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**CONNECTICUT
ADVISORY COMMISSION ON
INTERGOVERNMENTAL RELATIONS**



FIRST ANNUAL REPORT

1986-87

*A multi-jurisdictional agency in the legislative branch
of Connecticut state government*

DECEMBER 1987

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ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

1986-87 MEMBERSHIP

OFFICERS

David B. Walker, Ph.D., Chairman
Rep. Geri W. Langlois, Vice Chair
Rep. Alice V. Meyer, Vice Chair

MEMBERS

Hon. John B. Larson, Senate President Pro Tempore
Hon. Irving J. Stolberg, Speaker of the House
Hon. Reginald J. Smith, Senate Minority Leader
Hon. Robert G. Jaekle, House Minority Leader
Hon. Anthony V. Milano, Secretary, Office of Policy and Management
Hon. Thirman L. Milner, Mayor of Hartford
Hon. Sebastian J. Garafalo, Mayor of Middletown
Hon. Paul S. Timpanelli, First Selectman of Trumbull
Hon. Elizabeth A. Adams, First Selectman of Woodbury
Hon. Donald J. LaChance, First Selectman of Madison, Council of Small Towns
Joel Cogen, Esq., Connecticut Conference of Municipalities
Edwin Van Selden, Office of Policy and Management
Margaret W. Becker, Connecticut Association of Boards of Education
Lee Rand Burne, Regional Planning Association of Connecticut
Gerald R. Leblanc, Connecticut Association of School Administrators
Marie T. Larson, Public Member
Hugh I. Manke, Esq., Public Member
Richard Miller, Esq., Public Member
Patrick Spalluto, Public Member

STAFF

David W. Russell, Executive Director
Mary DiFabio Foote, National Urban Fellow

ADMINISTRATIVE FRAMEWORK

ACIR STATUTORY MANDATE

The Advisory Commission on Intergovernmental Relations (ACIR) is a 25-member legislative branch agency of the State of Connecticut, created in 1985 to study system issues between the state and its local governments, and to recommend solutions as appropriate. The membership is designed to represent the state legislative and executive branches, municipalities and other local interests, and the general public.

The role of ACIR, as contained in Section 2-79a of the General Statutes (see Attachment A for full text), requires that the commission shall: (1) serve as a forum for consultation between state and local officials; (2) conduct research on intergovernmental issues; (3) encourage and coordinate studies of intergovernmental issues by universities and others; and (4) initiate policy development and make recommendations to all levels of government.

COMMISSION MEMBERSHIP AND ORGANIZATION

The commission has had active participants from all of its constituencies throughout the year. Representatives from the state legislative and executive branches attended the meetings and participated in the deliberations and decisions. Similarly, representatives of local government and the general public fully participated. Three vacancies exist on the commission at year end.

The commission elected three officers for terms ending in January 1988. The chairman, David B. Walker, Ph.D., is a member appointed by the Governor to represent the General Public. Dr. Walker is Director of the Institute of Public and Urban Affairs at the University of Connecticut. Commission vice chairs are Rep. Alice V. Meyer, a state representative appointed by the Republican leadership, and Rep. Geri W. Langlois, a state

representative from Eastern Connecticut and also first selectman of the Town of Thompson, appointed by the Governor to represent towns under 20,000 population. Both vice chairs are members of the legislature's vital Planning and Development Committee.

The commission hired David W. Russell as executive director in the Fall of 1986. Mr. Russell has experience with local and regional government associations as well as direct local elected and professional positions. He has also served on numerous state study commissions and as president of a national association of small communities. During the year, the commission was also served by Mary D. Foote through the National Urban and Rural Fellow Program. Ms. Foote provided research and technical assistance.

COMMISSION MEETINGS

Although it is a group of volunteers with many outside responsibilities, the ACIR adopted an aggressive meeting schedule in 1986-87. More than a dozen full commission meetings were held, representing over 400 "person hours" of commission-contributed time. Several meetings were held concerning staffing, but the majority of commission time was spent discussing, reviewing and making decisions on substantive issues which were part of the commission's research program.

As part of its ongoing procedures, ByLaws were adopted to set the basic groundrules for commission operation (see attachment B).

