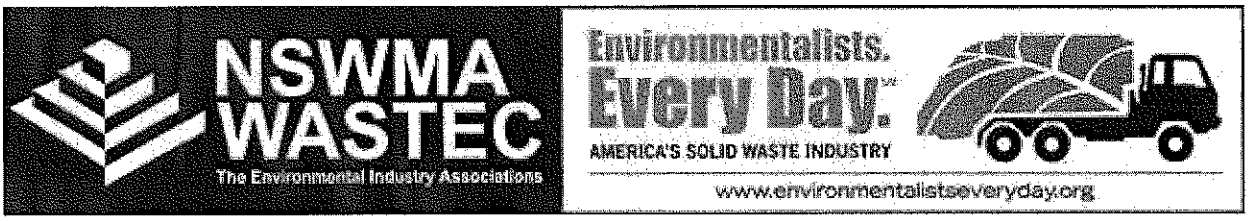


**Testimony**
**for the**
**General Law Committee**
**of the**
**Connecticut Legislature**

**Thursday, February 21, 2013**
**Hartford, CT**

**Submitted by**

**Mike Paine**
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**Paine's Recycling and Rubbish Removal Inc., Simsbury, CT**
**&**
**Chair, CT Chapter NSWMA**
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Good afternoon Mr. Chairman and fellow members of the General Law Committee

Today I am speaking against the following proposed bills:

S.B. No. 771 H.B. No. 5214 H.B. No. 5905 H.B. No. 6206

Although each proposed bill is well intentioned, these bills fly in the face of current contract law and are selecting one industry and ignoring other industries which use similar contract language. These proposed bills do have a number of significant implementation problems. All of these proposed acts would only affect commercial contracts as residential contracts already have a number of protections under current state law.

Logic tells us that if there was a significant problem with commercial contracts then we would be hearing from a number of customers with those concerns.

To provide some history, prior to 2007 the State already required that an existing contract between a customer and hauler could be terminated, with a sixty day notice by either party, at the end of the initial contract term. Additional significant changes, to our contracting procedures passed that same year in PA 07-215. Those changes were:

1. Requiring a executed agreement between customer and the hauling company identifying the initial term and any renewal term; and,

2. Requiring notice in bold 12 point print font; and,

3. Requiring signature or initials that customer is aware of the automatic renewal provision.

Now my specific concerns with each of these proposed bills:

S.B. No. 771 This bill would require haulers to "*prominent display of all terms and conditions of waste removal contract renewals*".

This was already addressed in the 2007.

H.B. No. 5214 This bill would require haulers to "*notify customers in writing prior to increasing any contract fee by 5 % or more and to grant such customers the option to re-negotiate their contracts*".

A hauling company often does not receive notice about increases in the disposal rates from CRRA until usually 30 days and sometimes only 7 to 10 days prior to the new disposal rates effective date.

I can only speak for my company, but I know that Paine's is always talking with our customers regarding their options as well as other pertinent information.

(over)


H.B. No. 5905 These bills are identical and would require haulers to "*send written notice to*
H.B. No. 6206 *customers ninety days prior to a contract's expiration date and to specify that such contract shall not automatically renew, but may only be renewed by the customer in writing*".

I am not aware of any refuse computer billing system that would provide this kind of noticing system. I am sure that there are "day timer" systems but that would require a redundant system. My experience is that our customers are extremely busy and that they actually like and want Paine's to have an automatic contract renewal system because that is one less thing to remember to go over. Getting each customer's signature in writing would add one more thing to each customer's already busy day.

As you can see from my comments, both myself and NSWMA are not in favor of any of these bills. We feel that the changes that were adopted with PA 07-215 in 2007 already provide our customers with reasonable protections and they will not get any additional benefit from these new proposed bills. I am also concerned that these proposed bills are directed only on the recycling and waste industry, not other industries that use automatic renewals. I can only remember hearing from a couple of customers over the last several years who had any questions or concerns about our current notification system or our contracts.

I thank the committee for your time listening to me today and welcome your questions.

**Michael R. Paine Sr.**
**President, Paine's Incorporated**
**&**
**National Solid Waste Management Association**
**Connecticut Chapter Chairman**