate that answer.

I further would ask, through you, if there is a financial benefit to the community or simply a relief of -- of some of the reporting requirements. Through you, Mr. President.

THE CHAIR:

Senator Markley.

SENATOR MARKLEY:

Thank you, Mr. President.

Through you, I would say I don't -- I -- again, I -- I can only offer you my opinion based on my understanding of the situation. I wouldn't imagine so much that there would be a financial benefit to the community, but it would be relief from the burden of a certain kind of oversight, which apparently has been intrusive enough that they have asked us to relieve it -- relieve them of it.

And in looking at the testimony on the underlying bill, where this was brought to the attention of the Committee, I saw nothing pushing back on the other side to say that this oversight was -- needed to be continued. So I think it could safely be removed and I would encourage the circle to consider doing so. Through you, Mr. President.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Thank you, Mr. President.

It sounds reasonable enough. Certain, if it add some flexibility to a town's functioning of their -- of this particular area of education, I think it deserves some attention and could be supported.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator. Will you remark further on the amendment? Will you remark further on the amendment? Senator Osten.

SENATOR OSTEN:

Thank you very much, Mr. President.

And I urge rejection of the amendment, as I do not feel that it is the appropriate mechanism to handle the issue. I do appreciate the good Senator's opinion, but I would urge my colleagues to vote against this amendment. And again, as he has already asked for a roll call vote, I -- I do not need to ask for one.

THE CHAIR:

Thank you. Will you remark further on the amendment? If not, Mr. Clerk, please ask for the pendency of the roll call vote. The machine will be open.

THE CLERK:

Immediate roll call has been ordered in the Senate.  
Roll call on Senate Amendment Schedule "H" has been ordered in the Senate.

Immediate roll call on Senate "H" has been ordered in the Senate. Immediate roll call on Senate "H" has been ordered in the Senate.

THE CHAIR:

Have all members voted?

If all members have voted, the machine -- please check the board to make sure your vote is accurately recorded.

If all members have voted, the machine will be closed and the Clerk will announce the tally.

THE CLERK:

On Senate Amendment Schedule "H".  
Total number voting 34  
Those voting Yea 13  
Those voting Nay 21  
Absent and not voting 2

THE CHAIR:

The amendment fails.

Will you remark further on the bill?

Senator Frantz.

SENATOR FRANTZ:

Thank you, Mr. President.

I have a few questions of the proponent of the bill.  
Through you.

THE CHAIR:

Please proceed, sir.

SENATOR FRANTZ:

Thank you. Through you, Mr. President, Senator Osten,  
the question for you -- my first question for you,  
through you, Mr. President, is do we know -- and I  
don't think you mentioned this before. If you did, I  
apologize for missing it. Do you know what the grand  
list is for, you know, just pick a city. You know,  
Bridgeport, for example, the -- what the -- the grand  
list is worth approximately, ballpark?

SENATOR OSTEN:

I -- I have no idea.

THE CHAIR:

Senator Osten, Senator Frantz.

SENATOR FRANTZ:

Thank you. And through you, Mr. President, do we -- you were referring earlier to the disparity between the commercial property values and the residential property values in certain municipalities, or maybe just generally speaking, I think it was.

If you were to pick -- again, just pick a town like -- a city like Bridgeport, do you know what the differing percentages, as far as the weightings are concerned, of the real estate values between those two categories?

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

Thank you, Mr. President.

Through you, no. I don't know the exact percentages.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Through you, Mr. President, do you have just maybe a ballpark? And even if you don't have a ballpark, is it such a huge disparity that you could say it's maybe a two to one ratio in favor of one category of real estate or the other?

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

Thank you, Mr. President.

I -- I do not know quite frankly what the city of Bridgeport's grand list would look like. I do know that their commercial side is growing based on the amount of construction that is going on there, but I could not give you a value of that.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Thank you. And through you, Mr. President, another follow-up question on -- on that whole concept of the commercial real estate sector growing in the city of Bridgeport, and hopefully it's growing in other places like Norwalk as well, and -- and many other municipalities in -- in the State of Connecticut.

And we're familiar with projects like Steelpointe, which is pretty exciting stuff when you think about it. You got Bass Pro Shops coming in as an anchor tenant there and hopefully it starts to grow and there's some critical mass there.

Do you have any idea, since we're kind of -- in an indirect way kind of focusing on Bridgeport because it's such a good example of what -- what kind of good can come about as a result of a bill like this. Do you have -- through you, Mr. President, do you have any idea what kind of change there will be in the -- in the relationship between the commercial properties and the residential properties as a result of this development that's occurring currently?

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

Thank you very much, Mr. President.

The -- I -- I couldn't give you -- I would really hate to give you a percentage or a complete value. It is apparent, just on the amount of construction, that there will be more commercial properties that will now be on the tax rolls that we'll be able to sort of offset any other increases that might have to happen as a result of the normal increases -- I hate to use the term normal, but the increases that happen in the

-- in the cost of taxes for those that are on the grand list.

But I -- I couldn't give you the exact value under any circumstance, or the percentages.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Thank you. Through you, Mr. President, thank you for that answer. If you are looking at the language of the bill, what this does is it delays the requirement of a revaluation until 2015 as the assessment year at the latest.

We're in, you know, sort of -- almost half -- halfway through, or at least a quarter of the way through, 2014. And as I drive by Steelpointe, for example, every day on my way up to the Capitol, I look down and I don't see a whole lot of building occurring. And I know that building larger projects or retail operations, such as a Bass Pro, is going to take probably in excess of a year.

Although the infrastructure appears to be there, there appears to be some road building, and other infrastructure improvements; that it's ready for that kind of construction. So maybe they could do it in less than a year. I don't know.

But that property is not going to be developed by the end of the assessment year 2015. And I don't know of any other construction projects underway that will be done before that particular deadline.

And so if we're going to make a difference in terms of being able to add to the commercial estate tax rolls for the grand list for the purposes of the grand list, my question to you is is 2015 long enough?

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

Thank you, Mr. President.

I believe it is because the 2015 assessment year would be actually two years out. I know we're in 2014, but we'll be working on the 2013 grand list. So by allowing people two years, by allowing municipalities two years, it actually will be in -- in October of this year.

We should be working on the grand list that would be in October for the following July, which will be 2014 -- in 2015. And so 2015 will be out so much further.

And my understanding is that the particular project you're talking on will have groundbreaking this summer, with construction starting this summer. So they should be ready by the time this reval would take place in Bridgeport, assuming that we are only talking about Bridgeport.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Thank you. Through you, Mr. President, thank you also for that clarification. And -- and remaining focused on that particular project, that is the first of hopefully numerous projects that will get built around it as a sort of retail cluster in -- in Bridgeport, which so desperately needs it.

And that's going to take some -- some time as well. I don't think you have anybody else lined up right now. I think they want to wait and see if Bass Pro Shop is -- in fact gets built.

And I think everybody in the circle is optimistic that it will get built and -- and start to create that critical mass that is so badly needed in this area that the state has put so much money into in order to remediate and prepare the property for this retail development here.

Do you have any idea -- and, you know, maybe we shouldn't be focusing on Bridgeport so much, but it's the one we've been using. Do you have any idea of what the best scenario, in terms of outlook is concerned, what the expected and -- and what the worst scenario is for that particular real estate development with Bass Pro as the tenant -- anchor tenant?

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

Thank you very much. I'm not certain on what you're trying to get at with your question. So if you could just rephrase for me, I would really appreciate it.

SENATOR FRANTZ:

Absolutely.

THE CHAIR:

Senator Frantz, could you rephrase your question, please.

SENATOR FRANTZ:

Yeah. Absolutely. Through you, Mr. President, the -- in -- in assessing a -- a business outlook, sometimes we'll use the best possible outcome scenario, 25 stores are going to be up within 18 months; an expected outcome such as you'll have two and half stores there in two years' time; or, worse case scenario, I suppose is -- is Bass Pro doesn't show up for whatever reason. They find something wrong with the soil, remediation is impossible; you know, something hypothetical like that.

Has anybody from the city of Bridgeport given you any idea of -- of what those scenarios would look like or any kind of guidance as to how big this potential real estate project could be?

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

I have had conversations with Mayor Finch in Bridgeport when it first became apparent that Bridgeport was one of the municipalities that this would impact. And he has indicated that he expects this to result in a large expansion of commercial properties. I don't think that large can be qualified, but I would say the worst case scenario is easiest to identify, and you've already done that.

If Bass does not show up for whatever the reason may be, then that is clearly a huge problem for Bridgeport. But the best case scenario, I'd like to see 25 or 30 stores down there. That sounds to me to a -- a reasonable assessment.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Thank you. Through you, Mr. President, thank you for that answer. And I -- I appreciate all of the answers regarding the Bridgeport real estate, which I, you know, we just kind of fell into looking at that, focusing on that as opposed to the bigger overall picture for all the municipalities about delaying the revaluation obligation, in this case in the -- in the build to 2015.

Moving onto another part of the bill, which has to do with the delinquent property tax enforcement program, I have a few more questions, through you, Mr. President, of Senator Osten.

THE CHAIR:

Please proceed. Senator Osten.

SENATOR OSTEN:

Thank you.

SENATOR FRANTZ:

Thank you. Senator, how much money do the municipalities pay to use this service currently? How much do they pay to the State of Connecticut DMV, I believe it is?

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

Thank you very much. By the fiscal note that was developed by OFA, a total of -- it seems to about \$800,000. I can say in the town of Sprague, we pay \$715 per year.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Thank you. So the -- the total, through you, Mr. President, is -- for the entire state is -- is roughly \$800,000?

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

Thank you, Mr. President. Yes, it is. According to OFA, it looks to be an \$800,000 loss in revenue to the state and an \$800,000 gain in revenue for municipalities. That's the wash.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Thank you. And through you, Mr. President, do you know anecdotally or through stories that you've heard from DMV, have there been any motorists, drivers; car owners, who have been denied a renewal of their registration as a result of delinquent taxes?

Is that something that happens frequently? Is it something that happens a lot?

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

Thank you very much, Mr. President.

Anecdotally, I've seen many residents stop in who have been denied registration based on delinquent motor -- motor vehicle taxes. Happens on a regular basis. People either don't know they owe the taxes for whatever reason; that may be. They moved or -- and haven't received the tax bill, or they've moved from another town where they did not receive that tax bill, and that happens rather regularly.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Thank you. And through you, Mr. President, okay. I'm glad you gave the example of your town. Do you know, is -- is everybody treated the same within this program currently in the larger municipalities as opposed to some of the smaller towns in the State of Connecticut? Do they get the same kind of attention even though they don't pay as much? Through you, Mr. President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

I believe the assessment is based on the number of motor vehicles that you have in your municipality. So larger municipalities will save a lot more money than a town as small as the one I live in.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Thank you. And through you, Mr. President, do you know when the program was initiated, part A, and -- and Part B, did municipalities have to pay for this in some form at the very beginning? Through you, Mr. President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

The program has been -- a -- a charge for a program, whether it's that particular program, but a charge for the Department of Motor Vehicle, has been in our budget for at least the last decade to decade and a half. I wouldn't know prior to that.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Thank you. Through you, Mr. President, so do we know when this program was initiated within the State of Connecticut?

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

Thank you very much. No, I do not know when it was initiated.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Thank you. Through you, Mr. President, do you know if at DMV, if they have employees who are dedicated solely to performing this particular duty?

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

Thank you very much, Mr. President. I do not believe that they are -- that this is a dedicated employee on the part of the Department of Motor Vehicle. I think that they move between jobs, actually a good practice so that you don't have just one person that can do something.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Thank you. Through you, Mr. President, the funds that come in through this program, do you know where that money ends up? Does it stay at the DMV? Does it go into the general fund? Does it go to pay off long-term liabilities? Does it go into the retirement fund? Does it go to repair our roads? Through you, Mr. President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

I believe it goes to the general fund. I know it does not go to pay off long-term liabilities, nor does it go to the pension fund.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Thank you. And through you, Mr. President, the program, as I understand it, currently will deny a registration renewal if that person has not paid their taxes on the automobile. Does that also extend to income tax, any other taxes that a citizen may be liable for -- taxpayer may be liable for in Connecticut?

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

No, it does. It is strictly on a motor vehicle basis.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Thank you. And do you know, through you, Mr. President, has that always been the case?

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

I -- I do not know.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Thank you. Last question for you. Do other states have a program like this that may have a similar payment scheme to it, where the municipalities owe a certain amount of money based on their grand list of automobiles every year? Do we know anything about that, through you Mr. President?

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

Thank you very much, Mr. President. Actually, many other states have gotten rid of paying taxes on automobiles, much akin to the bill that was pending last year. Because I -- I -- and I don't know if you were here or not, but motor vehicles are -- the taxes on motor vehicles are one of the most onerous taxes to collect because motor vehicles are not static; they move and a lot of time, people move with them. So they don't -- they -- they just are very hard to collect.

It's why a lot of people pay late is they pay right before they have to register their vehicles. So those tend to be the hardest ones for tax collectors to actually get in, often being referred out to either a collection agency or some other mechanism.

So many states -- because of the cost that's associated with collecting automobile taxes, the other states have gone to different mechanisms and have not -- they have higher fees related with their registration of the vehicles that -- that have to get done when you initially register a vehicle.

And instead of counting on taxes through automobiles, they have increased their taxes on either personal property or real estate or on the commercial side.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Thank you. Through you, Mr. President, I would like to extend a very big thank you to Senator Osten for her very informative and helpful answers on all of the issues that I have felt compelled to -- to focus on here. And thank you and thank you, Mr. President.

THE CHAIR:

Thank you. Senator Chapin.

SENATOR CHAPIN:

Thank you, Mr. President.

Mr. President, some questions to the proponent of the bill.

THE CHAIR:

Please proceed, sir.

SENATOR CHAPIN:

Thank you, Mr. President.

As I listen to the debate this afternoon, I -- I guess I'll start by commending you for, number one, bringing a bill forward that does provide some relief to municipalities. Obviously, very important and near to dear, both of our hearts. So thank you for doing that.

And -- and I certainly am supportive of the two provisions, both the delinquent motor vehicle taxes as well as the -- the reports on -- to the Siting Council.

But in prior years, I have had some concerns about delaying revals. So I -- I'm trying to get over the -- the hurdle there and perhaps you can help me in understanding what's before us and the effects that it may have.

It was my understanding that the bill, prior to being amended in the House, was more or a less a -- a one-year delay in -- I think with a grand list from October 2013. Yet, the House amendment, I think,

extended that to two years. Is that correct? Through you, Mr. President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

I would have to go back and review that, but I think that that is the only change that was made.

THE CHAIR:

Senator Chapin.

SENATOR CHAPIN:

Thank you, Mr. President.

And again, through you, again, in my experience, at least the primary purpose or the obvious purpose, for delaying reval is simply to -- because it can be expensive if it's not a statistical reval and -- so I -- I guess the town would, in essence, avoid paying the cost of reval for a year or, under the bill as amended, I guess they could do it for up to two years. Is that correct? Through you, Mr. President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

Thank you, Mr. President.

If you could just repeat the question.

THE CHAIR:

Senator Chapin.

SENATOR CHAPIN:

Thank you, Mr. President.

Again, through you, so what would seem to be the obvious reason a town would want to delay reval is just to forego the cost in that upcoming year. Am I missing something or are there other benefits to delay the reval or is it usually just done for cost avoidance and having to pay for the reval? Through you, Mr. President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

I -- I don't -- sometimes I think that you have to stabilize your grand list and I think that it's not always done for cost avoidance. I -- I would disagree with that statement only -- only because I think that we -- when you see a significant crash in a community for whatever the reason may be, property valuations -- or, hopefully, we'll all soon see increased valuations on properties. That -- that may be a reason, if you know why it happened and what is going on and where the future is going.

So if you see something like that, while -- while there is a specific reason to do a revaluation every five years, and I agree with that wholeheartedly, but as I said before, I delayed our revaluation two years in order to go into a different program.

I believe that, talking of Bridgeport primarily, there -- there is a light, so to speak, at the end of the tunnel, where there is construction going on on the commercial side and you can see that the -- the possibility of doing a revaluation now may negatively impact people that this may be -- the burden of this may be eased by just waiting that year and a half or two years that it would take to complete some of that construction.