COMMISSION BUDGET

ACIR operations are supported by appropriation from the State's General Fund. The 1986-87 fiscal year saw a 20% increase in that support to a \$72,177 level (see Attachment C). This provides for two full time positions, one professional and one clerical, plus the services of a fellow from the National Urban and Rural Fellow Program. In addition, the budget contains normal operational expenditures as well as startup capital items. The commission has been fortunate to receive office space with the Intergovernmental Relations Division of the Office of Policy and Management.

COMMISSION RESEARCH

During the 1986-87 fiscal year, its first in operation, the Connecticut Advisory Commission on Intergovernmental Relations (ACIR) received three major requests for intergovernmental research.

The 1986 session of the General Assembly adopted S.A. 86-31, which directed the ACIR to research home rule in Connecticut and make such recommendations as it deemed appropriate (see Attachment D). At the beginning of the year, the Governor requested the commission to study the implications of the timing of state aid decisions by the General Assembly on local government budgetmaking (see Attachment E). And finally, in February, 1987, the Secretary of the Office of Policy and Management requested the ACIR to consider the issue of the timeliness and accuracy of data provided by municipalities to the state to be used in the calculation of various state aid formula grants (see Attachment F).

HOME RULE IN CONNECTICUT

The commission studied this issue in considerable detail, resulting in the publication of its report in January of 1987, entitled Home Rule in Connecticut: Its History, Status and Recommendations for Change.

Work on the topic, included in the final decisionmaking and report, came through a variety of sources. The research outline, identification of the initial issues, basic research and the writing of the report were performed by commission in-house staff. Background information on the history of home rule in the United States in general, and Connecticut in particular, were provided by drawing from works previously published by the Institute of Public Service of the University of Connecticut (Neil O. Littlefield's Home Rule in Connecticut. A Legal Commentary) and the University of Bridgeport Law Review (Professor Janice Griffith's "Connecticut's Home Rule: The Judicial Resolution of State and Local Conflicts").

A section on the legal decisions surrounding the issues involved in home rule received significant contributions from the Hartford law firm of Robinson & Cole, P.C., with particular work by Mary P. Howard, Esq.

The commission also conducted a survey of municipal elected and appointed chief executives and municipal attorneys regarding their experiences with, and recommendations concerning, home rule. Survey returns were excellent, with over two-thirds of the municipalities represented in the results.

After reviewing its survey data, the history, legal status and models of home rule both particular to Connecticut and in practice in other states, the commission adopted six recommendations. The subjects of the recommendations are as follows:

1. Constitutional Basis of Local Powers
2. Statutory Basis of Local Powers
3. Organization of the General Statutes
4. Municipal Charters
5. State Preemption
6. Issues of Statewide Concern

These recommendations were then drafted into legislation submitted to the General Assembly in H.B. 5501(see Attachment G). This legislation was considered, modified and approved by the Planning and Development and Appropriations Committees before ultimately being recommitted by the Legislative Management Committee. Arising from the committee's discussion, however, were several alternative approaches to accomplishing aspects of the recommendations. These approaches are being pursued in 1987-88.

BUDGET SYNCHRONIZATION

An ongoing problem to the state and municipalities alike is the timing of the decisions on state aid to municipalities in relation to local budgetmaking. Because state aid decisions are often made concurrently, or even after, the adoption of local budgets, the goals of the state in extending the aid can be frustrated and the benefits of the aid to the municipalities

can be limited in scope and/or impact.

The Governor, in asking the ACIR to study this issue, requested both data gathering and recommendations for change. The commission conducted both a survey of municipal finance professionals and direct contacts with a representative sample of 36 of the state's municipalities. In-house ACIR staff conducted all of the research activities and identified the problems at issue and the factual context into which the problems fit.

At the close of the 1986-87 fiscal year, staff had drafted a report for commission consideration, including several recommendations and a "model" local budget timetable which could be adapted by local governments to mitigate some of the timing issues. Final commission action on the report was pending.

OTHER PROJECTS INITIATED

In addition to the major studies described above, the commission initiated three more specific projects.

1. The Reorganization of State Statutes Concerning Local Government: In this project, initiated late in the year, following the General Assembly session, the commission began discussions with the Connecticut Law Revision Commission and legislative leadership to find an appropriate mechanism for making the statutes more useable and accessible to local officials. As of the close of the year, several alternatives were being considered for indexing, subsidiary volumes and recodification. The issue will continue into 1987-88.

