

CRCOG Legislative Agenda for 2024

The Capitol Region Council of Governments (CRCOG) is the largest council of governments (COG) in Connecticut and serves 38 municipalities with a population of almost one million residents. Geographically, the region encompasses an area of 1,000 square miles covering most of the historic Hartford and Tolland counties.

CRCOG greatly appreciates the support that we have received from state government in recent years. Our General Assembly has stabilized funding for COGs and has supported critical initiatives such as the CT Foundation Solutions Indemnity Corporation (CFSIC) that is responsible for assisting homeowners with crumbling foundations. The state has also tasked COGs with a key role in coordinating the submission of competitive applications for funding under the Bipartisan Infrastructure Law/IIJA. Stronger COGs can continue to encourage regional collaboration to increase efficiency and effectiveness in the delivery of municipal services and to strengthen our economic recovery from the global pandemic.

CRCOG seeks to coordinate its Legislative Agenda in collaboration with other state and municipal entities such as the Advisory Commission on Intergovernmental Relations (ACIR), the Connecticut Conference of Municipalities (CCM), and the Connecticut Council of Small Towns (COST). The CRCOG agenda is roughly organized by legislative committee and separated into two broad categories - *Legislative Proposals to be Introduced by CRCOG* and *Other Legislative Proposals and Initiatives to Support*. CRCOG will prepare a draft statement of purpose for its legislative proposals for submission to the appropriate legislative committee.

Legislative Proposals to be Introduced by CRCOG

Planning & Development

- *Local Match for BIL/IIJA funding* – Most funding opportunities under the Bipartisan Infrastructure Law/IIJA (e.g., Safe Streets for All, Building Resilient Infrastructure and Communities) require a minimum 20% local match. It can be difficult for many communities to fund the match on a multi-million project. To provide cities and towns with an incentive to seek these historic federal funding opportunities, CRCOG strongly encourages the state to establish a fund such as Rhode Island has done to assist municipalities with the match requirement.

Rhode Island has established its Municipal Infrastructure Grant Program (“MIGP”) to help local governments with the BIL/IIJA matching fund requirements. The MIGP functions as a competitive grant program that provides capital funds for municipalities and other public entities to make improvements to public infrastructure. The goal of the MIGP is to support infrastructure projects that can facilitate economic development and growth by accelerating housing production, spurring private development, and creating jobs. To maximize the municipal opportunities under the BIL/IIJA, Connecticut would benefit by establishing a fund or program similar to Rhode Island’s MIGP.

- *Service sharing* - Removing barriers to service sharing at the local level has long been a goal of the ACIR, CCM, CRCOG, and other municipal organizations. While towns across Connecticut have increasingly engaged in service sharing utilizing the state statute enabling interlocal agreements (CGS §7-339a et seq), it remains difficult to combine workforces represented by multiple bargaining units. Local charter provisions can also pose a barrier to service sharing.

To address the issue, CRCOG recommends that the General Assembly work in consultation with municipal organizations and organized labor to eliminate any remaining statutory barriers to shared services. This effort could involve revisions to the Municipal Employees Relations Act (MERA) and state legislation exempting municipalities from local charter provisions that prohibit or limit their ability to share services with other cities and towns.

State grant funding, such as the per capita grant (\$1.85 per capita) paid to regional health districts, could also incentivize municipalities to provide services on a regional basis, working through their councils of governments (COGs) or other regional entities. Regional health districts allow member municipalities to capture an economy of scale and to provide a higher level of service than they may be able to accomplish with a standalone municipal health department. This is a model that could be replicated for other municipal services, particularly those requiring a specialized professional or technical skill set such as building inspection, tax assessment, or human services. The establishment of a per capita grant to incentive regional service delivery could be a viable pilot initiative, perhaps combined with the state's Regional Performance Incentive Program (RPIP) that provides up to three years of seed funding to establish a new regional program or service.