So I don't think it's necessarily cost avoidance. I don't think it's necessary to over tax people if you don't have to. And I think that that's what would result here by not taking into account the activities that are actually going on in that particular

municipality who has come up here to ask for this particular relief.

And I -- and I could -- I understand that in the past, some municipalities have overly delayed revaluations and we have not, perhaps, corrected that, you know, unnecessary behavior. But in this case, you can see that there is activity happening. It is moving forward rapidly, as rapidly as construction moves forward. And I -- and I think that we're going in the right direction.

So I support it here today. I don't know that I'll always support revaluations for every community, but I can see the reason why here. I do like having the ability to have that explanation so I can articulate it and -- and that would be my answer.

THE CHAIR:

Senator Chapin.

SENATOR CHAPIN:

Thank you, Mr. President. And again, through you, given that answer, it makes wonder about how the shift in the grand list actually works. And I know in my hometown's case, the -- the town, which I represented wholly in the House for 12 years, it seemed -- and when I served on the town council there, it -- it would seem, at least in that town, that anytime we had reval, it was taking a burden -- more of a heavier burden from the residents and after reval, shifting it back onto the commercial properties.

And I -- I guess I've always assumed that's the way it works in other communities. Would you envision that it works the same way in Bridgeport's case, since they're the one we seem to be talking about the most? Through you, Mr. President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

Thank you very much. In this case, I think it does work that way. Not in all cases, though. There are times when residential valuations are going up more than commercial valuations. And it also depends on exactly what you have for a commercial base.

So I would say two or three revaluations in Sprague ago, the residential side took on the -- had a -- had a larger increase than the commercial side in our town. Of course, we have a couple of mills that are available, should you want to build.

And so I -- I know in Bridgeport now, that's the case. That the -- that the commercial side, based on the number of -- of projects that are going on and being built, that there will be a shift off of the residential side onto the commercial side by the sheer number of -- of projects ongoing. The -- but that is not always the case.

It -- it really depends on what your residential stock is, if you have an increase in residential stock, and if you have an -- an -- a subsequent decrease in commercial or a decrease -- or a decrease in the valuation of those commercial properties.

THE CHAIR:

Senator Chapin.

SENATOR CHAPIN:

Thank you, Mr. President.

And again, through you, so at least in this case, by delaying reval, it would seem like it's giving the city the opportunity to build out some of those developments under construction. So after a year or two, the grand list would be higher than it would be if they just made the shift at this point.

But in essence, doesn't that delay tax relief to the residential taxpayers? Through you, Mr. President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

Well actually, it would -- it -- right now, if they did the revaluation now without the construction projects completed or at least more completed than they are today, it would increase the taxation on the residents and decrease because those properties are not yet fully developed. They don't have personal property inside them. They don't have commercial motor vehicles that they're using that would in -- the subsequent -- the -- the subsequent machinery necessary for those projects. So it -- it's not -- not the case here.

If they did the did the revaluation today, it would put a significant burden on the residential side.

THE CHAIR:

Senator Chapin.

SENATOR CHAPIN:

Thank you, Mr. President.

And again, through you, so it -- it sounds like in Bridgeport's case, it's a combination of what I described happening what you described as having happened in the town of Sprague. It just happens to be in the state of transition. Is that accurate? Through you, Mr. President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

That would be correct.

THE CHAIR:

Senator Chapin.

SENATOR CHAPIN:

Thank you, Mr. President.

And again, through you, but the bill before us also opens up the opportunity for other municipalities, those that may have been due to do a reval off of the October 13 grand list or the October 14 grand list? Is that correct? Through you, Mr. President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

That would be correct.

THE CHAIR:

Senator Chapin.

SENATOR CHAPIN:

Thank you, Mr. President.

And again, through you -- so I won't -- I won't try to duplicate Senator Kissel's efforts of going through a roll call of towns. And I -- I think earlier, when several of us were discussing this, I would assume if we're taking a two-year period out of a 10-year reval cycle, it may be 20 percent of the towns that would be impacted if this bill were to pass. Is that reasonable? Through you, Mr. President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

It sounds reasonable to me, but I'm not certain if it's accurate.

THE CHAIR:

Senator Chapin.

SENATOR CHAPIN:

Thank you, Mr. President.

So based on that answer, I guess it would be unfair of me to ask you if you knew other municipalities or the number of municipalities. So I'll move on.

Now, I was in the Legislature I think when passed legislation to more or less take oversight of the city of Waterbury and it was my understanding that part of the problem was attributed to a delay of reval. And I think probably that took a similar legislative act and I think, if I'm understanding it or remember it correctly, it may have been done over a number of times.

Can you tell me if this is the first time that Bridgeport is here asking for a delay in reval? Through you, Mr. President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

I'm not certain if it's their first time. I really am just not -- I -- I don't want to sort of guess on something like that. Not since I've been here, but I've only been here a year and a half. So I -- I apologize.

THE CHAIR:

Senator Chapin.

SENATOR CHAPIN:

Thank you, Mr. President. So let me ask it a -- a different way. And I didn't mean had they been here 10 years ago. I -- can you tell me when their last reval was, I guess is the best way to ask it. Through you, Mr. President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

My understanding, 2009.

THE CHAIR:

Senator Chapin.

SENATOR CHAPIN:

Thank you, Mr. President.

And again, through you, and the bill before us just authorizes a delay in reval, not a phase-in of reval? I know I've seen legislation that allows for -- or attempted to allow for some sort of a phase-in to the impact. But I -- I'm not remembering seeing any phase-in type language. Is that correct? Through you, Mr. President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

If you would give me one moment, please.

THE CHAIR:

Senate will stand at ease.

(Chamber at ease.)

SENATOR OSTEN:

Thank you, Mr. President.

THE CHAIR:

(Inaudible)

SENATOR OSTEN:

I believe that it does allow for a phase-in if you looked at Lines 158 to 169, but no later than 2015.

THE CHAIR:

Senator Chapin.

SENATOR CHAPIN:

Thank you, Mr. President.

And again, through you, so just I'm clear, it -- it's kind of a two-pronged bill. They could delay the reval, but the impacts of the reval, once it was done, could be phased in over a period of time, up until 2015? Through you, Mr. President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

That -- that's how I am reading this. Yes.

THE CHAIR:

Senator Chapin.

SENATOR CHAPIN:

Thank you, Mr. President.

And again, through you, so the -- any town that would be eligible under this bill would also be eligible -- any -- any town that's eligible to delay reval would also be eligible to phase-in reval. Is that correct? Through you, Mr. President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

That is my understanding.

THE CHAIR:

Senator Chapin.

SENATOR CHAPIN:

Thank you, Mr. President.

I want to thank the good Chairlady for her answers and her patience.

Mr. President, as I've said in the past, I don't always -- I'm not always comfortable allowing municipalities to delay the inevitable. And I think that any time you either phase in or delay a reval, that's exactly what you're doing.

I do think Senator Osten has made a -- a good case about the -- at least in this case, Bridgeport's rationale for -- for at least considering a delay in reval. And hopefully, I'm almost there, and maybe if others ask additional questions, it'll give me enough reason to vote for the bill.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator. Senator McLachlan.

SENATOR MCLACHLAN:

Thank you, Mr. President.

I stand for the purpose of questions to the proponent of the bill, please.

THE CHAIR:

Please proceed, sir.

SENATOR MCLACHLAN:

Thank you. Senator Osten, you -- your answers to Senator Chapin prompted me to be concerned about the avenue that a community can take as a result of this

legislation. And so, through you, Mr. President, if you could clarify.

A community that is currently scheduled for revaluation in the years 2014 and 2015 -- well, let me just clarify. Is that, through you, Mr. President, the two years of scheduled revaluation that qualify to extent?

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

I'm sorry, Senator McLachlan, I was attempting to go to an area where I thought you were going and I did not hear your exact question. I apologize.

THE CHAIR:

Senator McLachlan, please rephrase.

SENATOR MCLACHLAN:

Thank you, Mr. President. Thank you, Senator.

The -- the two years that a municipality is allowed to extend, meaning those municipalities are currently required to do revaluation, are calendar year 2014 and 2015? Through you, Mr. President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

Yes, that would be correct.

THE CHAIR:

Senator McLachlan.

SENATOR MCLACHLAN:

Thank you, Mr. President.

Thank you, Senator Osten.

So looking at the OPM list of municipality schedule for reval, I see there's 48 communities that fit that guideline. So your answer to Senator Chapin's question, may a municipality extend for two years the date in which revaluation must be completed and phase-in? I believe the phase-in max is five years, so that essentially is a seven-year total extension. Through you, Mr. President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

Thank you, Mr. President.

The phase-in has to be done at the same time. It's not a longer time. According to this, it's -- it's the phase-in period, but not later than the 2015 assessment year. So it doesn't go out five years for the phase-in on this particular bill, according to Line 162.

THE CHAIR:

Senator McLachlan.

SENATOR MCLACHLAN:

Thank you, Mr. President.

Thank you, Senator. So traditionally, a phase-in, as I recall that process, you have to go through an application process to OPM, spelling out what your plan is? Is -- if I'm not mistaken, it can be some time between three and five years that you phase in a revaluation?

In my hometown, we have done that several times for a period of five years. If you postpone your revaluation from 2014 for two years, to 2016, and then the revaluation begins to take effect in 2016, and then you are allowed to phase it in over five years,

that would be a seven-year extension of the ultimate phase-in? Through you, Mr. President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

My understanding is that the phase-in has to be completed in the same timeframe of this reval. And I do not believe it goes out for seven years. That -- that's my understanding of this, that there is no intent to have anybody take up to seven years to fully implement a revaluation that would happen in 2015.

THE CHAIR:

Senator McLachlan.

SENATOR MCLACHLAN:

Thank you, Mr. President.

So it -- it sounds like the ultimate goal of this legislation is really only to extend for two years that a -- that a phase-in will not be offered to these communities in addition to the extension? Through you, Mr. President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

I believe that's correct. And I also would point out that this requires that the legislative body of each one of those municipalities approves anything that happens. So I think that that's also important to point out.

THE CHAIR:

Senator McLachlan.

SENATOR MCLACHLAN:

Thank you, Mr. President.

In -- in another discussion with Senator Chapin, you were talking about the -- the balance of tax liability in a community based upon commercial and residential properties and how this you perceived would affect the city of Bridgeport in that it would be beneficial to Bridgeport because of many building projects under way.

I believe Stamford is another community that has a lot of building projects under way, although I'm not sure that's Stamford would qualify for this. They're not on that list.

But isn't it true that the market values of residential and commercial properties play a bigger role in this in that it's not unusual for a residential market to be strong when a commercial market is weak, and when that happens, the burden falls on residential property owners versus commercial property owners? Through you, Mr. President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

I might have missed a piece of it, so pardon me if I -- if I don't answer the question. But I believe what will happen in Bridgeport is, as a result of commercial properties being built and thus, even if they're worthless, there's more of them, so there -- the -- so the impact overall on residential properties would be less than it would be if the revaluation was put into effect today.

So that -- that, I -- you know, overall, you have to look at the growth of the number of commercial properties and the number of residential properties. It's not just a straight linear assessment. You're going to look and see what you have out there on what -- and on what your grand list is going to -- is going to end up being.

So I'm not certain if I got to the heart of your question, because I apologize. I think I might have missed a couple of words there.

THE CHAIR:

Senator McLachlan.

SENATOR MCLACHLAN:

Thank you, Mr. President.

Thank you, Senator. Well, I -- I think we're heading in the right direction, but my point really is a commercial real estate market is very different from a residential real estate market. And regardless of what community you're in, and it's not unusual for one or the other to be exceling, doing better, higher selling prices, higher values, than the other.

So it's not unusual, for instance, now for the residential market to be improving and the commercial market to remain stagnant. If that's the case, which I believe is the case in Bridgeport, is this legislation business friendly or residential property friendly? Through you, Mr. President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

Thank you very much, Mr. President.

I believe it is friendly towards all of the people paying taxes in -- in Bridgeport. If there is an increase on the number of commercial properties there, even if commercial properties raise in valuation, the -- well, I think many municipalities, maybe not all, but many municipalities, are doing their darnedest to keep taxes down.

So if they have more numbers of both residential and commercial properties on the grand list, overall the taxes are spread out over more people. Thus, you're

able to decrease taxes or the tax burden on the numbers of people that are there.

So I think it's actually both in this particular case. That it's business friendly and residential friendly and I think it's a good move by the city of Bridgeport for this particular extension on a revaluation.

THE CHAIR:

Senator McLachlan.

SENATOR MCLACHLAN:

Thank you, Mr. President.

Thank you, Senator Osten. Do you believe -- of the 48, I believe it's 48, communities in Connecticut, that qualify for this extension under this proposal, do you have any indication how many other communities will take advantage of this? Through you, Mr. President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

I -- I don't have anybody else that has actually come up, although other towns are available to take -- to use this particular delay in revaluation. Again, they would have to have it approved by the legislative body also. And so it might be a -- something that we see happen, maybe one or two others. But I don't know that anybody wants to bring it to their legislative body.

THE CHAIR:

Senator McLachlan.

SENATOR MCLACHLAN:

Thank you, Mr. President.

Thank you, Senator. I see that Senator Chapin's hometown of New Milford is on the list and it

certainly appears that he personally is not in favor of these types of extensions.

I also see that one of the towns in my Senate district is on the list. I know that in New Fairfield, there has been some concern about revaluation. And what we've discovered is, in revaluation, oftentimes there's certain segments of the grand list that are very dramatically impacted and others are not. And that's what we call the shift, the grand list shift, if you will.

I seem to recall in my hometown where it shifted quite dramatically from commercial to residential. In another revaluation, it shifted back. And yet, in a -- in another revaluation, it was a mixed type of shift, if you will, where waterfront properties found a dramatic increase in their property values. Condominiums found a dramatic increase in their property values. But single-family and multi-family homes didn't.

And so, when a community is assessing whether or not this makes sense, I assume they would look very carefully at -- at what those projections will be.

So that's my point where I think that this is very clearly either a business friendly or a residential friendly move for a municipality. I -- I would differ with Senator Osten on that point, that it would be helpful to both.

I think that you -- you must keep in mind that buildings under construction are ultimately going to become part of the grand list after revaluation anyways. So a postponement of revaluation is all about shielding taxpayers from the shift.

The question is who are you shielding? Commercial? Industrial? Or residential? That's, in my opinion, really is what the postponement is about.

And so I suppose it's okay for us to allow them to consider this, but I don't believe that it's anything other than local political decisions and where they want their local tax burden to fall. That clearly is what this does, in my -- in my opinion.

Through you, Mr. President, to Senator Osten, I wonder if you could share with us the M.O.R.E. Commission recommendations that didn't make it into this bill and if you thought maybe the failure to include some of those municipal mandate relief ideas that came out of the M.O.R.E. Commission, did you believe that we're going to revisit them again?

I ask that question because, in this very lengthy debate today, we've had a number of Republican amendment proposals that came directly out of the Connecticut Conference of Municipalities' recommendations for municipal mandate relief to the M.O.R.E. Commission and also from the Council of Small Towns list of recommendations to the M.O.R.E. Commission.

And yet, all of those amendments today were rejected and I wonder, Senator, if you could share with us what your vision is for us accomplishing some of those mandate reliefs, either in other legislation in this session or in the very near future? Through you, Mr. President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

Thank you very much, Mr. President.

There are several other bills that came out of the M.O.R.E. Commission that were in other committees of cognizance, not necessarily in planning and development, that I believe we will be hearing of later on in not only this session, but certainly in sessions that will come up after this.

I think that it is fair to say that there is more work to be done, but many of the amendments that were mentioned today are in other pieces of legislation.

THE CHAIR:

Senator McLachlan.

SENATOR MCLACHLAN:

Thank you, Mr. President.

Thank you, Senator, for your good answers to many questions today. I appreciate your -- your assistance and I'll continue to listen to the discussion on this bill.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator. Senator Boucher.

SENATOR BOUCHER:

Thank you, Mr. President.

Mr. President, I need certainly at this moment to commend the Chair of the Labor Committee for her tremendous endurance this afternoon for the myriads of questions that were posed. But I think I'd like to get to really the heart of what might concern some of us and I know some have alluded to this issue already.