2. Provision of Timely and Accurate Information by Municipalities to the State: As a result of the request from the Secretary of OPM, the ACIR began consideration of this topic with a staff review of the key programs involved in the municipal information provision. Concurrently with the program review, an OPM sponsored bill was being considered by the General Assembly which would impose fines on municipalities for failure to provide timely and accurate information. This bill was adopted and became P.A. 87-115. With this new legislation, it became more appropriate for the ACIR to delay its research until the system had time to react to the new setting.

3. Definition of Statewide vs. Local Concern: One recommendation of the home rule study was that research be continued on defining the issues of statewide vs. issues of local concern. The goal is to establish as much of a "bright line" distinction as possible between issues which should be the subject of state control and those which are local in nature and impact. The staff is researching the resolutions of this question in other states, in constitutions, statutes and court decisions.

ATTACHMENTS

Substitute House Bill No. 5865

PUBLIC ACT NO. 84-523

AN ACT ESTABLISHING A CONNECTICUT ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. (NEW) (a) There shall be a Connecticut Advisory Commission on Intergovernmental Relations. The purpose of the commission shall be to enhance coordination and cooperation between the state and local governments. The commission shall consist of the president pro tempore of the senate, the speaker of the house of representatives, the minority leader of the senate, the minority leader of the house of representatives, the secretary of the office of policy and management, and twenty additional members as follows: (1) Six municipal officials appointed by the governor, four of whom shall be selected from a list of nominees submitted to him by the Connecticut conference of municipalities and two of whom shall be selected from a list submitted by the Council of small towns. Two of such six officials shall be from towns having populations of twenty thousand or less persons, two shall be from towns having populations of more than twenty thousand but less than sixty thousand persons and two shall be from towns having populations of sixty thousand or more persons; (2) two local public education officials appointed by the governor, one of whom shall be selected from a list of nominees submitted to him by the Connecticut association of boards of education and one of whom shall be selected from a list submitted by the Connecticut association of school administrators; (3) one representative of a regional council of governments or a regional planning agency appointed by the governor from a list of nominees submitted to him by the Regional planning association of Connecticut; (4) two members of the executive branch appointed by the governor; (5) one member of the senate appointed by the president pro tempore of the senate; (6) one member of the house of representatives appointed by the speaker of the house of representatives; (7) five persons who do not hold elected or appointed office in state or local government, one of whom shall be appointed by the governor, one of whom shall be appointed by the president pro tempore of the senate, one of whom shall be appointed by the speaker of the house of

Substitute House Bill No. 5865

representatives, one of whom shall be appointed by the minority leader of the senate and one of whom shall be appointed by the minority leader of the house of representatives; (8) one representative of the Connecticut conference of municipalities appointed by said conference; (9) one representative of the Council of small towns appointed by said council. Each member of the commission appointed pursuant to subdivisions (1) to (9), inclusive, shall serve for a term of two years. All other members shall serve for terms which are coterminous with their terms of office. The commission shall elect a chairperson and a vice-chairperson from among its members. Members of the commission shall not be compensated for their services but shall be reimbursed for necessary expenses incurred in the performance of their duties.

(b) The commission shall: (1) Serve as a forum for consultation among state officials, administrators and legislators and local government officials; (2) conduct research on intergovernmental issues; (3) encourage and coordinate studies of intergovernmental issues by universities, research and consulting organizations and others; (4) initiate policy development and make recommendations for consideration by all levels and branches of government. The commission shall issue, from time to time, public reports of its findings and recommendations and shall issue, annually, a public report on its activities.

(c) The commission shall employ an executive director and such other staff as is necessary for the performance of its functions and duties.

(d) The commission shall have the power to receive and expend funds from any public or private source.

Sec. 2. (NEW) The Connecticut advisory commission on intergovernmental relations established under section 1 of this act shall terminate July 1, 1989, in accordance with and subject to all the provisions of chapter 28 of the general statutes, subject to reestablishment as provided in said chapter.

Sec. 3. The sum of sixty thousand dollars is appropriated to the Connecticut advisory commission on intergovernmental relations, for the fiscal year ending June 30, 1985, from the sum appropriated to the finance advisory committee under section 1 of special act 84-20, for 1984

Substitute House Bill No. 5865

acts without appropriations, for use by the commission in the performance of its functions and duties pursuant to section 1 of this act.

