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**CONNECTICUT  
ADVISORY COMMISSION ON  
INTERGOVERNMENTAL RELATIONS**

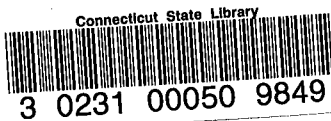
**ANNUAL REPORT**

**1987-88**

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

**DECEMBER 1988**





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# ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS

## 1987-88 COMMISSION MEMBERSHIP

### OFFICERS

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

### 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. Donald Rinaldi, Connecticut State Senate  
Hon. Carrie S. Perry, Mayor of Hartford  
Hon. Sebastian Garafalo, Mayor of Middletown  
Hon. Frank J. Esposito, Mayor of Norwalk  
Hon. George E. Hill, Mayor of Mansfield  
Hon. Russell B. Stoddard, First Selectman of Woodbridge  
Hugh I. Manke, Corporation Counsel of Hamden  
Joel Cogen, Esq., Connecticut Conference of Municipalities  
Edwin V. Selden, Office of Policy and Management  
Connecticut Association of Boards of Education  
John C. Mulrain Ed.D., Connecticut Association of School Administrators  
Regional Planning Association of Connecticut  
Margaret W. Becker, Public Member  
Marie T. Larson, Public Member  
Richard Miller, Public Member  
Lewis B. Rome, Esq., Public Member

### STAFF

David W. Russell, Executive Director  
Brian E. West, Research Analyst

## **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 its second year of existence. 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 1989. 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 former first selectman of the Town of Thompson. 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 also hired Brian E. West as research analyst. Mr. West has professional experience with the General Assembly and the Connecticut Public Expenditure Council.

### **COMMISSION MEETINGS**

Commission members contributed several hundred hours of volunteer time to the State, both at meetings and through advice and consultation with the staff. Full commission meetings are held bimonthly, at which time staff work is reviewed, issues and potential recommendations are debated, and direction is given on future Commission activities. Commission membership is widely diverse in background and expertise, assuring lively debate with different viewpoints being analyzed and blended. The results are Commission reports which are balanced in outlook and recommendations.

The ACIR is the only ongoing entity where representatives of state and local government and the public regularly meet together to discuss the governance issues which are so important to each. This forum is particularly valuable in that it remains somewhat removed from the highly volatile current issues which tend to divide the levels of government and on which both sides must choose advocacy positions. The nature of the ACIR is to provide a mechanism whereby important issues can be discussed in a non-crisis atmosphere.

### **COMMISSION BUDGET**

ACIR operations are supported by appropriation from the State's General Fund. The 1987-88 fiscal year saw a 36% increase in that support to a \$98,278 level (see Attachment B). This provides for two full time professional positions, plus the services of a part time clerical position. In addition, the budget contains normal operational expenditures and capital items. The commission is fortunate to continue to receive office space with the Intergovernmental Relations Division of the Office of Policy and Management.

## COMMISSION RESEARCH

During the 1987-88 fiscal year, its second in operation, the ACIR completed its study of the impact of the timing of state aid decisions on local budgetmaking, continued work in several areas, and initiated major projects concerning municipal solid waste disposal and independent special taxing districts.

### 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.

In 1986, the Governor asked the ACIR to study this issue and submit its recommendations to him and to the General Assembly. The staff performed the research during late 1986 and early 1987. Discussions were held with both state and local budgetmakers and information was gathered on the actual timing of state and local budget decisions in recent years. Tentative recommendations were submitted to the Commission, which discussed them in the fall. The report and recommendations, entitled The Impact of the Timing of State Aid Decisions on Local Budgetmaking, were debated and adopted in December 1987.

Copies of the report, with its recommendations for both state and local governments, were sent to the Governor, all state legislators and all local chief elected and executive officers. Along with the recommendations, the Commission developed a "model" local budget timetable which, in its opinion, would enable municipalities to gain the best (most current) state aid information possible while retaining sufficient time for meaningful budget consideration by local policymakers and the public. This timetable was presented with appropriate variations for each of Connecticut's basic forms of local government - Town Meeting, Mayor-Council and Council-Manager.

In many of the communities, the timetable could be adopted by ordinance, while in others a charter amendment would be necessary. In any case, the Commission is convinced

that, under most normal circumstances, the necessary tools are available for municipalities to have reasonable state aid calculations available before final local budget adoptions. Nothing in the process, however, resolves the difficult issue of having state aid information available during local government budgetary planning periods.

## **SOLID WASTE**

One of the critical issues facing Connecticut today is the environmentally safe and economically viable disposal of solid waste. This issue is largely intergovernmental in nature, with no solution possible without understanding and cooperation between the state and local levels.

