



HOME BUILDERS ASSOCIATION OF CONNECTICUT, INC.

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*Your Home
Is Our
Business*

February 22, 2012

To: Senator Steve Cassano, Co-Chairman
Representative Linda M. Gentile, Co-Chairman
Members of the Planning and Development Committee

From: Bill Ethier, Chief Executive Officer

Re: House Bill 5492, AA Providing Municipal Stormwater Authorities with
Certain Corporate Powers

The HBA of Connecticut is a professional trade association with almost 1,000 member firms statewide, employing tens of thousands of Connecticut citizens. Our members, all small businesses, are residential and commercial builders, land developers, home improvement contractors, trade contractors, suppliers and those businesses and professionals that provide services to our diverse industry. Our members build 70% to 80% of all new homes and apartments in the state each year.

We oppose HB 5492, as we did in 2010 (see section 10 of SB 388, raised in the Environment Committee that year). In 2010, section 10 of SB 388 was stricken from the bill in the Environment Committee by a 16-9 vote, and we urge you to take no action on this year's version, HB 5492. **The creation of a new body politic and its associated new authority to raise taxes, impose charges, borrow money via bonds, enter onto private property and lien property is unnecessary to address an issue (i.e., stormwater control) that is already very well regulated.**

Extensive stormwater regulations have been adopted by the Department of Energy & Environmental Protection and the agency is close to finishing a complete rewrite of its stormwater general permits for construction activities. Also, we do not know of a single municipality that does not require stormwater to be controlled via soil erosion and sediment regulations. And the federal government has recently adopted new requirements for stormwater control under the U.S. Clean Water Act. **Thus, stormwater is regulated by three levels of government. Do we really need a new government entity, one with significant powers, to address a well-regulated issue?**

The new authority in the bill to be held by the proposed body politic is broad and open-ended, as are the new liens on property for failing to pay "charges" that are undefined. The new lien on property could have super priority lien status (due to being imposed by a body politic), which could upset the credit financing system currently in place for material suppliers and the lending industry. **Given the current difficulties of obtaining credit, this new lien hurdle could make the extended credit crisis we face worse.**

We urge you to not pursue this unnecessary legislation, and thank you for considering our comments.

"Leading Our Members to Professional Excellence."

Serving the Residential Development & Construction Industry Through Advocacy, Education & Networking