Sec. 4. The sum of thirty-five thousand dollars is appropriated to the department of higher education, for the fiscal year ending June 30, 1985, from the sum appropriated to the finance advisory committee under section 1 of special act 84-20, for 1984 acts without appropriations, for a grant to the Connecticut academy of science and engineering.

Sec. 5. This act shall take effect July 1, 1984.

Certified as correct by

Legislative Commissioner.

Clerk of the Senate.

Clerk of the House.

Approved June 12, 1984

Governor, State of Connecticut.

Adopted September 16, 1987

Attachment B

CONNECTICUT ADVISORY COMMISSION
ON INTERGOVERNMENTAL RELATIONS

ARTICLE I

Purpose and Authorization

The objectives and purposes of the Connecticut Advisory Commission on Intergovernmental Relations are those set forth in Chapter 19A Section 2-79a of the Connecticut General Statutes 1987 Revision, as amended, and those powers and duties delegated to the CACIR by the aforementioned statute.

ARTICLE II

Name

The Commission shall be known as the Connecticut Advisory Commission on Intergovernmental Relations.

ARTICLE III

Membership

The membership and terms of office shall be as specified in Chapter 19A Section 2-79a of the Connecticut General Statutes establishing the Commission.

ARTICLE IV

Officers

Section 1. Elected Officers. The elected officers of the Commission shall be a Chairman and two Vice Chairmen to be elected by the Commission and to serve until their successors are duly elected and assume office.

Section 2. Qualifications for Office. Any individual who is a member of the Commission shall be eligible for any elective office.

Section 3. Nominating Committee. Annually, during the months of October or November, the Chairman shall appoint a Nominating Committee of at least three (3) but no more than five (5) Commission members. The Nominating Committee shall submit a slate of proposed officers to the Commission at the following January Commission meeting.

Section 4. Election of Officers. At an Annual Organization Meeting to be held during the month of January, the Commission, by a majority of those present and voting, shall elect each of the officers of the Commission from the slate of officers proposed by the Nominating Committee and any additional nominations for each officer position received from Commission members at said meeting.

Section 5. Term of Office. Each elected officer shall take office immediately and shall serve for a term of one (1) year or until his successor is duly elected and assumes office.

Section 6. Vacancies and Removal. Except as provided in Article V, Sec. 2, vacancies in any elective office may be filled for the balance of the term thereof by the Commission at any regular or special meeting. The Commission, at its discretion, by a two-thirds vote of all of its members, may remove any officer from any office for cause.

ARTICLE V

Duties of Officers

Section 1. Chairman. The Chairman shall preside at all meetings and hearings of the Commission and shall have the duties normally conferred by the parliamentary usage of such office. The Chairman shall have the authority to appoint committees, call special meetings, and generally perform other duties as may be prescribed in these bylaws.

Section 2. Vice Chairmen. There shall be two Vice Chairmen. The Vice Chairmen shall work in close cooperation with the Chairman and shall perform such duties as the Commission shall assign them.

In the absence or incapacity of the Chairman, the First Vice Chairman shall be vested with all powers and perform all the duties of the office of the Chairman. In addition, the First Vice Chairman shall, in case of resignation, death or removal of the Chairman, become Chairman of the Commission for the unexpired term and shall serve in that capacity until his successor is duly elected and assumes office.

In the absence or incapacity of the First Vice Chairman, the Second Vice Chairman shall be vested with all powers and perform all duties of the office of the First Vice Chairman. In the absence or incapacity of both the Chairman and the First Vice Chairman, the Second Vice Chairman shall be vested with all the powers of and perform the duties of the office of Chairman.

ARTICLE VI

Meetings

Section 1. Regular meetings will be held at least quarterly on a schedule confirmed by the Commission at the Annual Organizational meeting in January. In the event of conflict with holidays or other events, a majority at any meeting may change the date of any meeting. Written notice of all regular meetings shall be mailed to each Commission member at least fourteen (14) days prior to the meeting.

Section 2. Special meetings may be called by the Chairman. Upon request of any seven Commission members, the Chairman shall call a special meeting. Written notice shall be mailed to all members at least ten (10) days prior to any special meeting and shall specify the purpose of such a meeting, and no other business may be considered except by unanimous consent of the entire voting membership of the Commission. Such consent may be obtained either before or after such special meeting, but until such consent is obtained, action on matters not identified in the purpose of the special meeting shall not be valid.

