Testimony
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Connecticut Council of Small Towns
Presented to Planning & Development Committee
Connecticut General Assembly
March 2, 2009
Re: HB-6388, An Act Concerning Mandate Relief to Municipalities

The Connecticut Council of Small Towns (COST) ***strongly supports*** **HB-6388, An Act Concerning Mandate Relief to Municipalities.**

Mandate relief is a top priority for Connecticut's suburban and rural towns. Connecticut will not be able to enact true property tax reform unless it recognizes the burden it places on towns and cities by passing unfunded state mandates. Connecticut's small towns and cities are facing a brutal budget year. Lawmakers must act now to relieve some of the burden on our small towns and cities, who are facing crushing increases in costs at a time when revenues are shrinking.

HB-6388 includes several provisions which COST has identified as priorities for this legislative session, including:

- **Enacting a 2/3 Approval Requirement for Any Unfunded Mandate** – Requiring any new unfunded mandate to be approved by a 2/3 vote will highlight the cost of the proposed mandate to Connecticut's towns and cities and give lawmakers the opportunity to carefully weigh the fiscal impact before passing on another unfunded mandate to Connecticut taxpayers. A partnership must exist between each level of government and fiscal impact discussions must take place before mandate legislation is passed.

- **Municipal Web Site Posting Requirement** – Although the bill calls for a delay in implementing the law passed last year which requires town to post minutes and agendas on municipal websites within strict statutory timeframes, COST supports full repeal of this burdensome mandate. Although COST and its members support efforts to increase transparency and the people's right to know about local government operations, mandating strict statutory timeframes for posting minutes and agendas on a town's website has proven difficult and costly for many of Connecticut's small towns. A number of small towns do not have full-time IT staff and rely on outside vendors to maintain their websites. In addition, many boards and commissions are staffed by volunteers who don't always have the time to get minutes to the town clerk in time to post on the Internet. To avoid penalties and hearings associated with a violation of the FOI law, a dozen or so small towns have actually shut down their websites.

- **Relieving towns from the cost and burden associated with removing and storing the personal possessions of evicted tenants.** The requirement that towns remove and store an evicted tenant's possessions is extremely costly and burdensome, particularly at a time when towns are struggling to provide residents with services without raising property taxes. Requiring municipalities to remove and store possessions for evicted tenants also involves a substantial amount of paperwork and a considerable amount of time. This is of particular concern to small towns, which often lack the staff to devote to these requirements. The vast majority of states place the burden for removing and storing such possessions on the landlord, who has a contractual relationship with the tenant, and not the town, which is a not a party to the contract.

- **Reforming Binding Arbitration -** The binding arbitration mandate significantly increases the overall cost of municipal budgets. In these difficult economic times, current binding arbitration laws can no longer be justified. COST supports provisions in the bill which will suspend binding arbitration for two years and limit the items subject to binding arbitration to salary and benefits only.

- **Electronic Posting of Legal Notices, Reports** - Towns are required to publish numerous legal notices in newspapers. Unfortunately, advertising prices have increased dramatically, placing a fiscal burden on Connecticut's small towns. In addition, many small town newspapers have gone out of business, requiring towns to publish notices in the more expensive metropolitan newspapers. Allowing towns with the staff and Internet capabilities to post such notices on their websites, will help reduce this fiscal burden. In addition, printing costs have increases substantially. We support provisions to allow towns to post certain reports, job ads, etc. on the Internet.

- **In-School Suspension Mandate** - Although well intentioned, the mandate requiring towns to use in-school suspension to discipline students for all but the most egregious violations imposes a costly burden on small towns, which must make space available and hire additional staff to monitor students in in-school suspension. At a time when towns are bracing themselves for additional cuts in state education aid, it makes sense to repeal this costly mandate. COST advocates repealing the In-School Suspension Mandate, rather than delaying its implementation, to allow towns to craft suspension policies that make sense for their towns.

Unfunded state mandates are breaking the backs of Connecticut's towns and cities, which are facing enormous financial difficulties in trying to pay for essential public services. This bill will provide towns with some much-needed relief.