But I think that there should be a little bit further discussion on this and, through you, Mr. President, I wonder if I might ask the good Chairwoman of the Labor Committee if this delay in revaluation has given her or others any pause or concern for the possible negative outcome that could occur to the city's financial position and long-term fiscal health?

We've seen too many cases where, in a desire to do this, the -- the -- and I stand corrected, by the way. I am addressing the good Chairwoman of the Planning and Development Committee, I believe. And although I -- I guess could have honestly made that error because there were so many Labor bills that were brought before us, it seemed that that was great area of expertise for sure.

But I -- I think that, going back to the concerns that many of us have, is that in a process of trying to mitigate a situation for now, for the moment, and

reducing a tax burden, and obviously on a city and taxpayers that are probably the most burdened in the State of Connecticut, that this isn't setting up the city for a fiscal crisis that many of our other cities have experienced?

In fact, some were brought to the brink of bankruptcy because of delays in their revals. And -- and I think that was one of the concerns I have heard probably the most with regards to this bill. Notwithstanding all of the other amendments and -- and areas of -- of concern that was expressed this afternoon and the -- the large potential for mandate relief that was not achieved, that it actually -- this bill missed the mark.

And I can understand why the good Chairwoman was concerned about labeling as such, because it really doesn't really provide much in the way of mandate relief. However, the basic concern is would really approving this bill set up the largest city in Connecticut for the prospects of a fiscal crisis down the road?

As I said, some have experienced bankruptcy and I think that's getting to the root of the concern on this bill. So through you, Mr. Chair -- Mr. President, if I might ask the question about whether or not the Committee had thought about this when they were proposing this bill? Through you, Mr. President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

Actually, we did think about that and talked about it at the Committee level in Planning and Development. And it is a concern by many municipal leaders when they look at delaying a revaluation. It's something that is not done lightly.

I agree with the good Senator that you always have to pay attention to this because you do not want to have a pattern happen where you're delaying and then

delaying unnecessarily and causing a certain amount of -- of amount of unnecessary burden on taxpayers.

The -- I -- that is why this is two years, not longer. I think that that makes a difference. I think that that sets certain parameters up and that would be my answer to the good Senator.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Thank you, Mr. President.

I really thank the very honest and -- and candid response on the bill. I think if there is going to be some opposition and people that are reluctant to vote in favor of this, it may be for that very specific reason, that they're very concerned that we wouldn't want to jeopardize the financial health of our major cities and particularly this major city. And then, in a future session, maybe needing some financial -- I wouldn't want to call it a bailout, but it could conceivably be that.

And so I, again, really appreciate the response and certainly commend the good Senator for the -- enduring a very long and difficult afternoon, but a very important one where very serious issues were brought to the table. Thank you.

THE CHAIR:

Thank you, Senator. Senator Kane.

SENATOR KANE:

Thank you, Mr. President.

I rise for some questions to the proponent of the bill.

THE CHAIR:

Please proceed, sir.

SENATOR KANE:

Thank you, Mr. President.

Earlier, probably four or five hours ago, I think, I asked questions about the part of the bill that many of us have been talking about, which is the revaluation portion, which a lot of people mentioned it was for the city of Bridgeport.

But I'm -- I'm interested in another section, which has to do with the Connecticut Siting Council. So if I can address a few questions in -- in that section, Mr. President, I'd appreciate it.

With regards to the requirement that municipalities annually report to the Connecticut Siting Council, can you speak to that? Through you, Mr. President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

Thank you very much, Mr. President.

And I'm starting to think I'm on a double shift. So actually used to that. I used to do a lot of double shifts when I worked for the Department of Correction.

The Siting Council piece of it is very simple. Most municipalities, when they make the report to the Siting Council, go to the Siting Council website and copy off what the Siting Council website has on it, fill out the form that they've gotten that is blank, and resubmit what is already on the Siting Council website. It's sort of a -- a silly form to fill out if you're just resubmitting what they already have.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Mr. President.

You know, to that point, I guess, you know, if it's a silly thing that we're resubmitting items that are already on a Siting Council website and the underlying bill is called Mandate Relief, why do we continue to make municipalities go through this silly exercise? Through you, Mr. President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

That's why we're here today, so that we can actually stop people from having to go through that because it's a requirement that we do so. So why have the requirement if people are doing the exact same thing that the state already has? The states recognize that and the municipalities have recognized that. So we're attempting to get rid of a minor -- what I would call a minor requirement that still does take someone time in order to fill it out.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Mr. President.

And some of the things that the municipality would have to submit, too, in regard to the cell towers, correct me if I'm wrong, are location, height, the type of tower, proposed antenna; things like that. Is that what they were dealing with? Through you, Mr. President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

That would be correct.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Okay. Thank you, Mr. President.

And we, with this legislation, are removing that necessity? Through you, Mr. President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

That would be correct.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Mr. President.

And when was this requirement to report implemented? Do you know? Through you, Mr. President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

No, I don't. I believe it happened when we started putting up cell towers, but I'm not positive.

THE CHAIR:

Senator Kane.

SENATOR KANE:

And -- thank you, Mr. President.

And -- so let's say, because I, myself, as many -- as you may know and many people know, I'm in the cellular phone business, and I started in 1989, believe it or not. And when we -- we used to have car phones, if you remember, Mr. President, we used to install them in -- in people's cars way before the iPhone and -- and other products.

But -- so could that be possible, that we were requiring this submission from municipalities since then, possibly? Through you, Mr. President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

I believe that's accurate, but I'm not -- you know, I -- I don't -- I didn't research when we started doing this.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Mr. President.

And -- and I'm not asking to hold you to that date. Certainly, you know, that's 20, 25 years, so that's quite a long or lengthy period of time. I'm curious why this idea has not come up sooner.

I mean, this is the first time we're taking up this issue? Through you, Mr. President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

To the best of my knowledge, this is the first time we're taking this up.

THE CHAIR:

Senator Kane.

SENATOR KANE:

And the -- the report that we're speaking about, through you, Mr. President, was that done on an annual basis? Through you.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

Yes, it is.

THE CHAIR:

Senator Kane.

SENATOR KANE:

And -- thank you, Mr. President.

And -- and, through you to Senator Osten, do we have an idea of what the cost associated were like because of this requirement? Through you, Mr. President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

The -- I -- I don't believe that the cost is easily quantified, but it's very small in nature because it's filling out a form or a number of forms as a result of the number of cell towers you might have in your particular municipality. And it's one person doing that work, so however long it takes that particular person to fill it out is what the cost to the municipality would be.

That's why I think it's a minor revision, not something that's major. But it's certainly a relief to have one less thing to -- sort of the one less thing to do.

THE CHAIR:

Senator Kane.

SENATOR KANE:

And if a community had no cell tower in it, would they still be required to -- to do this paperwork, maybe say not applicable or not tower or anything to that effect? Through you, Mr. President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

No.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Now, if -- if we are no longer requiring municipalities to provide this submission, how will the Siting Council retrieve this type of information going forward?

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

Cell towers have to go through the Siting Council anyways so that they know what's going on out there with cellular service. So there's already a mechanism for them to report to the Siting Council.

So it was more or less done on one side and then is it still there sort of paperwork.

THE CHAIR:

Senator Kane.

SENATOR KANE:

So if the Siting Council was able to retrieve this information through the networks, AT&T, Verizon, whomever, so what -- what was the necessity for the duplication to begin with, then? Through you, Mr. President.

THE CHAIR:

Senator Kane. Or Senator Osten. Hi. How are you?

SENATOR OSTEN:

I'll take it. That's why we are removing it, because it's not necessary, to have the duplication.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Mr. President.

And do you know what the Siting Council used this information for? Through you, Mr. President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

No. I don't know what they would use it for. I think they just use it to track, but that's just -- I have not talked to the Siting Council myself.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Mr. President.

Well, I mean -- well, they're not moving objects. I'm curious why they would need to track them. I mean, once a -- a -- once a tower is built, I would imagine it -- it will stay up forever, especially in the -- knowing our economy, knowing the market as it is, with the number of people signing up for cell phone service. And the growth is -- has been incredible. So I'm curious why the need to track that.

Did the Siting Council testify in -- into your Committee on this bill? Through you, Mr. President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

No, they did not.

THE CHAIR:

Senator Kane.

SENATOR KANE:

Thank you, Mr. President.

I -- I thank Senator Osten for answering my questions. This seems like, as you stated, a -- I think you used the word silly and I -- I tend to agree with that. If -- if, you know, these towers, A, you will have the information or the Siting Council will certainly have the information, when a tower is applied -- well, actually, let me ask you that, Mr. President, if I may, through you to Senator Osten.

The application process then, when -- when a -- a cell tower is -- is applying to place a tower in one of our communities, is there any communication between the

Planning and Zoning development of a community and the Siting Council? Through you, Mr. President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

I don't believe that the Siting Council has any communication with Planning and Zoning. I -- they may do it out of a courtesy, but once something is approved by Siting Council, it's not necessary to go through Planning and Zoning.

THE CHAIR:

Okay. Senator Kane.

SENATOR KANE:

Thank you, Mr. President.

I -- I accept that answer. I -- I was just curious if, you know, as you stated, if the Siting Council is going to get information from the carrier at the time of application, certainly at the time of construction, and then probably more so keeping in touch with the carriers in regards to the use of that tower. I mean, the type, the height, the antenna.

I mean, that's all done during the site plan evaluation, during the proposal when the drafts are made, when -- when drawings are made. I mean, I -- I don't see those type of things changing very much. So I'm curious why we would require municipalities to continue this.

So I think it's a good idea that you are able to remove such a burden from our communities and towns. So I -- I appreciate this part of the bill. I know it's a small portion of the bill, Mr. President, but it seemed interesting to me when it came to my attention because so much time had been spent on the reevaluation part.

So I appreciate Senator Osten for her answers. Thank you.

THE CHAIR:

Thank you, Senator.

SENATOR OSTEN:

And.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

Thank you, Mr. President.

And I would just -- just to answer a couple of questions more specifically, the Council's -- the Siting Council's jurisdiction with respect to the siting of wireless telephone towers is affected by the 1996 Federal Telecommunications Act, which preempt state and local jurisdictions, including this agency with respect to the finding and need the effects of our radio frequency emissions.

And this is -- they have exclusive jurisdiction to approve new build operating in a cellular system.

THE CHAIR:

Will you remark further on the bill? Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President.

When I -- I read the title of this -- of this bill, AN ACT ELIMINATING MUNICIPAL MANDATES, I'm very excited because when we look at the size and scope of the State of Connecticut and its budget -- or not its budget, but its -- its government regulation and its mandates on towns and cities, it's amazing.

So when you hear that there's any attempt, any attempt, to help our cities and towns, of course I'm encouraged by that and -- and like to see that type of -- of activity. But then, when we start to look at what's really going on with regards to our government and its over regulation, whether it itself or -- or our cities and towns, you start to look at it and say are we doing too much?

I know during the Committee process, I put in two bills that dealt with the removal of regulations, and that we have 18 volumes, 18 volumes, of regulations in the State of Connecticut. Those 18 volumes consist of 15,000 pages of regulation.

And by many accounts, the size and scope of our government is one of the most, or foremost, reasons as to why the Connecticut economy suffers. Because burdensome regulations and mandates inhibit economic growth.

When we look at our economic growth throughout the state, Forbes magazine ranked Connecticut 39 out of 50 with regards to our regulatory environment. Further, according to UCONN's, the Connecticut Economy, which is a quarterly journal, in 2011, it stated that we could boost our economic growth by 1 or 2 percent if we would start getting our government and its regulations and mandates out of the way of people who are creating jobs.

So naturally, when I look at something that says AN ACT ELIMINATING MUNICIPAL MANDATES, I'm heartened. Unfortunately, while it's a start, it's certainly not the finish. There's only a few mandates in here dealing with revaluation and phase-ins and some motor vehicle issues.

I'd like to see it go further because we know that our municipalities could certainly use the help. Given that, I appreciate the start and I certainly look forward to more mandate help and relief for our cities and towns.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator. Will you remark further on the bill? Will you remark further on the bill? If not.

SENATOR OSTEN:

Call for a roll call vote on the bill, please.

THE CHAIR:

I was hoping it would go on Consent. Mr. Clerk, please announce the pendency of the roll call vote. The machine will be open. On the bill. On the bill.

THE CLERK:

Immediate roll call vote has been ordered in the Senate. All Senators report to the Chamber.

Immediate roll call vote has been ordered in the Senate.

THE CHAIR:

Senator Cassano.

Have all members voted?

Have all members voted?

If all members have voted, please check the board to make sure your vote is accurately recorded.

If all members have voted, please -- the machine will be closed and the Clerk will announce the tally.

THE CLERK:

All those voting on House Bill Number 5055.	
Total number voting	35
Those voting Yea	35
Those voting Nay	0
Absent and not voting	1

THE CHAIR:

The bill, in concurrence with the House, passes.

SENATOR LOONEY:

Thank you, Mr. President.

Also, Mr. President, on the bill just enacted, Calendar page 14, Calendar 418, House Bill 5055, would ask for suspension for purposes of immediate transmittal of that item to the Governor.

THE CHAIR:

Motion is for suspension of the rules. Is there objection? Is there objection? Seeing none, so ordered.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, returning to the -- the go list, marking a couple of additional items. First of all, Calendar page two, Calendar 73 should be marked passed, retaining its place on the Calendar. And --

THE CHAIR:

I'm sorry, Senator. What was the Calendar?

SENATOR LOONEY:

Calendar page two, Calendar 73, Senate Bill 93, previously marked go. Should be marked passed, retaining its place on the Calendar.

THE CHAIR:

Yes, sir. Without objection, so ordered.

SENATOR LOONEY:

And also, Mr. President, Calendar page three, Calendar 166, Senate Bill 427 should also be marked passed, retaining its place on the Calendar.

THE CHAIR:

**JOINT  
STANDING  
COMMITTEE  
HEARINGS**

**PLANNING  
AND  
DEVELOPMENT  
PART 1  
1 – 617**

**2014  
INDEX**

1  
vkd/gbr PLANNING AND DEVELOPMENT  
COMMITTEE

February 24, 2014  
11:00 A.M.

CHAIRMEN: Senator Osten  
Representative Rojas

MEMBERS PRESENT:

SENATORS: Cassano, Fasano

REPRESENTATIVES: Aman, Candelora, Davis,  
Diminico, Flexer, Fox  
Fritz, Gentile, Grogins,  
Kokoruda, Reed, Sear,  
Simanski, Vicino, Belsito

REP. ROJAS: Okay, we're going to begin this public hearing of the Planning and Development Committee. All right, we got to (inaudible). Okay, we're going to secure the first hour for elected officials, agency representatives, and other elected officials. And the first person on the agenda today is Richard Paoletto and/or Senator Musto. If you want to come up together, you're welcome to do that.

SENATOR MUSTO: Thank you to the Chairs.  
Mr. Paoletto is here. With the Chair's indulgence we also have Anne Lenz from the -- she's the Finance Director for the City of Bridgeport. She would like to say a few words, if that's okay? Okay, thank you.

RICHARD PAOLETTO: Good morning. My name is Richard Paoletto. I sit on the City Council for the City of Bridgeport. Currently I'm the Deputy Majority Leader, Co-Chair of the Ordinance Committee, Contracts Committee, and also Public Safety.

I did prepare something but I feel I'm just going to ad lib and talk to you from the heart today. And first of all I want to thank you

HB 5055

again for all the help that you all do here for the City of Bridgeport in way of funding, between Steelpointe, the new train station, downtown housing, and the city has really taken off. And there's so many little projects going on, there's so many big projects going on that your indulgence and this option of giving the cities the option to use the reval or not use the reval I think is something else that we need your help with.

And I really, from the heart, from the people that I represent, want to ask your indulgence to vote for the option to let the city choose to reval -- use reval or not this year. So that way we won't hinder or we won't have people afraid to invest their own dollars in the city.

And unfortunately if this doesn't pass our mill rate will go up. And our mill rate will affect our taxpayers because of the some of the businesses that want to come into Bridgeport won't have the opportunity or the people who are in Bridgeport; they won't be able to stay in Bridgeport. I'm going to defer all the technical stuff to our Finance Director. But again I want to thank you for the opportunity; I want to thank you for your time, and thank you for your consideration.