Section 3. A majority of the membership of the Commission shall constitute a quorum for final action on any Commission report. For other business, a quorum shall be one-third of the membership. Adoption of all motions shall require a quorum and a majority vote of the members present and voting or their properly designated alternates, as provided in subsection 5 of Article VI.

Section 4. All Commission meetings shall be open to the public when in session. Executive sessions may be held upon an affirmative vote of two-thirds of the members of the Commission present and voting, taken at a public meeting and stating the reasons for the executive session, as defined in Section 1-18a of the General Statutes.

Section 5. Commission members may designate a person to act on their behalf as an alternate by filing notice of such designation with the Chairman, including the length of time it is to be effective. Such designation shall entitle the alternate to full participation, including, except to the extent prohibited by law, voting on behalf of the Commission member.

ARTICLE VII

Employees

The Commission shall employ an executive director and such other staff as is necessary for the performance of its functions and duties (see Chapter 19A Section 2-79a of the Connecticut General Statutes).

ARTICLE VIII

Committees

Standing and special committees may be created by the Commission and members shall be appointed by the Chairman. The duties of each committee shall be prescribed by the Commission.

ARTICLE IX

Amendments

These bylaws may be amended by a two-thirds vote of the entire voting membership of the Commission, only after the proposed change has been read and discussed at a previous regular meeting, except that the bylaws may be amended at any meeting by the unanimous vote of the entire voting membership of the Commission, provided that the text of any proposed amendment shall be included in the notice of the meeting.

**COMMISSION IN INTERGOVERNMENTAL RELATIONS [1]
1007**

	Actual Expenditure 1984-85	Appropriated 1985-86	Estimated Expenditure 1985-86 (as of 2/86)	Agency Request 1986-87	Governor's Recommended 1986-87	Appro- priation 1986-87
POSITION SUMMARY						
General Fund						
Permanent Full-Time	0	0	0	3	3	2
OPERATING BUDGET						
001 Personal Services	0	0	0	87,177	87,177	57,177
002 Other Expenses	0	0	10,000	15,000	15,000	15,000
005 Equipment	0	0	0	2,000	2,000	0
Agency Total - General Fund	0	0	10,000	104,177	104,177	72,177
Agency Grand Total	0	0	10,000	104,177	104,177	72,177
BUDGET BY PROGRAM						
Enhance State and Local Government						
Coordination	0/0	0/0	0/0	3/0	3/0	2/0
Personal Services	0	0	0	87,177	87,177	57,177
Other Expenses	0	0	10,000	15,000	15,000	15,000
Equipment	0	0	0	2,000	2,000	0
Total - General Fund	0	0	10,000	104,177	104,177	72,177
EQUIPMENT (Recap)						
Equipment	0	0	0	2,000	2,000	0
Agency Grand Total	0	0	10,000	104,177	104,177	72,177

GOVERNOR'S BUDGET RECOMMENDATIONS AND LEGISLATIVE REVISIONS

	GOVERNOR'S RECOMMENDED		LEGISLATIVE REVISIONS	
	Pos.	Amount	Pos.	Amount
1985-86 Governor's Estimated Expenditure	3	\$ 60,000	0	\$ 0
Inflation and Non-Program Changes - (G)				
Personal Services	0	\$ 87,177	0	\$ 0
Other Expenses	0	15,000	0	0
Other Current Expenses	0	(60,000)	0	0
Equipment	0	2,000	0	0
Total - General Fund	0	\$ 44,177	0	\$ 0

Note: The agency's estimated expenditures for 85-86 are \$10,000. This amount is reflected in the Commission on Intergovernmental Cooperation's estimated expenditures for 85-86. The Commission on Intergovernmental Relations will not have a separate account with the Comptroller until 7/1/86.

Removal of Analyst Position - (L) Funds are removed for one

GOVERNOR'S BUDGET RECOMMENDATIONS AND LEGISLATIVE REVISIONS

GOVERNOR'S RECOMMENDED		LEGISLATIVE REVISIONS	
Pos.	Amount	Pos.	Amount

position in order to achieve economy.

Personal Services	0	\$	0	(1)	\$	(30,000)
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Start-up Equipment - (L) Funds are removed for agency start-up equipment and will be provided through a separate 1985-86 appropriation in the amount of \$2,000.

