

**CONNECTICUT ADVISORY COMMISSION ON  
INTERGOVERNMENTAL RELATIONS**



*ANNUAL REPORT FOR  
2010 - 2011*

*A multi-jurisdictional agency of Connecticut state government*

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**October 2011**

# ADVISORY COMISSION ON INTERGOVERNMENTAL RELATIONS

## Commission Membership

### Officers

W. David LeVasseur, Chair	Designee of the Secretary of the Office of Policy & Management
Alice V. Meyer, Vice-Chair	Designee of the House Minority Leader

### Members

Hon. Steve Cassano	Designee of Senate President Pro Tempore
Hon. Christopher G. Donovan	Speaker of the House of Representatives, or designee
James O' Leary	Designee of Senate Minority Leader
Ron Harris	Designee of Commissioner of Education
Robert Kaliszewski	Designee of Commissioner Environmental Protection
Catherine Smith	Commissioner of Economic and Community Dev., or Designee
Hon. Leo Paul	First Selectman of Litchfield
Joyce Stille	Administrative Officer of Bolton
Scott Shanley	Town Manager of Manchester
Hon. Tim Stewart	Mayor of New Britain
Mark Allaben	Connecticut Association of Boards of Education
Virginia Seccombe, Ed.D.	Connecticut Association of Public School Superintendents
Linda Krause	Connecticut Association of Regional Planning Organizations
Mark Paquette	Public Member, appointed by Senate President Pro Tempore
John T. Finkle	Public Member, appointed by Senate Minority Leader
Michael Stupinski	Public Member, appointed by House Minority Leader
James Finley	Connecticut Conference of Municipalities
Hon. Barbara Henry	Designee of the Council of Small Towns

### Vacancies

Public Member, appointed by Governor  
Public Member, appointed by Speaker of the House of Representatives  
Municipal Official, town of 20,000-60,000, nominated by CCM and appointed by the Governor  
Municipal Official, town of 60,000 or more, nominated by CCM and appointed by the Governor

### Staff

Bruce Wittchen	Office of Policy & Management
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## **ADMINISTRATIVE FRAMEWORK**

### ***ACIR STATUTORY MANDATE***

The Connecticut Advisory Commission on Intergovernmental Relations (ACIR) is a 24-member agency created by the State of Connecticut in 1985 to study system issues between the state and its local governments, and to recommend solutions as appropriate. The makeup is designed to allow for open discussion across broad jurisdictional lines with a common interest in bettering local government.

As contained in Section 2-79a of the Connecticut General Statutes (CGS), the role of ACIR is to: (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 existence. Commission membership is made up of representatives from the state legislative and executive branches as well as representatives of local government, education and the general public who attend the meetings and fully participate in the deliberations and decisions.

The Commission Chairman is W. David LeVasseur, Director of Municipal Finance Services and acting Undersecretary of the Intergovernmental Policy Division (IGP) of the Office of Policy and Management (OPM). He is also a former First Selectman of Killingworth and a former Chairman of the Lower Connecticut Valley Selectman's Association and of the Connecticut River Valley Council of Elected Officials.

The Commission Vice Chair is Alice V. Meyer, a former state representative appointed by the House Minority Leader. She is a former co-chairman of the legislature's Planning and Development Committee.

Administrative support for the day-to-day operations of the Commission is provided by Bruce Wittchen of OPM's Intergovernmental Policy Division.

### ***COMMISSION MEETINGS***

Commission members contributed many hours of volunteer time to the State, both at meetings and through advice and consultation with the staff. Full Commission meetings are scheduled four-five times per year, at which staff work is reviewed, issues and potential recommendations are debated, and direction is given on future Commission activities. Also, the Commission establishes subcommittees for specific issues, which may involve additional meetings.

Commission membership is diverse in background and expertise, assuring lively debate with different viewpoints being analyzed and blended. 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 that are so important to each.

## **FY 2010-2011 COMMISSION ACTIVITIES**

### ***NEW STATE MANDATES ON MUNICIPALITIES REPORT - 2011***

ACIR is required under Section 2-32c of the Connecticut General Statutes to submit a report to legislative leaders that lists each state mandate on municipalities enacted during the most recent regular or special session of the General Assembly. Staff followed all municipal-related legislation during the 2011 regular and special sessions of the General Assembly and compiled a listing of those bills that were enacted that create or reduce mandates. This report was adopted by the Commission in October 2011 (See Publications section of this report).

In 2011, the Legislature adopted four bills that ACIR considered more than minimal mandates; this was two fewer than in 2010. The thirty-seven minimal mandates adopted this year, however, are twenty-three more than in 2010, which had eight more than in 2009. There were sixteen mandates that are not specifically directed at municipalities, which is ten more than in 2010 and nine more than in 2009.

A long-standing objective of the Commission is the reduction of state mandates that would result in significant administrative and/or fiscal relief for municipalities. During the 2011 session, the legislature enacted sixteen mandate reductions (3 in 2010). That was thirteen more than in 2010 and the highest number since ACIR started collecting this information. Some of these reductions, such as PA 11-234 (SB 1160), An Act Concerning Revisions to the Statutes Regarding the Minimum Budget Requirement and Charter School Educator Permit, directly reduce a state mandate. Others, such as PA 11-89, An Act Authorizing Notice of Zone Changes to be Sent by Electronic Mail, rephrase existing mandates to allow municipalities to take advantage of current technologies. Still others indirectly relieve municipalities of a burden, such as PA 11-20, An Act Establishing a Paint Stewardship Program, which requires paint producers to establish a paint stewardship program, reducing

municipalities' obligations to manage the disposal of post-consumer paint.