HB 5055

ANNE KELLY-LENZ: Good morning. My name is Anne Kelly-Lenz; I'm the Finance Director for the City of Bridgeport. First of all, I would like to thank you for the opportunity to testify regarding the proposed option to delay this revaluation.

The city is seeking a two year delay for the current statistical revaluation which is performed at the midpoint of a ten year cycle.

This request is based on an historic economic recession which has had such an effect on the entire United States economy resulting in corresponding record high levels of subprime lending defaults and foreclosures that impacted Connecticut cities, particularly Bridgeport.

Between 2008 and 2013, Bridgeport has consistently held a position of recording the highest rate of subprime loans, loan defaults, and foreclosures in the State of Connecticut. During this time frame Bridgeport has experienced more than 5,000 subprime loans, 3,400 lis pendens filings, and 2,800 foreclosures. This far exceeds any other municipality in the State of Connecticut.

As you all also may know, Bridgeport has the highest rate of home ownership in the state's three largest cities. Implementing the results of the statistical revaluation would have a serious negative impact on our home ownership rate and draw much needed economic development out of our city.

The city is on the cusp of large scale economic revival with millions of dollars in state funding having been invested in brownfield cleanups, housing, job programs, and economic development that would be seriously compromised by the negative impact of this revaluation.

Implementing this revaluation at this time would also likely result in the significant mill rate increase which would have increase in personal tax -- property tax burden on motor vehicles and business tax.

The personal property increase and the corresponding major hike in mill rate would encourage businesses to leave the city and

discourage new businesses from locating -- relocating here. This would have a devastating effect on the commercial tax base which would squelch investment and expansion in the city.

So in light of the facts presented here, the city respectfully request your support of the legislation that would delay the revaluation process in Bridgeport and in other municipalities throughout the state for a period of two years to avert the insurmountable economic hardship that the revaluation process would -- would bring if it was conducted as scheduled.

Due to the time-sensitive nature of this request, we are hopeful, if this committee is in agreement, that this proposal would move forward for consideration by the entire State Legislature, and from a personal aspect as well, I would like to just say that it is a very exciting time to be working in Bridgeport with all the businesses and all the projects that are in the works especially supported by the state as well. That we're very excited to be involved in them, and we just need that option to be able to keep it static for the next couple of years. Thank you.

SENATOR MUSTO: And thank you to the Chairs for -- for hearing these folks and for letting me bring them up with me. I think that their testimonies expressed are extremely important, probably more so than mine. These are the folks who are going to be living with this. You got the Finance Director and the City Council. The City Council is going to be the one in the legislation that would make the decision.

And I do want to stress that I'm in support of

all of these proposals in this bill. I thank the Governor for raising them. This one particularly affects my constituents in my district, Section 2. And the fact that it's an option to delay it for up to two years, that the municipality won't be forced to reval for up to two years. Could be 18 months, could be a year, and that they have to get back on schedule after that.

It really does two things. It gives the municipalities the option and the breathing room that they need to make the decisions they need for themselves. This is what -- believing in municipal mandates, this bill is all about in general. And we're always talking about home rule, giving municipalities the benefit of letting them run their own budgets. This is something that, you know, we understand the property tax in Connecticut have not done this in the past years. The system is very hard, especially on the cities.

But it also gets them back online right after that. And that's, I think, is also an important part of this legislation. So thank you very much. I'm certainly available for any questions, and I'm sure our guests are as well.

REP. ROJAS: Well thank you for coming in to testify. Representative Aman?

REP. AMAN: Yes. I do have a couple of questions, and just so you know where I'm coming from, having sat on this committee through the horrors of Waterbury and their revaluation problems, which weren't two years, but many years, it is one of the reasons I'm hesitant for revaluation changes. Because of the experience we had there.

So I guess I just have two questions that you can address. If this bill goes through, who is going to pay less and who is going to pay more since Bridgeport, the amount of money you raise isn't going to change. It's just which taxpayers write -- write the checks.

And the other question that ties into that, why will the problem go away two years from now? Then why in two years will it be better than it is now and are all we doing is delaying things for two years, at which point Bridgeport will be coming in saying, yes, we thought we were going to straighten it out in two years. We haven't, we need two years more to do it. So if you can just address those two issues for me.

ANNE KELLY-LENZ: Your issue in regards to why the two years, we see, as you can tell in the markets, there is an uptick in markets, and the real estate market is rebounding, but obviously it hasn't rebounded to where we need it to be.

The last reval was done at the height of the market or as it was coming down slightly. So the values have not come back yet. So with having that instability of those values, that's where the problem is causing, because there are historically low values for it, so it would cause the mill rate to -- to increase.

We're hopeful that within that two years we have so many projects in the works right now that we're hoping that some of those projects will be done and completed or in the midst of being completed within that two year span. So we have a bigger business base coming in as well, so that will help equalize the taxes when we do go for reval, hopefully the market has risen slightly, plus then we keep the

businesses we have and we continue to bring in the business that are in the works right now.

REP. ROJAS: Represent. -- oh, I'm sorry.

REP. AMAN: And if you could also address the who pays more and who pays less. Because it's value times mill rate equals revenue and the revenue number is fixed.

ANNE KELLY-LENZ: It's going to be based on, as you know, personal property taxes are pretty much fixed, other than a depreciation every year. So you're going to have an increase, a large increase as the mill rate goes up significantly, you're going to have a large increase in the business tax.

You will also, depending on the value of different homes, because it's a statistical not a full reval, based on the home revals, those houses can go up because we're going to have a significant mill rate increase because of the houses that have gone down. So cars, cars are also a fixed value because of -- they're set at the state level and they just depreciate slightly every year. They will go up significantly as well.

REP. AMAN: If I am speaking as a homeowner of a home in a neighborhood in Bridgeport that has dropped significantly in value, how do you answer the question of my house taxes are staying high even though my house is worth considerably less than it was, but even though my car tax to the advantage of the person who is renting or paying property taxes or business taxes, because I believe that's what the shift would be.

ANNE KELLY-LENZ: I'm sorry?

REP. AMAN: You're putting a greater -- with the revaluation the way it's done, what you're talking about doing, I would see that the home owner in a home that has the market has depressed the value significantly, if revaluation goes through as scheduled, they will be paying less.

The person who is paying business taxes or property taxes or the renter, because the property taxes are included in the rental in some form, will be the beneficiary of the delay versus the homeowner who will not be the -- who will be paying more.

ANNE KELLY-LENZ: We would still have a -- a large spike in the increase of the mill rate. So even though their value -- some parts may go down, the mill rate is going to go up. So if anything, it's going to be equal or higher. It's not going to be significantly lower because we're going to have such a disparity in the values.

So the mill rate is going to go up. So you're kind of bringing it in maybe on an even level. We're trying to keep the businesses so that long-term we can keep those, the taxpayers, so when we do the reval and the shift of that tax base is taken off the taxpayer, that's what we're trying to do.

Because right now it still will be on the taxpayer because it's going to be, their value may go down, but their mill rate is going to come up. So they're still going to be taxed close to the same amount.

SENATOR MUSTO: If I may, Representative Aman, thank you for that question. I think that question

really goes to the heart of what we're trying to do here today. These decisions about who should be taxed at the municipal level or what the differences will be at the municipal level are going to be made by the City Council.

The City Council is the one who has to approve this delay. And again it could be for any period of time. I'm not sure under the legislation it has to be for two years. They won't be forced to do a revaluation until two years from now. But these are the kind of questions that should be answered at the local level giving the local officials the option and the responsibility, frankly, for those decisions.

If it turns out that those residents, say you voted for this reval, and now we're overly taxed, then those representatives will be responsible for that, and will have to pay that price. Or the residents could say thank you very much, and those representatives will be responsible, the city councilman will be responsible for answering those constituents.

Here at the capital it's been my feeling for a long time, and I know I've had some of these conversations with you. I don't think we give enough power and consequent responsibility over property taxes to our municipalities. I think they should have both. And this is one step in the right direction. It's a -- granted it's a small step and it's a very contained step, I guess. You know, it's a specific issue.

But I think one of my beliefs is that these are the responsibilities that should fall on the local representatives and that when they do the numbers it may turn out that, you know, the numbers aren't what they thought they were

going to be. Property taxes for residents would have gone up much more. Property tax for business would have gone down or vice versa, or maybe around even. Maybe they decide not to do the reval.

But giving them the option, making them responsible for it, and also giving them that opportunity, I think, is what is important about the legislation, which is why I'm supporting it, along with the rest of the bill.

REP. AMAN: As you well know my idea is that the municipalities know much better what they're doing than the -- than the state. And so it's, I guess my next question tied in to that is why does Bridgeport decide that this is a better solution to a real problem than a phase-in which, current statutes allow on a rising market.

I believe we passed something on a decreasing market last year, and then it was -- or repealed, so I'm not really sure if a decreasing market. But I know we had passed that. Why would a phase-in not -- to go moving forward with a revaluation, but phasing it in over the next two or three years not address or do the same problem -- or address the same problem?

SENATOR MUSTO: I don't know what would happen in Bridgeport specifically. Again, if it's one more tool in the tool box, it might be that a reval -- excuse me, a phase-in is -- is a better option. But again, I think that's a decision that is best made at the local level. This may just be another tool in the tool box. I don't know what would happen specifically in Bridgeport. I'll let, probably the Finance Director is the one to answer that.

REP. AMAN: And I'm sure that the Bridgeport officials have looked at the phase-in and have decided this is a better way to go. And my question is why is this a better reason -- way to go, and my question is why is this the better way to go because it might be for other municipalities a better way also.

ANNE KELLY-LENZ: A phase-in would mean that the tax is still increasing, which we would be phasing in that tax increase, whereas right now we'd be keeping the tax base stable to where it is right now.

So that when we do a reval in two or whatever years -- the years that are involved, we would be doing it hopefully with the economy two years down the road, and house values have changed, and we have got those businesses into Bridgeport that we're -- that those projects are in the works right now.

So that's why the choice of saying -- delaying it for two years as opposed to phasing it. Because the phasing does an increase. We're trying to keep that tax base stable.

REP. AMAN: I hope you're right about -- that for me personally that home values start to go up. It would make my life a lot easier. Thank you very much.

ANNE KELLY-LENZ: Thank you.

REP. ROJAS: Thank you. Are there any other questions? Senator Osten.

SENATOR OSTEN: Hi, how are you? There is another section of the same bill that you are testifying to that's changing, and that is tax

collector of a city/town borrow or of the taxing district shall notify the Commissioner of Motor Vehicles each month on the first day of each month of a delinquency of that. Have you weighed in on that at all or looked at that to see what impact it would have on your city?

ANNE KELLY-LENZ: I have not done that yet.

SENATOR OSTEN: Okay. And I also have the same concerns. I'm hoping that the market comes back, but I have the same concerns that Representative Aman had regarding delaying the reval, because it is fair to say that even if the mill rate went up, taxes may not go up for people. Would you not --

ANNE KELLY-LENZ: They may not, they may stay the same. But the basis of trying if the mill rate is going up, their cars are going up. Plus also the business tax is going up, and that's what we're trying to keep in. We're on the cusp of businesses coming in, we're trying to get those businesses in to keep the tax base stable.

SENATOR OSTEN: So, so you think that by keeping -- without doing the revaluation that the mill rate that, even if it would stay flat for houses, even if the mill rate went up and the taxes would stay flat for houses, the consequence of that would be the increase in both personal property and motor vehicles.

ANNE KELLY-LENZ: Definitely.

SENATOR OSTEN: Okay, thank you. Appreciate it.

REP. ROJAS: Any other questions? Representative Diminico.

SENATOR DIMINICO: Thank you, Mr. Chairman. I do have very similar concerns on -- at one time the revals were for ten years, then they went down to three, then they went back up to five. I heard the word catch up, which really made my eyebrows kind of raise. And that's the concern I have. That eventually when you do catch up that you're going to have some sticker shock.

I have a quick question for you on your grand list. You may not know it, your assessor may, but in relation to your grand list, what is -- what is the dollars on the business side and what is the dollars on the residential side?

ANNE KELLY-LENZ: I'd have to get that information, I apologize.

SENATOR DIMINICO: I'd be curious if they're kind of equal or if they're kind of lopsided. Because that definitely will affect how you do your reval. And you know, and on the phase-in -- and the phase-in basically is a shift as well. It's really a shift from the business of, in this case, it'd probably be a shift from the residential to the business, to benefit the business side. And I would think -- I think it's -- it's very difficult to kind of keep kicking the can down the road and trying to get a game plan that comes to fruition. I think it could have a blue ring effect in doing that.

And I realize two towns -- probably if towns had other bullets where they could work around trying to -- to be amenable to the business side or whoever is getting hurt in the reval, that would be nice. Maybe someday should have a conversation what can be provided to the town so they don't have to get put in the position where they have to come and try to defer a reval.

But I think, I'm very curious about the size of the grand list, and how it's balanced out there. I will say this; on the personal property side particularly, which also hurts businesses, it's just not just the motor vehicle. I can understand that, those are kind of fixed costs.

But the reval is when it's all about assessments, and those assessments can change. And the concern, again, I have, you're trying to promote the business side so the business of -- group comes in, takes a -- rehabs an old building. Brings the value up, and then the reval gets prolonged. They're still going to get a considerable tax because they've improved the property. So I really kind of have some reservations about the whole process. Thank you.

REP. ROJAS: Representative Sear.

REP. SEAR: Thank you, Mr. Chairman. So in a very simplified case, okay, if your budget stayed stable year to year and the grand list or the assessed value of properties throughout the town went to 50 percent where they were. With the budget fixed amount, the mill rate would double, is that --

ANNE KELLY-LENZ: Possibly, yes.

REP. SEAR: Okay, so there's kind of a fixed relationship between that. So in terms -- a specific homeowner would be paying double the mill rate, but they would be paying that at a rate on a reduced value so they would end up at a fixed number. I know this is very simplified of a complicated issue.

But basically what you're saying is if your last reval was at the -- when the market was high, inflated, whatever. It was up there. It was in much more prosperous times. What you're trying to do is simply have a delay to a point where the market has had a chance to come back where values are at least closer to where your last reval was.

ANNE KELLY-LENZ: Yes.

REP. SEAR: In terms of the stability. It just gives a little bit more stability, excuse me, to the big picture rather than this great kind of change from where you were then to where you are now. And obviously you place a value on that stability. It's not like -- I don't see it as anybody making out really strongly money-wise or whatever. It just brings a lot more stability to the reval process and maybe some more understandability on people's part. Am I correct?

ANNE KELLY-LENZ: Yes.

REP. SEAR: Thank you.

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

ANNE KELLY-LENZ: Thank you very much.

REP. ROJAS: Next up will be Fillmore McPherson.

FILLMORE MCPHERSON: Thank you Mr. Speaker, and thank you all for allowing me to come before you today. My name is Fillmore McPherson, I am the First Selectman of the Town of Madison. I'm here to speak on behalf of the proposed changes to the statutes of Section 1433 as

HB 5055

contained in the Governor's Bill 5055. As currently written without this change that's on your table, the statutes impose a burdensome tax on virtually every municipality in the state.

To refresh your memory, Section 1433 requires the Commissioner of Motor Vehicles to withhold vehicle registration renewals for individuals who have not paid their annual vehicle property tax to the appropriate city or town. And this is an excellent tool for enforcing the property levied tax bills.

Unfortunately, the entire cost of DMV's operation for this service is billed back to the individual municipality based on their population. This cost, which covers ten employees plus benefits, totals \$858,000 and change for the entire -- for the current year.

Our cost in Madison is \$4,374, but the cost can be much bigger for the larger cities and towns. I did check our largest City of Bridgeport. By my calculations it's something like \$31,000 that Bridgeport gets charged. The people who spoke before me can change -- can correct me if I misspeak.

Now the Governor's Bill would eliminate this chargeback for what should be a routine DMV service. And I urge you to support and pass this change for the benefit of all of our strapped cities and towns.

Moving on, I view this change as one small step in the ongoing review of unfunded mandates imposed on our municipalities. I've been pleased to serve for the last year on your Mandate Subcommittee for the MORE Commission. This subcommittee has approved a number of

changes. These include sweeping reforms, such as requiring a supermajority for any new mandate all the way down to individual items such as financial relief for providing seven day advance voting.