Equipment	0	\$	0	0	\$	(2,000)
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1986-87 Governor's Recommended Budget/Total Legislative Revisions	3	\$	104,177	(1)	\$	(32,000)
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1985-86 APPROPRIATIONS FOR USE THROUGH 1986-87

PA 86-178, "An Act Concerning A Study of the Feasibility of Contracting for the Performance of State Services, Programs and Operations, the Conduct of a Preapprenticeship Training Program for Women by the Legislative Management Committee, Establishing a Revenue Sharing Account within the Municipal Infrastructure Trust Fund and Making Certain Appropriations for the Fiscal Year Ending June 30, 1986" - This act appropriates \$12,211,376 from 1985-86 General Fund surplus to a nonrecurring expenses account and specifies that these funds will not lapse until June 30, 1987. Funds in the amount of \$2,000 will be transferred from this account to the Commission for start-up equipment.

OTHER SIGNIFICANT 1986 LEGISLATION AFFECTING THE AGENCY'S BUDGET

SA-31, "An Act Concerning A Study of Home Rule in Connecticut by the Connecticut Advisory Commission on Intergovernmental Relations" - This act requires the Connecticut Advisory Commission on Intergovernmental Relations (CACIR) to conduct a study of municipal home rule in Connecticut and subsequently report the findings thereof to the Governor and General Assembly by January 1, 1987. It is anticipated that the costs associated with this study can be absorbed within the Commission's 1986-87 appropriation.

[1] PA 84-523, "An Act Establishing the Connecticut Advisory Commission on Intergovernmental Relations" established the Commission which will be the support agency for intergovernmental matters. Funds are available to the Commission to employ an executive director and other staff. Effective Date, July 1, 1984.

Substitute House Bill No. 5864

SPECIAL ACT NO. 86-31

AN ACT CONCERNING A STUDY OF HOME RULE IN CONNECTICUT BY THE
CONNECTICUT ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

Be it enacted by the Senate and House of Representatives in
General Assembly convened:

The Connecticut Advisory Commission on Intergovernmental
Relations shall conduct a study of the philosophy, legal status
and practical effects of the present form of municipal home rule
in Connecticut, with particular attention to the strengths and
weaknesses of the present constitutional, statutory and common
law elements of the home rule system. Said commission shall
report to the governor and the general assembly on the results of
such study not later than January 1, 1987. The report shall
include recommendations for: (1) Clarification of existing
statutes relative to the powers of municipalities; (2)
clarification of ambiguities in or conflicts between court
decisions on home rule issues, and (3) a definition of matters
which may be of statewide concern as opposed to those of local
concern.



STATE OF CONNECTICUT
OFFICE OF POLICY AND MANAGEMENT

May 8, 1986

Mr. David B. Walker
Acting Chairman
Connecticut Advisory Commission on
Intergovernmental Relations
31 Edgewood Lane Ext.
Mansfield, Connecticut 06250

Dear Dave:

House Bill 5864 of the 1986 session of the General Assembly directs the Commission to study the issue of municipal home rule. This is an issue of great importance to the residents of Connecticut in general and to state and municipal governments in particular. I look forward to your report.

On a related issue, state law requires municipalities to conform to the same fiscal year as the State (July 1 to June 30). With both the State and its municipalities adopting their budgets at the same time, it is often close to impossible for our cities and towns to accurately project the revenues that they can reasonably expect to be made available by the State. Moreover, the municipal budget process is much less flexible than the State's and it is extremely difficult for our municipalities to adjust their budgetary and fiscal policies once the General Assembly has finalized its state aid decisions.

Thus, I am asking that the Commission study the issue of state-municipal budget synchronization and provide your recommendation to me and the General Assembly by February 2, 1987.

Sincerely,

A handwritten signature in dark ink, appearing to be "W. A. O'Neill", written over a horizontal line.

WILLIAM A. O'NEILL
Governor

Phone:

80 Washington Street • Hartford, Connecticut 06106

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STATE OF CONNECTICUT
OFFICE OF POLICY AND MANAGEMENT

February 3, 1987

Mr. David B. Walker, Chairman
Advisory Commission on
Intergovernmental Relations
c/o University of Connecticut U-106
421 Whitney Road
Storrs, Connecticut 06288

Dear Mr. Walker:

In order for the various state agencies, particularly the Office of Policy and Management and the Department of Education, to accurately determine grant-in-aid payments to municipal governments on a timely basis, we are in need of a variety of data which must be supplied by the municipalities.