Given this intergovernmental cooperation necessity, the ACIR decided to hold a working forum on solid waste. It was held in June 1988, and it brought together the key governmental figures involved in the issue; some for the first time. Included, among others, were the new Commissioner of the Department of Environmental Protection (DEP), the new President of the Connecticut Resources Recovery Authority (CRRA), the House Chair of the Legislature's Environment Committee, several representatives from the Office of Policy and Management (OPM), and several municipal leaders. In all, some 25 key leaders spent a full day identifying the issues, the sticking points, and potential areas of agreement. Through the discussions, the participants came away from the day with a clearer understanding of the dimensions of the problem, the nature of the intergovernmental issues, and a better sensitivity to the positions of others.

The participants felt that the forum was valuable enough to request the ACIR to reconvene them in the fall of 1988, and to attempt to develop a consensus intergovernmental position on solid waste disposal. The ACIR will comply with these requests during fiscal 1988-89.

## **ONGOING PROJECTS**

### **Independent Special Taxing Districts**

In the fall of 1987, the Commission requested the staff to look into the status of independent special taxing districts in Connecticut. A background report was prepared and submitted to the ACIR in January 1988, and subsequently to the Planning and Development Committee of the General Assembly.

Concurrently, on the national level, several issues concerning special districts were arising, and further questions were asked in the Connecticut Legislature. In response, Public Acts 88-250 and 88-306 (see Attachment C) were adopted, requesting the ACIR to study special district creation and termination mechanisms and the accountability of special districts. As a result of those public acts, the ACIR expanded its study and will report to the General Assembly by January 1989.

### **Statutory Reindexing**

As a follow up to one of the significant problems found in the 1986 ACIR study on home rule in Connecticut, the Commission worked with the Legislative Commissioners Office (LCO) on improvements in the municipal law sections of the general statutes. The Commission surveyed municipal officials concerning their specific problems in working with the statutes and coordinated the results with the Statute Revision Section of the LCO. The LCO staff analyzed the problems and over 500 changes were made to references and cross-references in the indexes of the municipal sections for the biennial revision of the general statutes due to be published in January 1989.

The Commission initiated this action and coordinated the needs input, but the bulk of the work was done by the LCO professional staff. We are extremely grateful for their cooperation in a venture which will clearly be of great assistance to local officials and all laymen who use the statutes to find municipal references.



## **Law Revision Commission Assistance**

A second problem for municipalities which was identified in the home rule study was the lack of comprehensive, logically-organized lists of basic municipal responsibilities and limitations such as required appointments, statutory mandates and statutory prohibitions or preemptions.

The Commission requested the assistance of the Connecticut Law Revision Commission for the highly technical task of examining the statutes and identifying specific responsibilities. We received excellent cooperation, with the result of their work being comprehensive compilations of municipal appointment responsibilities and statutory mandates on municipalities. At year end, the ACIR was reviewing the Law Revision Commission reports and circulating them to local officials for further review and comment.

## **State-Local Relations Survey**

In the spring of 1988, the ACIR began a survey of municipal and state officials concerning their perceptions of the "state of state-local relations". The survey design was developed by the State-Local Relations Commission in the State of New York for use there and in other states such as Connecticut. The survey will be completed in the fall, and an analysis and report prepared thereafter. Our intention is to conduct this survey on a regular basis (perhaps annually or biennially) to trace trends in general relationships between state and local officials.

## **Definition of Statewide v. Local Concern**

Another project which evolved from the home rule study, the Commission staff continued research into other states' constitutional and judicial approaches to definitions of issues of statewide v. local concern as they relate to local government powers. The ACIR home rule study found that no consistent definition existed in Connecticut and is seeking to determine how this issue has been dealt with in other states. The report is expected to be completed early in 1989.

## **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.*

COMMISSION ON INTERGOVERNMENTAL RELATIONS  
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Attachment B