And again, I notice another bill that you all are taking up right now, and that is the -- to ease up on the requirements for the notices that you put in the paper. And I would urge your support of that bill as well, because that, again, is an unfunded mandate on our municipalities.

And again, I urge your positive consideration on all these MORE Commission recommendations as a means of helping our hard-pressed cities and towns. Thank you, Mr. Chairman.

REP. ROJAS: Sure, thank you. Since you've promoted me to Speaker, I'll make sure this bill gets done. Are there any --

FILLMORE McPHERSON: Whatever it takes.

REP. REED: Are there any questions there?  
Representative Kokoruda.

REP. KOKORUDA: Representative -- I mean, First Selectman McPherson, I welcome you to Hartford today, and I want to thank you for representing small towns and on the MORE Commission. And I know you've worked -- you know, I'm amazed at all you selectmen that come up month after month, if not week after week.

FILLMORE McPHERSON: Week after week these days.

REP. KOKORUDA: Week after week in taking time away from your duties in your municipalities. I'm glad to see there was some recommendations.

Now, I understand all these recommendations, though, have not been put forward, is that true?

FILLMORE McPHERSON: That is correct. We've -- at the last session we put forward a number of recommendations. The subcommittee passed a number of recommendations which did not make it to the final report, I'm disappointed to say.

Not that I expect every one of our recommendations to be approved by the Legislature, I am not that naive, but I would have hoped that what the subcommittee passed would have made it onto the final written report for the subcommittee.

REP. KOKORUDA: Well thank you. About this bill with DMV, the money right now that the \$858,000 just goes into the general fund, is that where it's going? Or is it going to DMV?

FILLMORE McPHERSON: The exact bookkeeping I'm not aware of, but I know that we get a bill -- every town gets a bill in January that says please remit these dollars. I'm not sure exactly which pocket it goes into. This came to my attention a year ago when I got the bill. It came across my desk and for some reason it clicked, because it said \$858,000 and change. I said how can something pretty mundane like this cost that much money.

I had it in my mind that we must have been paying part of the Commissioner's salary, part of the heat and light for the building, you name it. So I made inquiries and found that it was this ten man department, or ten person department that administered this, and that by statute as currently written the costs get prorated, passed back to all the towns and

cities.

REP. KOKORUDA: And the cost is set by population, not by how much you use the service?

FILLMORE McPHERSON: Yes, that is correct. Prorated by population.

REP. KOKORUDA: And the last thing, the other bill you mentioned, the publication, municipal notices.

FILLMORE McPHERSON: Yes.

REP. KOKORUDA: I remember last year knowing this number. Do you know how much Madison spends a year on this?

FILLMORE McPHERSON: Several thousand dollars. I don't have that -- I didn't come prepared. I happened to see it on your list of bills, so I thought I would --

REP. KOKORUDA: I remember thinking it was significant for a small town.

FILLMORE McPHERSON: Yes, it's several thousand dollars. Because you have to -- as currently written you have to put the whole verbiage into the newspaper, rather than just saying we're going to hold a town meeting, see our Web site for the details or whatever it might be.

REP. KOKORUDA: Okay, thank you, and it's good to see you today.

FILLMORE McPHERSON: Thank you.

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

CRCOG isn't the right place to do this, although I think it might be. I know there are other towns in the CRCOG that wouldn't be impacted directly by this, so maybe that is part of the problem with doing it through the CRCOG.

It seems that here we are creating a whole other entity that is going to have some kind of cost, even though there's been a lot of discussion about reducing that kind of fragmentation that exists here in the state. So I guess that is something for us to discuss as we continue to move forward. Are there any other questions? Seeing known, thank you.

KAREN BUFFKIN: Thank you very much.

REP. ROJAS: Is Mayor Finch here yet? No? Not seeing him. Gian-Carl Casa from OPM.

UNDERSECRETARY GIAN-CARL CASA: Good morning, Mr. Chairman, Senator Osten, Members of the Committee, it's nice to be here before so many old friends and a couple new ones. I am Gian-Carl Casa, Undersecretary for Legislative Affairs at OPM. I'm here to speak in support of the Governor's Proposal, Bill 5055 AN ACT ELIMINATING MUNICIPAL MANDATES.

Some of the items in the bill have been discussed already today before -- with you. I don't want to repeat anything that's been said, but I will just point out that this bill contains three portions.

The first is to remove the charge from DMV, actually it goes through OPM from the state to municipalities for DMV's program by which it helps municipalities collect parking -- delinquent taxation. That provision also says

that if a town is not timely, if it doesn't every month file its list with DMV of who is delinquent, that the DMV Commissioner may suspend the program for that particular community.

What happens often, far too often, is that towns are less than timely in reporting to DMV who is delinquent. Men and women go to DMV to try to register their vehicle, they're told they're delinquent. They get angry. They go back to their town. They yell at their town. They come back to DMV, they yell at DMV, and it adds to the lines. We think this proposal has two benefits, it saves municipalities money, and makes it more convenient for the taxpayers.

Secondly as was discussed by the folks from Bridgeport earlier, the bill would also allow municipalities to delay implementation of revaluation. There is a problem, a drafting error in the bill that you have before you. The intention is to allow municipalities to delay implementation in FY15 for revaluations of the October 2013 grant list. It was just drafted incorrectly. We will get you the correct language, hopefully by the end of the day today.

And thirdly, there is a requirement in statutes that towns annually report to the Citing Council the location, type, and height of antennae and towers. So in the community, what we're told by municipal folks is that they just look at the Citing Council Web site, write down what the Citing Council says, and report it back to the Citing Council. It seems like an example of something that is completely unnecessary for government to be doing. And we propose to eliminate that requirement.

We look forward to working with you to correct the language in the bill and to favorably report it. Thank you.

REP. ROJAS: Senator Osten.

SENATOR OSTEN: Good afternoon. How are you today?

UNDERSECRETARY GIAN-CARL CASA: I am great.

SENATOR OSTEN: So some of the things that you're clearing up here would assist DMV in regards to not having angry people come back and forth on delinquent taxes that they may or may not have already paid.

Is there a mechanism that DMV could actually reach out and help the towns in regards to when people are turning their plates in, rather than have the constituent have to drive back, turn in the plate receipt to the tax assessor using the same mechanism?

Is it not something that there could be some more interfacing between the two pieces of software that we would not have to have angry people coming to the municipalities saying to the municipalities, I turned my plates in two years ago, how come I still, you know, am hearing from you on this tax bill that I shouldn't have any longer?

So that we wouldn't have to affirmatively do something all the time with the tax assessor.

UNDERSECRETARY GIAN-CARL CASA: You're talking about a different issue, if I understand you correctly.

SENATOR OSTEN: I am, but it's the same agency. Same state agency. Tax assessor difference and tax

collector, but same state agency, Department of Motor Vehicles. And you know, the fact is that they take in all of the plates that people turn in.

There must be a way for the tax assessors to be informed that someone has sold the vehicle so that we wouldn't have to deal with the angry people coming in. Because the essence of the tax collector and the untimeliness of some municipalities on letting the DMV knows to stop angry constituents to going into the DMV. So conversely there are many towns that have angry constituents that come in to the tax assessor saying, you know, I did this two years ago, I don't have this, and isn't there a mechanism that we can come up with that would, you know, perhaps, fix two problems with one.

One we acquiesce, and say this is something we should do for tax collectors, but I'm saying can we do something to help out with the same state agency the lack of interfacing between that state agency and tax assessors different than tax collectors.

UNDERSECRETARY GIAN-CARL CASA: Sure. I'm not familiar with what DMV's software can and can't do in that regard. If it's possible, it's something we should certainly be able to talk about. We're all about make things more convenient for the citizens.

SENATOR OSTEN: That's all I had. Anybody else have any questions? Representative Reed.

REP. REED: Thank you, Madam Chair. Hi, Gian-Carl. Nice to see you. I just have a quick question. So I was expecting, for some reason, when I saw the Governor's Bill, and I saw AN ACT ELIMINATING MUNICIPAL MANDATES, I thought it

was going to be thicker and bigger, there was going to be a lot more that you actually went after.

And I'm wondering, is this just the beginning or are there more recommendations that we're going to see going forward, maybe not this session but next session about, you know, make these processes, making a little bit more sense and give the municipalities a little bit more interactivity or freedom?

UNDERSECRETARY GIAN-CARL CASA: If I remember correctly, several years ago OPM did a compendium of municipal mandates, you know, something like this thick. Certainly it's an ongoing process. Like everything else here when you propose to eliminate something, ten people talk about it, and say, you can't get rid of that one, that one is important to us.

I think as -- as we go forward over the next few years, we're more than willing to look at the mandates that are out there. These are things that we think are fairly tangible just in the same way as the Governor's proposing exempting municipalities from the insurance premium tax, that is in bill and finance. But it also is a tangible mandate relief proposal.

REP. REED: Thank you. Thank you, Madam Chair.

SENATOR OSTEN: Representative Vicino.

REP. VICINO: Thank you, Madam Chair. I saw 5550, the first item, the car tax reports back to the motor vehicle, how big of a problem is this? Between the municipality and the motor vehicle?

UNDERSECRETARY GIAN-CARL CASA: We understand it's a fairly frequent occurrence. You know,

municipalities have a lot on their plates. You know, they try to be timely. The statutes actually require them to immediately inform DMV if there's a delinquency. They do it less frequently than that, we think, allowing them to have a month to get the information in sort of strikes a fair balance.

REP. VICINO: You're giving them a month, and they still don't do it at that point?

UNDERSECRETARY GIAN-CARL CASA: If they still don't do it, they don't report by the month that someone has paid the taxes, DMV doesn't have the list of who has paid their taxes and who is delinquent. By the first of each month, the Commissioner would be able to say, okay, for this town that hasn't reported in a timely fashion, we're not going to be running the program. When the town starts again, DMV would once again begin enforcing the program.

REP. VICINO: So what would the consumer have to do? Go back to the town hall, and try to investigate why it wasn't reported.

GIAN-CARL CASA: They have to do that now. That's the problem with this.

REP. VICINO: That's the problem.

GIAN-CARL CASA: Yes.

REP. VICINO: And I would think if there was, getting back to the software interface, if there was some kind of immediate report that this seems like it's outdated, whatever is going on here. We need something to tie it together immediately. Makes a lot of sense. Thank you. We'll take a look at it.

SENATOR OSTEN: Are there any other questions?  
Thank you, very much Gian-Carl.

UNDERSECRETARY GIAN-CARL CASA: Thank you.

SENATOR OSTEN: Matt Nemerson. Followed by Senator  
Kane or Mayor Finch.

MATTHEW NEMERSON: Representative Rojas, Senator  
Osten, and Members of the Committee, my name is  
Matthew Nemerson, I am the Economic Development  
Administrator for the City of New Haven, and I  
come here today representing our mayor, Toni  
Harp. And so I felt like the kid in third  
grade who wanted to raise his hand and ask the  
question while Karen Buffkin was up there,  
because I think I can help you answer some of  
those questions.

Let me say that you have my testimony in front  
of you about Bill S.B. 33, and I will just  
speak very briefly to it, and then obviously be  
happy to answer any questions that you have.

We are trying to create a Regional Development  
Authority, as you know, to renovate Union  
Station, to build a new train parking garage,  
to promote a TOD, Transit-oriented Development,  
and as Representative Reed, you mentioned we  
are trying to create a front door and an access  
to what will be billions of dollars in  
development in our biotech corridor which both  
exists today, and will be evolving on an area  
that we call the Hill to Downtown area, which  
is also the subject of this Authority. And it  
will have powers there.

We have one of the busiest train stations in  
the country. And it is getting busier as more  
people wish to take the trains and as the major  
investment in the state, the state is making in

SENATOR OSTEN: Have a nice day. Mayor Finch? Are you here? Just on time. Thank you.

MAYOR BILL FINCH: Glad to be here, Senator. Senators, Representatives. First I'd like to thank Governor Malloy for including the proposed allowance for reval delay in this -- implemented for all municipalities for two years is what we're asking for, what the Governor put in his -- in the current year legislative proposal.

HB 5055

I know you've had a lot of questions I've been hearing throughout the day on my way up, so I'll try to go through my testimony rather quickly so you can ask me any questions you want.

Thanks for allowing me to the opportunity to testify regarding the proposal to delay the enacting statistical reval for municipalities that are up this year, specifically for the City of Bridgeport.

As the mayor of the state's largest city and the President of the Board of Connecticut Conference of Municipalities, this issue is one of great concern in my city and across the state. But I'm here to talk specifically about Bridgeport, and why we need this delay.

I'd like to lend my support to all affected municipalities, whether they may choose to take advantage of this proposal or not, because it would allow them to put off implementation of the reval for up to two years. The proposed legislation provides localities with the local option still has to be approved by a town council or city council, and I think that's the fair way to do it.

The City of Bridgeport is taking the two years delay of the current statistical reval because of several -- several reasons. It's the midpoint of the ten year reval cycle, as you know.

This request is based on a huge economic recession that obviously hit everybody, but it hit Bridgeport quite a bit harder than any other cities' real estate markets that are up for reval this year.

Between 2008-2013 Bridgeport has consistently held the unenviable position of recording the highest rate of subprime lending, loan defaults, and foreclosures in the State of Connecticut. During this time frame Bridgeport experienced more than 5,000 subprime loans being made. This is the height of the recession. And 3,431 lis pendens filings with 2,834 closures far exceeding any other municipality that is up for reval.

As you may know, Bridgeport has the highest rate of home ownership of the state's three largest cities. And implementing the results of this statistical reval would have a very serious negative impact on our home ownership rates and drive the much needed economic development that we're finally experiencing out of Bridgeport.

The city is on the cusp of a large scale economic revival thanks to many of the actions that you've taken here already. Smart investments, Steelpointe, the fuel cell Project 150, ecoindustrial park just to name a few. With millions of dollars of state funding having been invested in brown field cleanup, housing, jobs program, economic development,

that would be seriously compromised if the reval were to take place with this wounded, terribly wounded real estate market that we have, though it is being revived.

Bridgeport's Chamber of Commerce on behalf of its members has always supported the proposed delay. In a letter, the Speaker of the House, Brendan Sharkey the Chamber leadership noted that the exemption is vital to the economic expansion of the city in preventing what could eventually be a terrible slowdown in our economic development.

The city is requesting a period of two years to allow the commercial and residential markets significant time to recoup its historic loss in value. This time frame will also allow a number of substantial economic development projects which have been supported by many of you in this room, state's assistance, to come online and expand the local tax base.

Implementation of the reval in Bridgeport this time would likely result in a significant mill increase. I know it would, which would increase the property tax burden on motor vehicles and personal property. The personal property increase and the corresponding major hike in the mill rate would encourage businesses to leave the city and discourage new businesses from locating here.

This would have a devastating impact on what is a fragile but reviving commercial tax base. And it would squelch the investment in the expansion that we have all agreed to so far.

In light of the facts presented here, the city respectfully requests that your support for this legislation, which is permissive, would

delay the reval process in Bridgeport, and I would certainly recommend this to my city council. Then not having taken a vote, but certainly a note, I can do a head count, there's strong support among the city councilman as well. I think you heard from one of them in here today.

Due to the time sensitive nature of this request, we are hopeful this the committee is in agreement that the proposal would move forward for consideration by the entire State Legislature as soon as possible, and that I'd certainly be willing to take any questions.

But just to reemphasize, the most important thing is we are reviving, we are building, we are -- our tax -- our census grew for the first time in 60 years in the last census, because we've invested, with your help, in lots and lots of housing projects, particularly in the downtown area.

But right now the -- the shock that this would create to the system would really slow much of that growth and would cause a lot of the people that have fought to reinvest in Bridgeport (inaudible).

SENATOR OSTEN: Thank you very much, Mayor. Yes?  
Go ahead.

REP. GROGINS: Thank you. Thank you, Mayor, I appreciate you coming up here from our city. I just have some questions for you, maybe you can tell the committee, are there -- if the reval were to take place this summer as scheduled, are there neighborhoods that would, I understand you'd have to make -- you'd have to raise the mill rate, most likely, to make up for the loss of revenues. Are there

neighborhoods that would be disproportionately affected, and tell me what kind of an increase they'd be looking at, and give an example of what kind of property taxes in those specific neighborhoods you're talking about.