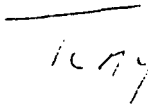
We are experiencing increasing difficulty in obtaining from the municipalities the data required for us to make payments as required by the statutes. The receipt of municipally-generated data becomes particularly critical when a formula aid program requires that information from all eligible municipalities is available before:

- a) the dollar allocation to a single municipality may be determined, or
- b) the lack of data from a municipality will require that an estimated figure for that municipality be used within the formula.

It is with this in mind, that I am asking the Advisory Commission on Intergovernmental Relations to assist us with determining if there are procedures which might be implemented to assure that municipalities supply on a more timely accurate basis, the data needed for us to allocate appropriated state aid.

For your information you should be aware that legislation has been submitted in the 1987 General Assembly to establish or increase financial penalties for municipalities which do not provide the needed data by the statutorily required date for specific grant program.

Sincerely,


Anthony V. Milano
Secretary

STATE OF CONNECTICUT

Committee Bill No. 5501

Page 1 of 5

Referred to Committee on Planning and Development

LCO No. 5786

Introduced by (PD)

General Assembly,

January Session, A.D., 1987

AN ACT CONCERNING ADOPTION OF THE RECOMMENDATIONS OF THE ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS CONCERNING HOME RULE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 7-148 of the general statutes is amended by adding subsection (d) as follows:

(NEW) (d) The powers granted to each municipality pursuant to subsection (c) of this section shall include such powers as may be necessary for the exercise of the powers granted pursuant to said subsection (c) except such powers which are otherwise proscribed or preempted by the constitution, the general statutes, any public or special act or any regulation of any state agency.

Sec. 2. Section 2-24 of the general statutes is repealed and the following is substituted in lieu thereof:

The words "State of Connecticut" shall be printed at the head of each bill and document printed by order of the general assembly, or either house thereof, and on its title page or cover, if any. Before printed or photographic copies of an original bill are made, the bill shall be endorsed with (1) the date of its introduction; (2) its number; (3) the name of the member or committee introducing it; and (4) the name of the committee to which it was referred. Copies of bills or resolutions printed after favorable report by a committee or reprinted after amendment on the third reading, i.e., files, shall bear the file number of such bill or resolution, placed

conspicuously at the head of the same, which file number shall be 37
assigned by the printer in the order printed, the number and 38
title of the bill, the name of the committee to which it was 39
referred, the date and nature of the committee's report, and, (1)
in any case where the bill, if passed, would require the 4
expenditure of state or municipal funds or affect state or 4
municipal revenue, a fiscal note, including an estimate of the 4
cost or of the revenue impact shall be appended thereto, AND (2)
IN ANY CASE WHERE THE BILL, IF PASSED, WOULD DIMINISH THE POWER 4
OF MUNICIPAL GOVERNMENTS, A MUNICIPAL IMPACT NOTE. When a bill 40
or resolution is accompanied with a report of a committee, other
than a recommendation that it ought or ought not to pass, it 46
shall then have an additional endorsement, as follows: 47
"Accompanied by special report, No.--." Bills shall be 48
designated in the printed calendar of each house by their file
numbers, as well as by the titles and numbers of the bills. 49

Sec. 3. (NEW) No bill without a municipal impact note 50
appended thereto which, if passed, would diminish the power of 51
municipal governments shall be acted upon by either house of the 52
general assembly unless the requirement of a municipal impact
note is dispensed with by a vote of at least two-thirds of such 53
house.

Sec. 4. Section 2-71c of the general statutes is repealed 54
and the following is substituted in lieu thereof: 55

The joint committee on legislative management shall create a 56
legislative office of legislative research and a legislative 57
office of fiscal analysis.

