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Public Hearing Testimony March 3, 2008

Public Health Committee

John A. Kissel, State Senator 7th District

RE: HB 5730- *An Act Concerning Environmental Health*

Good afternoon Senator Handley, Representative Sayers, and honorable members of the Public Health Committee. Thank you for giving me the opportunity to publicly support **HB 5730- *An Act Concerning Environmental Health***, which is an important piece of legislation that you currently have before you.

Your favorable support of **HB 5730** is necessary to ensure that district health departments are not liable to persons displaced due to enforcement actions by said health departments. It is important that we as a legislature act to alleviate the financial burden imposed on district health departments as they should not directly bear the cost of relocating individuals.

The lawsuit currently facing the North Central District Health Department provides a clear example of the need to change the language of current laws. The fore mentioned health department is currently being sued, the plaintiff citing that they are responsible for relocation costs for relocating a family with a young lead poisoned child. However, historically, it has been the town that paid relocation and then attached the property for repayment

The North Central District Health Department currently does not have attachment powers, nor do they want any as they cannot afford to hold onto a debt for any length of time due to their small budget. Further, when a municipal health department pays the cost, it is the town, not the department, that actually pays. In this specific case there seems to be a lack of understanding of the difference between a district and a municipal department. I am sure that many other district health departments are facing this same

problem showing that the passage of this bill is necessary to clarify existing laws and department versus municipality responsibilities.

Based on the current problems arising from current health department regulations, I am hopeful that you will support **HB 5730 *An Act Concerning Environmental Health***. Thank you for giving me the opportunity to communicate my support on this issue and I would be happy to answer any questions that you might have.