MAYOR BILL FINCH: Thank you, State Representative Grogins. The neighborhoods that would be most impacted I think were the ones that were preyed upon by the mortgage brokers. If you believe in the American dream, as I'm sure do you, these guys looked like they took a map out, and they said where are the upwardly mobile, hard-working people that want to believe in the American dream, let's sell them a bill of goods, and they sold them mortgages they couldn't afford.

We had all sorts of social service agencies, you know, qualifying people for their mortgage saying, you know, you could qualify for an average home in Bridgeport, \$120,000, you could qualify for that. It's got a bath and a half. They'd go down the street to the mortgage broker, their brother-in-law who was unscrupulous and they sold them a bill of goods and said, no, you could afford a \$230,000 mortgage not telling them that in three or four or five years that balloon -- that variable rate mortgage would balloon to payments well beyond their ability to afford their home. That happened over 5,000 times.

Right through the middle of the city. Right through the upwardly mobile parts of our city that were just dying to have a part of the American dream. So the places where we have high home ownership and affordability, those are the places that would be wracked by a reval at this point.

And so single family homes, people upwardly mobile looking at one and two family homes, those are the places where we saw the most dramatic decline in property values. But we also saw that relatively speaking, probably less than other areas, which is why the shift. Does that answer your question?

REP. GROGINS: It does, but I would like -- maybe you can hone in, for instance in Black Rock, do you think that neighborhood would be affected by reval now, do you think that they may be disproportionately affected because they have the most expensive properties in the area and maybe you can give an example as to what kind of taxes, you know, based on a value of a home, what kind of taxes they pay, and what kind of taxes they would be paying. I'm particularly interested, that's my district, and I would be particularly interested in your thoughts on that.

MAYOR BILL FINCH: It's all relative, right? So in Black Rock where State Representative Grogins does a tremendous job of representing the residents there, they had a decline, but nowhere near as big a decline as other areas. So the shifting would be on these homes that are already paying in Black Rock. It's not unusual to hear of a 12 to 30,000 dollars a year property tax bill.

REP. GROGINS: That would be based on -- I'm sorry, what kind of value of a property? So if you have a property that is \$20,000, how much would the property be valued, do you think?

MAYOR BILL FINCH: Don't hold me on the math, but, you know, homes in the neighborhood that you represent that are valued at, say, 750,000 which in Fairfield or Westport would be 3 to

4 million, 5 million dollar homes, that's the disparity that we have in Fairfield County, would be paying those kinds of property taxes.

So despite the fact that, you know, the home is worth quite a bit less you would be paying the same as you would, relatively speaking, on a similar home in Westport. The difference is the home would be worth, you know, three, four, and five times the amount.

REP. GROGINS: And it wouldn't -- it's not just Black Rock, am I correct, that is going to be affected? It's the North End, it's the Brooklawn area, I mean, there's a large part of the city that would be disproportionately affected, correct, with regard to this?

MAYOR BILL FINCH: Right. Though everybody in Bridgeport lost value, the places that lost much more value, and that would therefore shift the value to these other -- the taxes to these other areas were -- was the center band of the city, upwardly mobile, two, three family, one family houses were purchased with these exploding mortgages.

Those values cratered. We've seen prices as low as, you know, well, some of the sales are private, and it takes a while to figure out, you know, how much they paid, but we're talking about well less than half the value of the home, the homes are being sold for. So that shift, then, is going to go to the places where the real estate market is a little healthier, like Black Rock and Brooklawn and parts of the North End.

And that's where we would lose people -- we would have flight out of the city because the dramatic increase in the property taxes.

This is going to give us two years to repair.

SENATOR OSTEN: And you might not need the whole two years because it is permissive in nature, it doesn't mean that you would take the whole two years?

MAYOR BILL FINCH: The way the bill is written, the council could vote for one or two. I would recommend two only because the devastation, Senator, that we've seen, it's similar to your district, only the numbers are, you know, significantly worse. Our socioeconomic situation of our taxpayers is very similar to your district.

SENATOR OSTEN: Yes. We just have less people than you.

MAYOR BILL FINCH: Right.

SENATOR OSTEN: Senator Cassano.

SENATOR CASSANO: Yes, thank you for coming, Mayor Finch. I'm one of those that's always believed in the annual reval, and I have real difficulty in delaying reval, basically because I watched Waterbury do it for 15 years, and when they finally did reval, the cost was so astronomical it killed half the city of Waterbury. I think you got a different situation. You clearly, in the last year, have made tremendous strides in bringing large box taxpayers. You made real progress.

MAYOR BILL FINCH: Thank you.

SENATOR CASSANO: And in a two year period I assume that they will be up and running, so they will be contributing to that tax base which is going to benefit the taxpayer.

MAYOR BILL FINCH: Exactly.

SENATOR CASSANO: So this is a case where it makes sense.

MAYOR BILL FINCH: Thank you.

SENATOR CASSANO: I still hate the idea of expansions. My real concern is that we grant a two years, and then in two years people are back, well, we didn't quite get enough, so we got to hold it -- somewhere we have to stop the process. That's why they changed to ten, and then the statistical every five.

But in this case, I think again, the efforts of the city, the progress that they've made in the last couple years and so on, this is a case where it makes sense. And I'm going to support that.

MAYOR BILL FINCH: We really appreciate that. And you know, we wouldn't have been in this position of being at the cusp of this investment if it weren't for everybody in this room. You know, Bass Pro moving into Steel Point, the great housing investments that the governor through DCD, and with your support, we wouldn't have had our -- our population increasing, we wouldn't have had people moving to transit-oriented development in the downtown.

We wouldn't have had the new stores and restaurants opening. And we want to just keep that going, and I think two years is an ample time for them to -- for these realistic values to repair. But I want to thank you every chance I get, because we can't do this on our own.

SENATOR OSTEN: Yes, Representative Aman.

REP. AMAN: Yes, thank you for coming forward on this. I have many of the same reservations on it. If I heard you right, the lower cost housing, the working class housing are the ones that are hit hardest as far as a reduction in value. And so -- and the more expensive homes have had less reduction. So there would be a tax revenue shift from the lower cost homes to the higher cost homes.

I guess my question ties into, in trying to bring back the values of those lower priced homes, wouldn't it be to Bridgeport's advantage to have the taxes as low as possible on the properties that have the biggest hit to encourage more people to buy them?

MAYOR BILL FINCH: I certainly think that would be an advantage. Finding owners is not that difficult. What's really the most difficult is this three to four year period of limbo where the courts and the mortgage companies and HUD and everybody else seems to want to hold onto these properties while they decay. Our biggest problem is we could find owners, because the deals are there, Representative.

You know, if you could buy a two family house for \$50,000, we don't have a problem finding people, and they're not discouraged by the taxes. What they're discouraged by, so often, is they can't get them. These things are held in limbo in courts for years.

I've said here before, I'll say it again, we protect private property far too much in the inner city, and we allow slumlords and long dead distant owners to hold things up

inadvertently in probate and other ways.

It's just, we have -- we have one meeting every week where we just focus on the hundred worst torched properties, right? And there's probably another 900 to 1,000 more we could put on that list. It's bad. And, you know, we really need -- I know the Representative Grogins' task force here on blight is going to come up with some things that we think will be really very helpful to us. But we've got the people who want to buy them.

You know, that same energy that we had that the unscrupulous mortgage brokers took advantage of, you know, new entrants to the society that want to build and prosper and have a home, the American dream, we have all of that. We've got tons of people who want to make a difference and start a family and start a life.

What we have a hard time getting is clear title to the property so that somebody can actually buy it. But when we do, it isn't the taxes that hold people up. There's great deals, great housing stock. Some very historic, beautiful homes. It's really this -- we're still fighting our way out of a lot of mush is the only way to put it.

REP. AMAN: As someone that has been involved in trying to purchase short sales and foreclosed properties, I cannot -- I understand the frustration, because I'm sitting there right now on a property that a family gave up after well over a year. A year ago it needed work. Now it's still sitting there and in another year, it'll be demo'd. And it's -- I don't know what's going on, but it's been well over a year, and nothing has happened.

And as you say, there's millions of properties around like that. And I do not understand the philosophy of Fannie and Freddie Mac about why, once they take title, don't they move it as quickly as possible for whatever they can get.

MAYOR BILL FINCH: Every one of these houses seems like it's a CSI episode, you know?

REP. AMAN: Yeah.

MAYOR BILL FINCH: It's incredible, and I don't know why, but I know State Representative Grogins is working hard to try to figure out some ways out of that. I don't -- I'm not an expert on all of that, I'm just an expert on getting frustrated.

REP. AMAN: Yeah. Having attended many of those meetings on that, I wish I could say this is a legislation we need. But it just doesn't seem to be something that legislatively we can get a handle on. But business-wise, again, it makes just no sense to me what the banks are doing.

MAYOR BILL FINCH: It puzzles me as well. We can commiserate again sometime.

REP. AMAN: But I thank you for your answer, because that was a real question on my part as to why you wouldn't try to encourage people to buy by making it the least expensive as possible. Thank you.

SENATOR OSTEN: Are there any other questions? Yes, Representative?

SENATOR DIMINICO: Thank you Madam Chair. I too, like Senator Cassano, have initially have reservations. I heard a gentleman earlier say when we get caught up, it's kind of like a

catch phrase. But I guess I'm going to ask you a pragmatic question, because it sounds like the shift is really going to be from the first time home buyer houses to probably the upper and middle income houses are really going to share the burden.

I had initially asked a question about the balance of your grand list in regards to the business side and the residential side. And it sounds like that it's much more residential and that the business side is starting to pick up, and it sounds like to me that the game plan is that increase the business side, and in the end, everybody will benefit.

So that prompts me to question, as Senator Cassano kind of alluded to, if you have a crystal ball, where do you want Bridgeport to be in two years, or how is it going to look in two year?

MAYOR BILL FINCH: Much different than today. You know, most of these projects represented take a very long time, lots of bureaucracy, lots of lawyers. But once we get to the point where we are right now, there are four developers that took a portion of the Downtown North which is about a 10-12 acre portion around City Hall. And all those developers have gotten their financing or are nearly close to closing. That's about another 300-400 units of housing.

When you drive through Bridgeport you'll notice large factory buildings in the West End as you head toward Fairfield. To your right, there's four or five of them there. It's kind of like a Hollywood set because behind that are neighborhoods of working class families and not problems that the factory represents.

Those have been purchased. That project is backed by large pension funds that are going to reinvest in those buildings. They're going to zoning in March. The energy improvement district and the ecoindustrial park has brought in about a dozen new businesses:

We have some controversy around it, but I do believe our landfill will have taxables on it with solar panels. GE has cleared 75 acres of land on the East Side to make way for development. They're going to donate 14 acres of that for a new school to replace Harding High school.

There's a tremendous amount of development right now. The last thing I want to do is throw the business investors and the homeowners a curve ball. I'd like to give them two years of status quo to maintain the stability of the investment cycle that we seem to be maximizing right now.

SENATOR DIMINICO: So I'll ask the dirty question. Are there any deferments on the taxes that are in this business development?

MAYOR BILL FINCH: There are pilots. We have found that for large scale residential development that the only way really to get the pump primed is to do pilots. Under the state law we have some latitude. But that is always contemplating a phase-in of the pilot. I think they're mostly five years, and then you go to full taxes.

The only way we're really going to get taxes stabilized in Bridgeport is if everybody pays their fair share, but we get a lot more everybodys in there:

SENATOR DIMINICO: Sounds like a plan, thank you.

MAYOR BILL FINCH: Thank you, Representative.

SENATOR OSTEN: Thank you. Representative Vicino.

REP. VICINO: Thank you, Mayor, nice presentation. Basically by you extending your reval, this is kind of gamble on your political future, being that if this didn't work out down the road and your mill rate skyrockets, this is going to fall on -- on the CEO of the company, in other words. But being that there's been so much investment in your area and as you went through it just now, it does sound like there's a big future in that part of the state.

Just what I've seen from being up here a short time, a lot of your home values have bottomed out. The strong hands have absorbed it from the weak hands, and things are starting to turn, not just in your area, but throughout the whole state as the inventory falls, the price eventually goes up. And I think that everything's kind of bottomed out, at least in my area of the state.

MAYOR BILL FINCH: I think you're right.

REP. VICINO: I do come from an area of the state where we did the same thing a few years ago. We -- we obtained a five year extension, and when we decided -- when the time came up, it was at a time when the values dropped and our mill rate skyrocketed.

So it is a big gamble and eventually it will fall in your hands. But by obtaining permission it kind of falls into the hands of your board to make the final decision. Without that permission from this building, your --

your hands are tied. So I think in the end it's all going to fall onto your lap, and I wish you nothing but good luck with your city. You're doing a nice job.

MAYOR BILL FINCH: Thank you very much. We're working hard.

REP. VICINO: Thank you.

SENATOR OSTEN: Are there any other questions? Yes, Representative Belsito.

REP. BELSITO: Thank you Madam Chair. To me it sounds like you're doing what the state is doing, kicking the ball down the road for a later date. I mean, right now if you started your reveal, you're going to get some higher prices because maybe the more expensive homes have gone up and the lower homes are going to go down.

I don't see how it's going to affect the people who are doing business or planning their business to come there. Because the whole thing is, the real key is you holding the mill rate and cutting your spending and -- and making do, sustaining what you can do with what you have.

So if you've got homes that are two and three decker homes that are falling in value, that's because the market isn't there. I don't think it's going to be there in a couple of years. It might even be lower in that particular type of home. So you are really taking a huge chance that -- that things might even go up higher than what you think on the newer homes, because those are the homes that are most wanted.

The other homes are the demand is going down for them. I mean, there's still a lot of people want to buy them because they're renting them, they're going to buy them cheap and renting them, that is going to happen. But I think that would take a little bit of different thought process on the town's part as to what is happening with rental properties, especially the homes.

And I think you can really keep the whole thing balanced by doing the revaluation, but the rental properties have to be looked at a little differently.. That's my (inaudible). Thank you anyway.

MAYOR BILL FINCH: Thank you, Representative.

SENATOR OSTEN: Are there any other questions?  
Thank you, very much. Have a nice day.

MAYOR BILL FINCH: You too.

SENATOR OSTEN: That finishes our public officials section. We next have Anne Kelly-Lenz followed by Nancy Meyer. We are now onto the public, and I would remind everybody that it's three minutes.

So if you presented your testimony in writing, you may want to summarize and add anything else besides the written testimony. Anne Kelly-Lenz followed by Nancy Meyer. She did? Okay.  
Nancy Meyer? Followed by Paul Timpanelli.

NANCY MEYER: Good afternoon, Senator,  
Representative, and Members of the Planning and Development Committee. My name is Nancy Meyer, Publisher of the Hartford Courant. And you do have my testimony before you. So really what I want to hit on are probably four key points

SB40

in nature. So there is a way that we can work on this together. And there are also ways that we could put this down so that it's not quite as expensive.

So as you -- as you change your revenue stream you could give some of that over to municipalities if we wanted to continue with the full vote.

So are there any other questions? Thank you very much. Appreciate it.

NANCY MEYER: Thank you.

SENATOR OSTEN: Paul Timpanelli followed by Mike Muszynski.

HB 5055

PAUL TIMPANELLI: Madam Chairman, members of the Planning and Development Committee, thank you for this opportunity. My name is Paul Timpanelli. I'm here before you this afternoon in my capacity as President and CEO of the Bridgeport Regional Business Council. The Business Council is a 1,000 member business membership association physically located in the City of Bridgeport.

We represent those 1,000 members through our management of the Bridgeport Chamber of Commerce, the Trumbull Chamber of Commerce, and the Stratford Chamber of Commerce. Of our 1,000 members, approximately 500 of them are located physically within the City of Bridgeport.

I am appearing before you today representing those businesses to urge your support for the legislation that you've already talked about this morning relative to exempting the applicable tax revaluation in the City of

Bridgeport for the years of 2013 and 2014.

Providing that would enable added time for depressed property values in the city to rise in keeping with projected economic expansion, and thereby preventing a situation that could result in dramatic slowdown of what we're currently experiencing in terms of economic development in the city.. I'm not going to repeat everything that's been said to you so far. My written testimony will be provided to you.