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Laurie Lasrich

|   | Actual<br>Expenditure<br>1985-86 | Appropriated<br>1986-87 | Estimated<br>Expenditure<br>1986-87<br>(as of 2/87) | Agency<br>Request<br>1987-88 | Governor,s<br>Recommended<br>1987-88 | Appropriation<br>1987-88 |    |
|---|----------------------------------|-------------------------|---|------------------------------|--------------------------------------|--------------------------|----|
| <b>POSITION SUMMARY</b>                                   |                                  |                         |   |                              |                                      |                          |    |
| General Fund  |                                  |                         |   |                              |                                      |                          | 1  |
| Permanent Full-Time                                       | 2                                | 2                       | 2   | 3                            | 3                                    | 2                        | 3  |
| <b>OPERATING BUDGET</b>                                   |                                  |                         |   |                              |                                      |                          |    |
| 001 Personal Services                                     | 0                                | 57,177                  | 45,000  | 89,978                       | 89,978                               | 78,478                   | 8  |
| 002 Other Expenses  | 0                                | 15,000                  | 15,000  | 17,600                       | 17,600                               | 17,600                   | 9  |
| 005 Equipment   | 0                                | 0                       | 2,000   | 2,200                        | 2,200                                | 2,200                    | 10 |
| Advisory Commission on<br>Intergovernmental Relations     | 60,000                           | 0                       | 0   | 0                            | 0                                    | 0                        | 11 |
| Agency Total - General Fund                               | 60,000                           | 72,177                  | 62,000  | 109,778                      | 109,778                              | 98,278                   | 12 |
| Agency Grand Total  | 60,000                           | 72,177                  | 62,000  | 109,778                      | 109,778                              | 98,278                   | 13 |
| <b>BUDGET BY PROGRAM</b>                                  |                                  |                         |   |                              |                                      |                          |    |
| Enhance State and Local Government<br>Coordination        | 2/0                              | 2/0                     | 2/0   | 3/0                          | 3/0                                  | 2/0                      | 14 |
| Personal Services   | 0                                | 57,177                  | 45,000  | 89,978                       | 89,978                               | 78,478                   | 15 |
| Other Expenses  | 0                                | 15,000                  | 15,000  | 17,600                       | 17,600                               | 17,600                   | 16 |
| 020 Advisory Commission on<br>Intergovernmental Relations | 60,000                           | 0                       | 0   | 0                            | 0                                    | 0                        | 17 |
| Equipment   | 0                                | 0                       | 2,000   | 2,200                        | 2,200                                | 2,200                    | 18 |
| Total - General Fund                                      | 60,000                           | 72,177                  | 62,000  | 109,778                      | 109,778                              | 98,278                   | 19 |
| GRANT PAYMENTS - OTHER THAN TOWNS (Recap)                 |                                  |                         |   |                              |                                      |                          | 20 |
| GRANT PAYMENTS TO TOWNS (Recap)                           |                                  |                         |   |                              |                                      |                          | 21 |
| EQUIPMENT (Recap)   |                                  |                         |   |                              |                                      |                          | 22 |
| Equipment   | 0                                | 0                       | 2,000   | 2,200                        | 2,200                                | 2,200                    | 23 |
| Agency Grand Total  | 60,000                           | 72,177                  | 62,000  | 109,778                      | 109,778                              | 98,278                   | 24 |

GOVERNOR'S BUDGET RECOMMENDATIONS AND LEGISLATIVE REVISIONS

|  | GOVERNOR'S RECOMMENDED<br>Pos. | Amount    | LEGISLATIVE REVISIONS<br>Pos. | Amount |    |
|--|--------------------------------|-----------|-------------------------------|--------|----|
| 1986-87 Governor's Estimated Expenditure   | 2                              | \$ 74,177 | 0                             | \$ 0   | 36 |
| Inflation and Non-Program Changes - (G)  |                                |           |                               |        | 37 |
| Personal Services  | 0                              | \$ 10,230 | 0                             | \$ 0   | 38 |
| Other Expenses   | 0                              | 2,600     | 0                             | 0      | 39 |
| Equipment  | 0                              | 200       | 0                             | 0      | 40 |
| Total - General Fund   | 0                              | \$ 13,030 | 0                             | \$ 0   | 41 |
| Enhance Research Capabilities - (G) Funds are provided for<br>a Research Analyst to enable the agency to conduct ongoing<br>research with respect to various intergovernmental issues.                           |                                |           |                               |        | 42 |
| Personal Services  | 1                              | \$ 22,571 | 0                             | \$ 0   | 43 |
| Remove Full-Time Clerical Support - (L) Since it has been<br>determined that the Commission's clerical support can be<br>provided with part-time services, funding is reduced and a<br>position will be removed. |                                |           |                               |        | 44 |

## LEGISLATIVE AUTHORITY FOR ACIR STUDY

The 1988 session of the Connecticut General Assembly directed the Advisory Commission on Intergovernmental Relations to research the issue of special taxing districts in Connecticut and report in January, 1989. The following are sections of two public acts which detail the study requests.

**P.A. 88-250 Sec. 2.** The Connecticut Advisory Commission on Intergovernmental Relations, established under section 2-79a of the general statutes, shall conduct a study of state oversight of districts established under the general statutes or any special act and having the power to make appropriations or to levy and collect taxes. In conducting the study, the commission shall: (1) examine the relationship between such districts and the municipalities in which they are located, (2) examine the relationship between such districts and the state, (3) examine the nature and degree of existing state oversight of such districts and (4) provide recommendations for improving such relationships and, if necessary, for improving state oversight of such districts. The commission shall report its findings and recommendations to the joint standing committee on planning and development not later than January 4, 1989.

**P.A. 88-306 Sec. 3.** The Connecticut Advisory Commission on Intergovernmental Relations, established under section 2-79a of the general statutes, shall conduct a study of the requirements for the formation and dissolution of districts authorized under the general statutes or any special act, which have the power to make appropriations or to levy and collect taxes. The study shall include an examination of the voting requirements for the formation and dissolution of such districts. The commission shall report its findings and recommendations for legislation, if any, to the joint standing committee on planning and development not later than January 4, 1989.