(a) Such legislative office of legislative research shall 59
assist the general assembly and the legislative department, 60
legislative commissions and legislative committees in a research 61
and advisory capacity as follows: (1) Assist the development of 62
legislative programs; (2) analyzing the long-range implications 63
of the several alternative programs; (3) preparing abstracts,
summaries, explanations of state executive agency and federal 64
government reports; (4) informing the legislative leaders of 65

action taken by the federal government with regard to problems of 66
their particular concern and federal law; (5) assisting in the 67
research and writing of interim reports; (6) preparing bill 68
analyses and summaries; (7) assisting in hearings by preparing
agendas, contacting potential witnesses, scheduling their 69
appearances and analyzing testimonies; [and] (8) performing such 70
other research and analysis services as may be determined by the 71
joint legislative management committee; AND (9) PREPARING THE 72
MUNICIPAL IMPACT NOTES, REQUIRED UNDER SECTION 2-24, AS AMENDED
BY SECTION 2 OF THIS ACT, UPON FAVORABLY REPORTED BILLS WHICH 73
DIMINISH THE POWER OF MUNICIPAL GOVERNMENTS.

(b) Such legislative office or fiscal analysis shall assist 75
the general assembly and the legislative department, legislative 76
commissions and legislative committees in a research and advisory 77
capacity as follows: (1) Reviewing department and program 78
operating budget requests; (2) analyzing and helping to establish 79
priorities with regard to capital programs; (3) checking
executive revenue estimates for accuracy; (4) recommending 80
potential untapped sources of revenue; (5) assisting in 81
legislative hearings and helping to schedule and prepare the 82
agenda of such hearings; (6) assisting in the development of 83
means by which budgeted programs can be periodically reviewed;
(7) preparing short analyses of the costs and long-range 84
projections of executive programs and proposed agency 85
regulations; (8) keeping track of federal aid programs to make 86
sure that Connecticut is taking full advantage of opportunities 87
for assistance; (9) reviewing, on a continuous basis,
departmental budgets and programs; (10) analyzing and preparing 88
critiques of the governor's proposed budget; (11) studying, in 89
depth, selected executive programs during the interim; (12) 90
performing such other services in the field of finance as may be 91
requested by the joint committee on legislative management and 92
(13) preparing the fiscal notes, required under section 2-24, AS 93
AMENDED BY SECTION 2 OF THIS ACT, upon favorably reported bills 94
which require expenditure of state or municipal funds or affect 95

state or municipal revenue; (14) preparing at the end of each fiscal year a compilation of all fiscal notes on legislation and agency regulations taking effect in the next fiscal year, including the total costs, savings and revenue effects estimated in such notes. The governing body of any municipality, if requested, shall provide the office of fiscal analysis, within two working days, with any information that may be necessary for analysis in preparation of such fiscal notes. Each officer, board, commission or department of the state government, if requested, shall assist the office of fiscal analysis in carrying out its duties.

(c) Such legislative offices shall undertake research assignments as they may be assigned and in accordance with procedures established by the joint committee on legislative management. Such joint committee on legislative management shall appoint an executive director of the joint committee on legislative management; a director of the legislative office of legislative research; and a director of the legislative office of fiscal analysis; and may employ professional and research staff, clerical assistants and other personnel as may be required to staff such offices and the comptroller is directed to draw his order on the treasurer in payment of any sum approved by such committee from the appropriation to the joint committee on legislative management and legislative appropriations for the current and subsequent fiscal year.

Sec. 5. (NEW) The legislative commissioners' office, in codifying the statutes, shall append to such statutes a series of cross references for the purpose of directing the reader of any statutory section regarding municipal powers to such other sections as may be relevant to the section to which such cross reference is appended.

Sec. 6. The joint standing committee on planning and development shall, not later than February 3, 1988, adopt a plan for the review of those sections of the general statutes relating to the powers and organization of all local governmental entities

in the state, which plan shall provide for the long-range 124
reorganization and recodification of all such statutes to
facilitate their use by officials of such local governmental 125
entities and the general public.

Sec. 7. The sum of _____ dollars is appropriated to the 126
joint committee on legislative management for the fiscal year 127
ending June 30, 1988, for the purposes of sections 2 to 6, 128
inclusive, of this act.

Sec. 8. This act shall take effect July 1, 1987. 130

STATEMENT OF PURPOSE: To adopt the recommendations of the 132
advisory commission on intergovernmental relations concerning 133
home rule.

[Proposed deletions are enclosed in brackets. Proposed 135
additions are all capitalized or underlined where appropriate, 136
except that when the entire text of a bill or resolution or a 137
section thereof is new, it is not capitalized or underlined.] .138

Co-Sponsors: REP. MEYER, 135th Dist.; REP. LANGLOIS, 51st Dist. 140