Just let me simply say that what has been said earlier by some of you in terms of your conclusion is this is an attempt to enable us to catch up. This is an attempt to enable what is currently occurring in the City of Bridgeport, and that is growth on the commercial and industrial side, and that is economic expansion, and rising of property values to have an opportunity to be implemented. That will occur. It's our hope within the next two or three years in time for this reevaluation to then be implemented.

What is occurring in the City of Bridgeport today in terms of economic expansion, in terms of business development is dramatic. One of you have asked the question on two or three occasions, and we haven't had it adequately answered yet, and that is what is the ratio between commercial and industrial property, vis-a-vis residential property. It's approximately 30 to 70. In successful cities the ratio should be exactly opposite of that. Successful cities that have reasonable tax rates, have 60-70 percent of their tax base covered by commercial and industrial property and the remainder by residential.

In Bridgeport it's almost exactly the opposite, but our trend is correct. Our trend is commercial and industrial is beginning to make up a larger portion of that total and that will happen dramatically over the next couple of years, as everything that is now online, in fact, takes place.

This provides some stability. This provides some predictability, and in terms of our ability to grow the tax base with additional commercial and industrial property that is taxpayers' number one concern when they look to locate their business in a city or expand their business in a city. We have a predictable tax rate, we have a stable tax rate. This will allow the potential for that to happen.

REP. ROJAS: Thank you for your testimony. Are there any questions for Mr. Timpanelli? I guess I can only look over here. Seeing none, thank you for your testimony.

PAUL TIMPANELLI: You're welcome.

REP. ROJAS: Mike Muszynski followed by Randy Collins.

MIKE MUSZYNSKI: Good afternoon, Chairman Rojas and members of the Planning and Development Committee. My name is Mike Muszynski with the Connecticut Conference of Municipalities. We represent over 92 percent of the towns and cities in Connecticut. We appreciate the opportunity to testify today in strong support of Senate Bill 40 regarding the PUBLICATION OF LEGAL NOTICES IN NEWSPAPERS. Submitted written testimony on this proposal, I want to provide a couple of key facts.

The bill will provide significant relief from a

hoping to sit down and have this meeting. We would like to point out that this is a compromise. We aren't looking for a complete repeal of this mandate, we're just simply asking that it be modified.

SENATOR OSTEN: Thank you. Are there any other question? Seeing none, thank you very much.

MIKE MUSZYNSKI: Thank you.

SENATOR OSTEN: Next is Randy Collins, and after him would be Henry Talmage, Connecticut Farm Bureau.

HB5056  
HB5057  
(SB40)

RANDY COLLINS: Representative Rojas, Senator Osten, good afternoon. My name is Randy Collins, Senior Legislative Associate on Behalf of Connecticut Conference of Municipalities. I have submitted my written testimony, so I will be very brief. I know that the hearing is starting to move on.

First off I wanted to testify in support of House Bill 5055 AN ACT ELIMINATING MANDATES. I know we've heard quite a bit of testimony on this bill, and I would just like to reiterate CCM support and the support of our members for Section 1 which eliminates the payment through OPM to DMV for the registration of delinquent taxes.

We also support Section 2, which will allow municipalities the option to delay reval.

I'd like to speak very briefly on Senate Bill 38, AN ACT CONCERNING INTEREST RATE ON DELINQUENT TAXES. CCM has strong concerns with Senate Bill 38.

While it's kind of given as, you know, an

program at the behest of the Government of Connecticut in 1997. The Blue Ribbon Commission, you remember that? The back of that report, it's thick. Says, we've lost the war. Can somebody put a committee together? Can somebody come up with a solution, and we did.

We used the DEA, we used the police. We used everybody, including the Chief State's Attorney. And we came up with a solution. We went to the DEA in Washington and they said, please enact this. You know it if you -- if you harm the drug traffickers and take their money, they'll get the hell out of the business. You can kill people, but don't take their money. So that's what we're doing. Please pass this legislation.

SENATOR OSTEN: Thank you --

RUDY MAZUROSKY: So it's vital.

SENATOR OSTEN: Rudy, thank you. Are there any questions? Thank you very much for your persistence. Next is Betsy Gara followed by Bill Donlin.

BETSY GARA: Thank you. My name is Betsy Gara, I'm the Executive Director of the Connecticut Council of Small Towns. I've submitted testimony on a number of bills, I'm just going to briefly comment on a couple of those. COST strongly supports Senate Bill 40, AN ACT CONCERNING THE PUBLICATION OF MUNICIPAL LEGAL NOTICES IN NEWSPAPERS.

As you mentioned, Senator Osten, in questioning another witness, this bill is really a compromise measure which requires towns to post a summary of the legal notice in the newspaper

HB5055  
(SB28)  
SB38

directing individuals to the town's Web site for the complete information. I think this is an issue whose time has come.

More and more we're getting our information from the Internet, and towns really do want to make sure that people get that information. They're not seeing it when it's in the newspapers. They are going to the municipality Web sites, however.

Even the State Department of Energy and Environmental Protection last year had adopted legislation that allows it to actually publish its notices online as opposed to publishing in a newspaper.

So I think they recognize, again, that this is a better way to get information out to people. So we will be happy to work with other organizations to develop some kind of compromise on this. And I thank you for suggesting that.

I'm also supportive House Bill 5055 AN ACT ELIMINATING MUNICIPAL MANDATES. Anytime you're eliminating a municipal mandate it's good news to Connecticut small towns. This is a good start.

We certainly welcome the elimination of the Telecommunications Report to the Connecticut Siting Council which is just a make-work project for municipalities, and also the elimination of the fee on towns for DMV to block access to registrations. That's going to save towns an estimated \$800,000 per year.

(SB28)

There's also another proposal to eliminate the municipal health insurance premium tax, and that is before the Finance Committee. So those

are all good proposals.

We do hope that in the future the committee can get traction on some of the really big cost drivers that are facing municipalities, and look at some of those issues so that we can begin to provide our towns with some relief. We're right now entering about a decade of years where we've had flat funding of municipal aid pretty much across the board, and as a result there's a lot of pressure on municipalities to do more with less.

They have held the line for the most part on property tax increases, but it's getting ready hard, and we need to be able to help towns by relieving them of some of these unfunded mandates. One of the issues that we see is that we don't do a perfect job of identifying the impact, the municipal impact of a proposal when we are discussing it at the Legislature. It's very difficult given the time frames of the process.

But I think we can look at ways of making sure that legislators understand the implications when they pass something, and I do think that is something this committee can work on in the future.

I've also attached a list of some of our top mandate release items for your consideration, and I thank you for the opportunity to testify in support of these bills.

SENATOR OSTEN: Thanks, Betsy. Anybody have any questions? Yes, Representative Diminico.

SENATOR DIMINICO: Thank you Madam Chair. Either I was daydreaming or not paying attention. Did you address 38, S.B. 38?

probably going, nowhere, but we need to really talk about it. And that's why I brought it up. Thank you, Madam Chair.

SENATOR OSTEN: Thank you. Any other questions?  
Yes, Representative Fox.

REP. FOX: Thank you, Madam Chair. Good afternoon, Betsy. Just a quick clarification. The section -- the repealed section, 7-163d, the Siting Council. As it happens now, the Siting Council is the jurisdiction over these telecommunications towers. So they have the identity and location of each specific tower in the state. And then on an annual basis they then ask municipalities to regenerate that information and send back to them what they already have. Is that --

ABSOS

BETSY GARA: That's correct. And in fact, we've had some towns say when they don't know what that information is they call the Connecticut Siting Council, and they refer them to their own database, so you're kind of left scratching your head as to why they need it if they already have it on their database.

REP. FOX: Do you know, has there been any feedback from the Siting Council?

BETSY GARA: I haven't heard any.

REP. FOX: Do they support it, oppose it? We're not sure?

BETSY GARA: I have not heard anything from them. I'm sure they would be here today if they had concerns about it. This is something that both CCM and COST had identified as one of those burdensome regulations in response to the Governor's Executive Order 37. And so I know

that at that point those recommendations had been forwarded to each of the agencies with cognizance over the specific recommendations. So I'm sure they're aware of this.

REP. FOX: Do you know, I mean, was there -- the statute, I think, was enacted in 2004. So was there a time when -- it just seems kind of crazy, for lack of a better word. But I'm wondering if there was a time back in 2004 where the mandate by which this information made its way to the Siting Council was different than it is today.

BETSY GARA: I'm not aware, but I can check on that.

REP. FOX: No, no problem. Thank you very much.

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

HB5055  
SB40

WILLIAM DONLIN: Good afternoon. My name is William Donlin, I'm the Revenue Collector for the Town of Cheshire. I'm here today representing the Connecticut Tax Collectors' Association. I'm here first to share some of my thoughts with some of the bills. Testimony has been provided by my association as well as by CCM.

SB38

First is my opposition to AN ACT CONCERNING INTEREST RATE ON DELINQUENT PROPERTY TAXES. Connecticut Tax Collector's Association, part our mission is to promote professionalism among collectors to promote compliance with state laws through education and training, to promote uniformity in practice in applications of statutes and to promote efficiency and -- efficiency effective and equity through tax collection.

I think creating a local option for -- for

reducing tax collection rate is, pits one town against another. I think that -- that, as I stated earlier, we're look for uniformity. So if -- I believe that all municipalities should be charging 18 percent interest.

Second, with respect to the Governor's Bill 5055, I applaud the removal of the fee that each municipality is required to pay for Department of Motor Vehicle withholding. As stated earlier, it's over \$800,000, it's \$7,000 to my municipality.

The one change that I would like to -- to offer is that the sentence that reads that the registrations that the Commissioner of any outstanding property tax of a registered motor vehicle not later than the first day of each month should be the 15th of the month. We all send out delinquent notices. We all ask that the payments be due by the end of the month. Processing may go for a couple days into the next month.

If a tax collector misses that first day requirement of the statute, then they're not allowed to then -- then the Commissioner shall not be required to deny the insurance of the registration. So I think if we changed it to, "by the 15th of each month," that would be something that would work, certainly they'll give the Department of Motor Vehicle more time as 169 towns are going to be reporting. So at least they have a two week window to get that as opposed to all 169 towns reporting at one time. And also the records that I'm asking to withhold are actually tax delinquent at the time.

I just have one question respect to the -- the publication of municipal notices. There are

SB40

N-T

**Derrylyn Gorski  
First Selectman  
Town of Bethany  
Public Hearing Testimony  
Planning & Development Committee  
February 24, 2014**

Thank you for the opportunity to testify on the need to provide towns with mandate relief.

**I support SB-40 - AN ACT CONCERNING THE PUBLICATION OF MUNICIPAL  
LEGAL NOTICES IN NEWSPAPERS**

Publishing legal notices in newspapers cost the Town of Bethany \$20,500 in FY12 and we have no idea how many residents actually get the *New Haven Register*. The less expensive weeklies no longer cover Bethany. Allowing towns to publish such notices on the website will ensure that people have greater access to this information.

I urge your support for this bill, which represents a compromise that will address concerns that some people may not have access to the Internet. By requiring towns to provide a summary in the newspaper and direct people to the town website or town hall for more information, this bill is a positive step forward.

In addition, I support HB-5055, An Act Eliminating Municipal Mandates. The bill includes some helpful mandate relief measures, including 1) repealing an annual report to the CT Siting Council regarding information about telecommunications towers that the CT Siting Council already has on its own database; and 2) eliminating the fee that the Department of Motor Vehicles charges municipalities for preventing individuals from registering their cars due to unpaid obligations.

Thank you for the opportunity to comment in support of SB-40 and HB-5055. We encourage the committee to continue to explore opportunities to reduce the burden on towns associated with unfunded mandates.

N-T

Barbara Henry  
First Selectman  
Town of Roxbury  
Planning & Development Committee  
February 24, 2014

Re: SB-40 - POSTING OF PUBLIC NOTICES ON TOWN WEBSITES  
HB-5055 - AN ACT ELIMINATING MUNICIPAL MANDATES

Thank you for raising bills that recognize the need to reduce, eliminate or freeze numerous unfunded state mandates on municipalities - something COST and others have urged for years. Towns need such "tools" to lower the cost of local government operations - especially during these tough economic times.

I urge support for SB-40, which will allow towns to save much needed funds by posting legal notices on municipal websites. This bill allows government to provide better service at a lower cost while still meeting the needs of constituents. Allowing towns to post legal notices on their websites along with a brief summary in local newspapers provides the community with greater access to important information.

This is a common sense measure that will make it easier for people to keep track of legal notices which can be easily missed in the newspaper.

I also urge support for HB-5055, which addresses concerns raised by towns regarding an unnecessary report that we must file with the Connecticut Siting Council each year even though the Council refers towns to its own database for the information. The bill also eliminates a charge imposed on municipalities for a program administered by the state Department of Motor Vehicles to prevent individuals from registering their cars when they are delinquent on taxes and allows towns to delay property tax revaluations.

In addition to these mandate relief issues, I urge you to take a serious look at some of the big cost drivers facing municipalities, such as the prevailing wage requirements. Because the prevailing wage thresholds have not been increased since the early 1990s, relatively small projects, such as salt sheds, parking garages and locker rooms, are subject to the higher wage rates, increasing the cost of projects by a considerable amount.

Thank you for the opportunity to comment.



STATE OF CONNECTICUT  
OFFICE OF POLICY AND MANAGEMENT

**TESTIMONY PRESENTED TO THE PLANNING AND DEVELOPMENT COMMITTEE**  
**February 24, 2014**

*Gian-Carl Casa*  
*Undersecretary, Legislative Affairs*  
*Office of Policy and Management*

Testimony Regarding Governor's Bill No. 5055  
An Act Eliminating Municipal Mandates

---

Good morning Senator Osten, Representative Rojas, and members of the Planning and Development Committee. I am Gian-Carl Casa, Undersecretary for Legislative Affairs at the Office of Policy and Management. Thank you for the opportunity to testify in support of Governor's Bill 5055, "An Act Eliminating Municipal Mandates".

As the committee of cognizance for legislation involving local governments you know better than most the ways in which state mandates can drive up local costs or create administrative burdens for town and city governments. Governor's Bill 5055 seeks to provide relief from three of those requirements.

This bill would (a) eliminate the mandate that municipalities pay for the Department of Motor Vehicles' service that blocks motor vehicle registrations for people with delinquent property taxes, (b) allow municipalities to delay implementation of scheduled revaluations, and (c) repeal a needless reporting requirement concerning cellular antennas.

Assessment for DMV Program

For many years the Department of Motor Vehicles has assisted with the collection of millions of dollars in property taxes by blocking the registration or renewal of registrations of motor vehicles by people who are delinquent in payment of property taxes. In 2004 the State began assessing local governments for this service. This year the assessment costs towns approximately \$870,000.

The Governor's proposal would end that assessment, effective 7/1/15. One level of government should not charge another for this type of assistance. This proposal is consistent with another by the Governor which would provide almost \$9 million in mandates relief to local governments by exempting them from the health insurance premium tax (that is in Governor's Bill 28).

Governor's Bill 5055 would also help citizens. Sometimes the reporting to DMV by municipalities is not as regular as it might be, resulting in DMV refusing to register the vehicles owned by people who had paid their property taxes since the last time the municipality reported. This results in inconvenience and frustration for the affected citizens, who must go back to their town, obtain proof they had paid their property taxes and return to DMV. This bill would allow DMV to suspend the service for municipalities that do not file their list of delinquents by the first of each

month. Keeping DMV's information as up-to-date as possible will minimize disruptions for our tax-paying citizens -- and shorten lines at DMV for people who are there for other reasons.

The bill strikes a balance: saving almost a million dollars for municipalities and reducing inconvenience to the public.

#### Revaluation Relief

Connecticut, like the rest of the country, continues to recover slowly from the recession of 2008, with many impacts. One is the ongoing volatility of the housing market. While the economy is recovering, it is not back yet. Because of this it makes sense to allow municipalities to delay implementation of revaluations until housing values have better stabilized. This bill would allow municipalities that perceive such a problem in their communities to delay implementation of revaluations for up to two years.

There is a drafting error in the bill before you, however. **The intention of the proposal is to allow municipalities to delay implementation in FY 15 for revaluations of the October 2013 grand lists.** We also believe the law should be effective on passage, so towns that so choose can move quickly to provide relief in their FY 15 property tax bills.

We apologize for the confusion and will submit new language to the committee as soon as possible.

