

2011 South Western Region Legislative Priorities

Support implementation of recommended rail infrastructure improvements to the New Canaan and Danbury Branches

Branchline improvements require support from all levels of government to facilitate implementation, which is essential if Connecticut hopes to foster region-wide economic development and encourage increased transit usage. In contrast to the \$900 million New Haven/Hartford/Springfield High-Speed Rail proposal which directs funding away from existing resources that are in more urgent need of improvement and serve a larger number of Connecticut residents,

- A modest **\$34 million** investment would modernize the New Canaan Branch signals and result in construction of a segment of track that would allow bi-directional service during peak hours;
- **\$290 million** would support Danbury Branch electrification and infrastructure improvements between South Norwalk and Danbury, resulting in a stronger link to employment centers in Norwalk, Stamford and Greenwich, and enabling Route 7 corridor residents to enjoy shorter travel times and more frequent service comparable to the levels available to passengers along the rest of the New Haven Line.

Recommendation: Seek bond commission support for Branchline improvement projects.

Integrate all bus operations funding sources into the CT DOT budget to offer flexibility for operators and to streamline reporting, and provide Transit Districts with the same levels of funding for ADA mandated services as is provided to state supported bus systems

Funding for bus operations in Connecticut is derived from over a dozen disparate funding sources, some of which are earmarked for specific services and all of which must conform to specific reporting requirements. Operators would benefit greatly if these funds were integrated into a single funding source, allowing them to simplify reporting and more easily shift funds among various programs.

Transit Districts and bus operators across Connecticut that are not solely funded by CT DOT do not get fully reimbursed for providing federally mandated services required by the Americans with Disabilities Act, whereas CT TRANSIT, the state-owned bus system, is fully compensated for operating such services. This disparity is unfair and harmful to operators such as Norwalk Transit District, who are forced to divert operating funds to meet federal requirements. Incorporating funding into the budget to fill this hole would allow all ADA transit providers to operate on a level playing field.

Recommendation: Sponsor reform measures to address administrative inequities between CT TRANSIT and local transit districts

Eliminate the mandatory minimum of treble damages and provide qualified immunity against personal liability to zoning enforcement officers

Zoning Enforcement Officials are subjected to personal liability for treble damages by state statute. This provision should be repealed, as it prohibits municipalities from effectively enforcing local zoning regulations. These officials are the only group personally liable for the decisions they make; as a result, they are hesitant to assess penalties for zoning violations in fear of being personally liable for damages.

Recommendation: Sponsor legislation so that Zoning Enforcement Officials are treated with the same standards as those performing similar functions, such as wetland officials and building inspectors, and not be subjected to personal liability or treble damages.

Support Policies that Don't Incur Additional Budgetary Demands on Municipalities

As Connecticut struggles to recover economically from the deep recession of the past few years, its municipalities simply can't afford to bear additional fiscal burdens passed down from the State. Any additional passed along burdens to any of Connecticut's 169 municipalities would result in higher property taxes, reduced services, and an economic climate that is not conducive to growth. The following four policy recommendations would help to protect the fiscal position of municipalities and provide alternative means of generating revenue:

1. *Avoid cuts to municipal aid programs:* Municipal aid must be maintained at current levels. **The South Western Region already provides 1/3 of Connecticut's aggregate income tax revenue, yet its municipalities only receive a miniscule 2% of statutory grant aid.** Municipal aid has remained stagnant for non-education related categories for the past 6 years, compared to 12% inflation. Any further reductions in municipal aid would threaten the ability for local jurisdictions to maintain critical services, infrastructure and safety, and further discourage economic recovery.

2. *Make the current municipal real estate conveyance tax rates permanent:* Since the municipal real estate tax rates were increased from .11% to .25% in 2003, over \$65 million of additional revenue has been directly deposited into the general funds of the South Western Region's municipalities. Without this critical revenue, which acts as a supplement to statutory grant in aid, municipalities would be forced to raise property taxes or reduce services.

The .25% rate, scheduled to sunset at the conclusion of FY 2011, should not only be extended, but made permanent to allow municipalities to avoid the fiscal uncertainty that exists due to the temporary nature of rates that could otherwise revert back to .11% without legislative action.

3. *Prohibit legislation that imposes unfunded mandates on municipalities:* There are over 1,200 unfunded mandates currently on the books in Connecticut that continue to severely impact municipalities. The region's municipalities, which are already struggling to maintain services and hold the line on taxes, simply can't afford any additional legislative mandates that would result in a negative fiscal impact.

All future legislation imposing mandates at the local level should be fully funded by the State of Connecticut, and be prohibited otherwise.

4. *Provide municipalities the authority to generate revenue through local or regional tax mechanisms:* The recent regionalization push has proven to be effective in creating new governmental efficiencies through shared services, and additional innovations could be further developed with a dedicated revenue source. As an example, a 2010 legislative proposal to impose a regional hotel tax could have provided over \$27 million over the next 2 years to municipalities and regional planning organizations, much of which would be directed towards regionalization efforts.

Granting authority to generate revenue at local and regional levels provides a potential fallback option for cash-strapped municipalities, and in the longer-term, reduces the reliance of municipalities on State aid and creating opportunities for regionalized shared services.