Although it cannot yet be considered to be a mandate reduction, SA 11-7, An Act Concerning a Review of the Cost to Municipalities of State-Mandated Special Education Requirements should lead to further discussion of state mandates and possibly to future mandate reductions. The Special Act requires the state Department of Education to review special education mandates and submit a report in early 2012. The report must identify every state-mandated special education requirement exceeding minimum federal requirement and the resulting municipal cost to comply with such mandates. Additionally, the report is to discuss who should bear the burden of proof in determining whether a student is eligible for special education services.

***COMPENDIUM OF  
STATUTORY &  
REGULATORY  
MANDATES REPORT***

CGS Section 2-79a requires the Commission, every fourth year starting in 1998, to submit to the General Assembly a report listing all state mandates on municipalities, categorizing them, providing their enactment dates along with a brief history, and describing the cost incurred by local governments in implementing these mandates. In the interim three years, the Commission must submit an update containing those statutory mandates changed in the previous legislative session, as well as any regulatory changes made during the year. In January 2011, the Commission published the report entitled: *A Compendium Of Statutory & Regulatory Mandates On Municipalities In Connecticut*. (See Publications section of this report).

***ACIR SUBCOMMITTEE FOR THE  
STUDY OF FUTURE FISCAL  
CHALLENGES FACING  
CONNECTICUT  
MUNICIPALITIES***

The ACIR selects topics for a major research project. In fiscal year 2008 the Commission decided to do a major study concerning the future fiscal challenges facing both the State and the municipalities. The Commission surveyed municipalities and found healthcare costs as the foremost concern of respondents. The Commission intended to hold a symposium in Spring, 2009, but it was deferred due to budgetary considerations and, to date, has not been scheduled.

## 2010-11 PUBLICATIONS

### ***STATE MANDATES ON MUNICIPALITIES: ACTIONS IN 2011***

In accordance with CGS Section 2-32c, staff reviewed every public and special act adopted by the General Assembly and signed by the Governor. All such acts that were determined to be state mandates on municipalities were included in this report. The report includes a description of each mandate, the committee of cognizance, a listing of all committees that reviewed the bill and a summary of the Office of Fiscal Analysis' municipal fiscal impact statement relating to the mandate. The report also includes a section on mandate reductions and the report is available online at:

[http://www.ct.gov/opm/lib/opm/2011\\_Municipal\\_Budget\\_Adoption.pdf](http://www.ct.gov/opm/lib/opm/2011_Municipal_Budget_Adoption.pdf)

### ***MUNICIPAL BUDGET ADOPTION EXPERIENCES IN CONNECTICUT 2011-12***

Over the past decade, the ACIR has conducted annual surveys of all 169 Connecticut municipalities and 17 regional school districts to collect data regarding their budget adoption process. A report of the 2011 findings is available online at:

[http://www.ct.gov/opm/lib/opm/2011\\_Mandates\\_Report.pdf](http://www.ct.gov/opm/lib/opm/2011_Mandates_Report.pdf)

Among the results of the 2011-12 survey are the following: 69 municipalities adopted their budget by means of a referendum; no municipalities required more than three ballots to adopt a budget, only the second time that has happened. 152 municipalities adopted their budgets on the first vote, more than in any recent year. Seventeen municipalities required 2 or more votes to adopt their budget, seven fewer than in 2010 and three fewer than in 2009. Five municipalities did not adopt a budget until after the July 1 start of the new fiscal year, which was one less than in 2010 and three more than in 2009, but much less than any other year since 2000. All towns had adopted budgets by the time the 2011 report was published.

One regional school district adopted its budget by means of a district meeting. That was the same as in 2010 and one less than in 2009, but 2009 had been the first time since 2004 that any regional school district adopted a budget by means of a district meeting instead of by referendum. Fifteen of the seventeen districts adopted their budgets on

the first ballot, one less than had done so in 2010, which had been the highest number of the past past decade. All but one district adopted its budget before June 1. All had done so in 2010, for the first time in the past decade.

This was the twenty-first year that the Commission surveyed local governments. The Commission collected budget data in the survey again and hopes to use this data in the future. Establishing a database with the information derived from local officials allows a more comprehensive examination of the local budget adoption process than was previously possible.

***A COMPENDIUM OF  
STATUTORY AND  
REGULATORY MANDATES ON  
MUNICIPALITIES IN  
CONNECTICUT***

The Commission, in accordance with CGS Section 2-79a, annually compiles a listing of state mandates on municipalities by category (statutory or regulatory), with a brief history of each mandate and the cost incurred by the municipalities. Legislation adopted in 1997 requires the Commission to compile a complete listing every fourth year (beginning in 1998) while in the interim three years it publishes a supplemental listing.

The 2011 Compendium supplement includes all the new statutory and regulatory mandates that were adopted since the 2010 Compendium and is available at:

[http://www.ct.gov/opm/lib/opm/igp/acir/2011\\_compendium\\_supplement.pdf](http://www.ct.gov/opm/lib/opm/igp/acir/2011_compendium_supplement.pdf)