#### Administrative Relief

Current law requires municipalities to annually report to the CT Siting Council the location, type and height concerning cellular antennae and towers in their communities. The intention of the requirement was good - to give the Siting Council a full picture of all cellular and tower coverage. However, local officials state that they comply with the requirement by looking at the Siting Council's website, noting the information there and reporting it back to the Siting Council.

Clearly, that is unnecessary. The Governor proposes to eliminate the requirement.

---

We look forward to working with you to correct the language in the bill regarding revaluations, and ask that you amend and favorably report Governor's Bill 5055.

Thank you for your consideration.



**BRIDGEPORT REGIONAL  
BUSINESS COUNCIL**

BRIDGEPORT CHAMBER OF COMMERCE  
STURFORD CHAMBER OF COMMERCE  
TRUMBULL CHAMBER OF COMMERCE  
BRIDGEPORT ECONOMIC DEVELOPMENT CORPORATION  
LEADERSHIP GREATER BRIDGEPORT  
WOMEN'S LEADERSHIP COUNCIL

February 25, 2014

**TO: Connecticut General Assembly, Planning and Development Committee**  
**RE: Public Hearing Testimony**  
**SUBJECT: Bridgeport Tax Revaluation Delay**  
**BY: Paul S. Timpanelli, President and CEO, Bridgeport Regional Business Council**

HB 5055

Mr. Chairman and Members of the Planning and Development Committee, my name is Paul Timpanelli and I am here today in my capacity as President and CEO of the Bridgeport Regional Business Council, a 1,000 member business membership association and regional Chamber of Commerce in Bridgeport. Of our 1,000 member businesses, about 500 are physically located within the City of Bridgeport. The Bridgeport Chamber of Commerce is affiliated with the Bridgeport Regional Business Council.

I appear before you today representing those businesses to urge your support for the legislation that would allow for a two year exemption applicable to the October, 2013, and October, 2014, tax revaluation as it pertains to property values of the City of Bridgeport, thereby providing added time for depressed property values to rise in keeping with projected economic expansion and thereby preventing a situation that could result in the dramatic slow-down of economic development in the City.

To implement a revaluation now would very negatively impact continuing efforts to rebuild the City's tax base and ultimately begin to lower the burden on residential taxpayers by creating an artificially larger commercial tax base. The following factors impact the City's condition that, we believe, speak to the justification of a holding-off in implementing a property revaluation:

- The cities in the State of Connecticut disproportionately experienced subprime loans and foreclosures in the recent recession (2,830 foreclosures);
- These record numbers of property foreclosures helped to create a very significant drop in residential and even commercial values;
- Multi-family dwellings and condominiums have decreased in value by as much as 50% and single family homes by about 40%;
- Preliminary commercial values are also trending toward major decreases;
- If revaluation occurs during these periods the resulting mill rate will likely increase to a level that would stagnate development, discourage investment and clearly result in further erosion of businesses as well as residents,
- With the trend clearly in the direction of economic recovery, slower than some might like but trending right nevertheless, Bridgeport, as well as the state's other urban centers, need time to recoup valuation losses, thereby gaining added time for current and planned development to occur, and, thereby, ultimately contributing to tax rate stability and reduction.

The Board of Directors of the Bridgeport Regional Business Council as well as its affiliate, the Bridgeport Chamber of Commerce, supports legislative efforts to delay the implementation of Bridgeport Tax Revaluation.



N-T

**STATE OF CONNECTICUT**  
**DEPARTMENT OF MOTOR VEHICLES**

60 State Street, Wethersfield, CT 06161  
<http://ct.gov/dmv>



**Testimony of Department of Motor Vehicles**  
**Commissioner Melody A. Currey**  
**Planning and Development Committee**  
**February 24, 2014**

H.B. No. 5055 AN ACT ELIMINATING MUNICIPAL MANDATES

Good morning Senator Osten, Representative Rojas, Senator Fasano, Representative Aman and other members of the Planning and Development Committee.

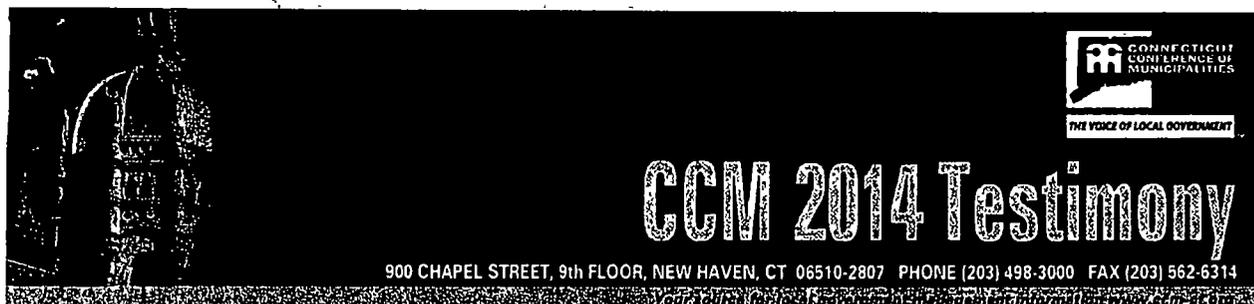
Thank you for the opportunity to submit testimony on HB 5055, AN ACT ELIMINATING MUNICIPAL MANDATES. The Department of Motor Vehicles (DMV) supports section one of the bill which would require town tax collectors to notify DMV on a monthly basis of any resolved delinquent property taxes owed for a registered motor vehicle or snowmobile. In addition, if the town does not notify DMV of such resolved delinquencies, then DMV is not required to deny a customer from registering a vehicle or renewing a registration.

Currently, towns are required to report immediately to DMV when a taxpayer owes delinquent motor vehicle taxes, however, this reporting does not always occur. As a result, sometimes DMV branch personnel have to deny a customer from registering a vehicle until the town has reported to DMV that the customer has addressed any outstanding motor vehicle property taxes or the customer brings proof from the town that the taxes have been paid. This proposal now creates an incentive for towns to report these resolved delinquencies because if towns do not, DMV will now be able to allow customers from those non-reporting towns to register a vehicle or renew a registration.

With this proposal, DMV customers who have cleared up any outstanding motor vehicle property tax issues will be able to register their vehicle(s) or renew their registrations without having to be instructed to go to their town tax collector's office and bring back proof to DMV in order to register their vehicle(s).

The proposed change should improve DMV customer satisfaction, prevent some customers from coming into a branch twice to complete a transaction and improve efficiencies overall throughout the system for Connecticut taxpayers and motor vehicle owners.

Thank you again for allowing me to submit testimony in support of section one of this legislation.



## ***PLANNING & DEVELOPMENT COMMITTEE***

February 24, 2014

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.

### **HB 5055, "An Act Eliminating Municipal Mandates"**

#### **CCM supports HB 5055 and the mandate relief that the bill would provide municipalities.**

##### Elimination of Payment to DMV

Section 1 of HB 5055 would eliminate the annual mandated payment by towns and cities to the Department of Motor Vehicles for their assistance in helping to collect delinquent motor vehicle taxes. **This program cost municipalities \$858,573 in 2013.**

##### Revaluation Delay

CCM also supports Section 2 which would allow municipalities the option to delay the implementation of a revaluation scheduled for the 2015 assessment year until 2017. Allowing municipalities the option to delay revaluation is a reasonable means to provide savings from the cost of conducting the unfunded revaluation mandate.

**Precedent exists: a similar deferral was granted in 2009 (*Public Act 09-60*)** – which, among other things, allowed municipalities the option to (1) delay a revaluation scheduled for the 2008, 2009, or 2010 assessment year until the 2011 assessment year; and (2) suspend a current revaluation phase-in for up to three years, also until the 2011 assessment year. This law was a tangible means of relief for certain hometowns without compromising the integrity of the revaluation process.

Simply put, when it comes to managing the local bottom-line in these difficult times – local officials need (1) options for quick relief, and (2) the necessary discretion to make decisions that work best for their communities. Enabling towns and cities the discretion to delay conducting revaluations would provide their taxpayers and local budgets that much-needed, temporary relief

##### Annual Report to Siting Council

Section 3 would eliminate the requirement that municipalities submit an annual report to the Connecticut Siting Council containing the location of telecommunications towers and antennas in their community.

Additional Mandates Reform Needed

While CCM and its member towns and cities appreciate the efforts by the Governor and the committee to address two unfunded mandates with HB 5055, CCM asks the committee to consider providing relief from some of these additional and costly unfunded mandates that burden our towns and cities:

- **Create a new tier, for new hires only within the Municipal Employee Retirement System (MERS)**, modeled after what already exists for state employees, known as "tier III" which still maintains a defined benefit plan for (new) employees. MERS, established in 1947, has never been adjusted or amended to reflect the realities of modern-day local-state economies – meanwhile the state retirement system has several tiers (including a defined-contribution plan known as the Alternative Retirement Plan).
- **Provide local officials the authority to select their Primary Service Area responder for ambulance transportation** – and allow municipalities the much-needed flexibility to decide whether such services are adequately delivered. Current law limits municipal input regarding who is chosen to provide such local services, at what cost, and restricts local ability to determine if contracts should continue or be amended.
- **Eliminate the health insurance premium tax on municipalities**, which is 1.75% tax on fully insured municipal premiums. Many municipalities, particularly small towns, cannot reasonably consider self-insurance as an option, because just one catastrophic illness could have a severe negative impact on a local budget. The premium tax costs municipalities up to \$9 million each year.
- **Eliminate the mandate towns and cities are required to store the possessions of evicted tenants.** According to the Office of Legislative Research report #2006-R-0164 "State Laws on Landlord's Treatment of Abandoned Property", of the 37 states researched, Connecticut is the only state that mandates that municipalities store the possessions of evicted tenants.
- **Adjustment the local grievance arbitration process** by amending CGS 31-98(a) to institute that grievance arbitration awards be issued no more than 60 days following the date post-hearing briefs are filed, thereby, establishing mandatory time limits to issue grievance arbitration awards in cases before the State Board of Mediation and Arbitration.
- **Amend CGS 31-53(g) to adjust the thresholds that trigger the prevailing wage mandate** for (i) renovation construction projects, from \$100,000 to \$400,000; and (ii) new construction projects, from \$400,000 to \$1 million; and index the thresholds for inflation thereafter. Five states have changed their prevailing wage thresholds since 2010. Alaska, Indiana, and Wisconsin significantly raised their thresholds applying to all public works projects. Ohio increased thresholds for projects that did not involve road or bridge construction. Connecticut has not adjusted its mandated-thresholds since 1991.
- **Enact a Constitutional amendment or statutory prohibition** to prohibit the passage of unfunded or underfunded state mandates on municipalities without a two-thirds vote of both chambers of the General Assembly.

CCM urges the Committee to favorably report HB 5055 and pass further needed mandate relief for towns and cities.

★ ★ ★ ★ ★

If you have any questions, please contact Randy Collins, Senior Legislative Associate for CCM, at [rcollins@ccm-ct.org](mailto:rcollins@ccm-ct.org) or (860) 707-6446.



Betsy Gara  
Executive Director  
Connecticut Council of Small Towns  
Testimony  
Planning & Development Committee  
February 24, 2014

**SUPPORT - HB-5055 - AN ACT ELIMINATING MUNICIPAL MANDATES**

Connecticut's small towns and cities are once again facing enormous pressure to hold the line on local budget and property tax increases. State aid to municipalities has been largely flat funded for more than a decade, requiring towns to absorb the increased costs associated with delivering critical education, public health and safety services.

Towns are looking for ways to do more with less. Unfortunately, unfunded state mandates continue to drive up local costs beyond the control of our small towns and cities. Connecticut must help to relieve some of the burden on our small towns and cities by providing relief from unfunded mandates and refraining from adopting any new unfunded mandates, however well-intentioned.

The Connecticut Council of Small Towns (COST) therefore urges **support for the Governor's bill, HB-5055, An Act Eliminating Municipal Mandates**. The bill includes the following mandate relief measures:

- **Repeals Section 7-163b, CGS, which requires municipalities to report to the CT Siting Council on the location, type and height of each existing telecommunications tower and each existing and proposed antenna subject to local jurisdiction.** The CT Siting Council refers municipalities, which generally don't have this information readily available, to its database for the information. Inasmuch as the Council already has this information and is the permitting authority of record, the annual reporting requirement is unnecessary.
- **Eliminates the fee imposed by the state Department of Motor Vehicles on municipalities for the operation of the state program that blocks people with unpaid parking tickets from registering their motor vehicles.** The elimination of this fee is estimated to save municipalities \$800,000 per year.

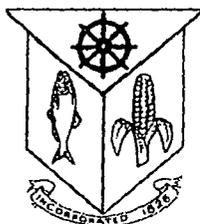
In addition to these provisions, COST urges lawmakers to provide towns with additional relief from unfunded mandates and improve the process for determining and carefully considering the impact of a proposed mandate on our cities and towns. The following are COST's top mandate relief priorities:

1. Strengthen mechanisms to ensure that the legislature carefully considers the fiscal impact of legislation on municipalities;
2. Review recommendations for implementing the Uniform Chart of Accounts to determine

- whether implementation should be delayed or repealed based on costs to municipalities;
3. Address inequities in the Municipal Employees Retirement System by adjusting mandated employee contribution rates;
  4. Increase the Prevailing Wage Threshold on municipal public works projects to \$1 million for new construction and \$400,000 for renovations and index the threshold to the annual inflation rate;
  5. Give towns more flexibility under the Minimum Budget Requirement to reduce education budgets to reflect cost-efficiencies;
  6. Adjust existing binding arbitration laws to reduce burdens on municipalities;
  7. Address escalating health insurance costs by exempting municipal health insurance policies from the insurance premium tax;
  8. Eliminate the property storage mandate which requires towns to store the possessions of evicted tenants;
  9. Assist municipalities in meeting mandated wastewater phosphorus limits by ensuring that all projects receive a greater percentage of Clean Water funds; and
  10. Eliminate or streamline unnecessary and/or burdensome regulations and reporting requirements, such as Section 25-32, CGS, which requires a change of use permit for anything that constitutes "one shovel of dirt". Municipalities must prepare and submit extensive permit applications to the state Department of Public Health and wait for approval to perform many activities which are routine maintenance tasks. In addition to unnecessarily tying up the resources of municipal staff, this requirement also delays economic development projects that need to be completed under certain weather conditions or during certain times of the year.

**Connecticut Council of Small Towns**  
1245 Farmington Ave., 101  
West Hartford, CT 06107  
Tel. 860-676-0770; [bgara@ctcost.org](mailto:bgara@ctcost.org)  
[www.ctcost.org](http://www.ctcost.org)

16-PS 2



Fillmore McPherson  
First Selectman

TOWN OF MADISON  
CONNECTICUT 06443-2563  
BOARD OF SELECTMEN

February 24, 2014

Alfred J. Goldberg  
Robert G. Hale  
Diane L. Stadlerman  
Joan M. Walker

To the Honorable Members of the Planning & Development Committee:

Thank you for allowing me to speak on behalf of the proposed change to CGS Section 14-33 as contained in Governor's Bill 5055. As currently written, without this change, the CGS impose a burdensome "tax" on virtually every municipality in the state.

To refresh your memory, Section 14-33 requires the Commissioner of Motor Vehicles (DMV) to withhold vehicle registration renewals for individuals who have not paid their annual vehicle property tax to the appropriate city or town – an excellent tool for enforcing properly levied tax bills. Unfortunately, the entire cost of DMV's operation for this service is billed back to the individual municipality based on population. This cost, covering ten employees plus benefits, totals \$858,573 for the current year. Madison's cost is \$4,374 but the cost is much bigger for our larger cities and towns. The Governor's Bill will eliminate this charge back for what should be a routine DMV service. I urge you to support and pass this change for the benefit of our strapped cities and towns.

I view this change as one small step in the ongoing review of unfunded mandates imposed on our municipalities. I have been pleased to serve for the last year on your Mandates Sub-Committee of the MORE Commission. This Sub-Committee has approved a number of changes. These include sweeping reforms such as requiring a super majority for any new mandate, all the way down to individual items such as financial relief for providing seven day advance voting. Again, I urge your positive consideration on these MORE recommendations as a means of helping our hard-pressed cities and towns.

Sincerely,

Fillmore McPherson  
First Selectman  
Town of Madison

FM/pra