- *Regional/intermunicipal fair rent commissions* – Pursuant to C.G.S. §7-148b, municipalities with a population of 25,000 or more are required to establish and maintain a fair rent commission. Fair rent commissions serve in a quasi-judicial role and can be challenging to staff appropriately and to recruit commissioners. Smaller municipalities with a population of less than 25,000 have the ability to establish an intermunicipal commission under the state's statute permitting interlocal agreements (C.G.S. §7-148cc). CRCOG is seeking an amendment to C.G.S. §7-148b, C.G.S. §8-31b or other state legislation to expressly permit municipalities with a population of 25,000 or more to form intermunicipal or regional fair rent commissions at local option. This regional option would allow larger municipalities to staff fair rent commissions more efficiently and effectively, and to recruit commissioners from a larger pool. The option would also benefit those served by the commission, particularly tenants and landlords.

Energy & Technology

- *Permitting/siting of large solar installations* – The Connecticut Siting Council has jurisdiction over the permitting of solar installations greater than one megawatt in size. This permitting authority includes oversight of the siting of the facility. The siting of large solar installations, particularly in farmland and open space areas, is often controversial. Municipal officials have found that they need to file as an intervenor in order to participate in the permitting process in any meaningful way. The intervenor process requires financial resources that many small towns lack. To ensure that the siting of these facilities is consistent with regional and local plans of conservation and development (POCD), CRCOG is seeking legislation to enhance the municipal role in the Siting Council's permitting process for solar installations greater than one megawatt in size.

Public Health

- *Medicaid ambulance reimbursement* – The state Medicaid ambulance reimbursement rate is approximately 50% of the Federal Medicaid rate and does not cover the cost of care. Medicaid patients comprise a sizable percentage of ambulance transports across the state and ambulance service is critical to maintaining the

health of this population. CRCOG has two short-term recommendations to correct this funding deficiency while the issue is studied in more detail: 1) the state to index its Medicaid ambulance reimbursement rate at the Federal level; and 2) the state to pay the full rate for group home transport. This adjustment would help municipalities and other EMS providers maintain a comprehensive ambulance service in our state.

Environment

- *Regional multi-use trails & linear parks* – CRCOG is home to several of the state's better known multi-use trails and linear parks, including the Farmington Canal Heritage Trail, the Hop River Trail, and East Coast Greenway. These assets are important for recreational and cultural reasons, and have become economic drivers for the region. The trail system can also be built out over time to form the basis of an alternate commuter network for cyclists. While there are funding opportunities for planning, design, and construction of these amenities, the cost of operations and maintenance often falls on the host community. These expenditures can be a significant burden for some municipalities, including small towns and more distressed communities with strained capital budgets. CRCOG recommends that the state establish a task force to examine this issue and develop recommendations. There may be models in other states that could be applied here in Connecticut.

Other Legislative Proposals and Initiatives to Support

Appropriations

- *Motor Vehicle Mill Rate Cap* – In the 2022 session the General Assembly made the most recent revisions to the state's motor vehicle mill rate cap, setting it at 32.46 mills. The cap applies to municipalities as well as special taxing districts. The state has established a municipal revenue sharing program to reimburse towns with mill rates above the cap for lost revenue and to mitigate a shift in tax burden to homeowners. Unfortunately, there appear to be some unintended consequences in the grant formula, as municipalities lose funding when they lower their mill rate to a level that is closer to or below the state cap. One example of where this can occur is after a town has completed its statutorily required revaluation. There are six municipalities within the CRCOG region that stand to lose significant revenue in FY25 because of this component of the grant formula. CRCOG plans to coordinate efforts with CCM and COST to find a solution that holds towns harmless.
- *PILOT funding* – CRCOG endorses CCM's recommendation that the state fund its payment in lieu of taxes (PILOT) programs at statutorily required levels. Property tax exemptions lower the property tax base in many of CRCOG's communities, particularly for those municipalities that host significant state property and private colleges and hospitals. As cited by CCM, *Statewide, exemptions represent nearly 12 percent of the aggregated Equalized Net Grand Lists (ENGL). But this statistic seriously understates the issue for some communities. In 11 towns, exempt property other than city-owned property represents over 20 percent of the ENGL and in several the total is over 50 percent.* PILOT payments help to level the playing field and to fund important municipal services and programs in some of CRCOG's most economically distressed municipalities.
- *Special Education Excess Cost Grant* – CRCOG appreciates that the General Assembly in 2023 (PA 23-1) made changes to the Excess Cost Grant to provide increased funding and to correct some unintended consequences resulting from legislation passed in 2022. However, we encourage the state to continue to monitor the situation to assess the performance of the revised grant formulas. Some educators in the region call for the state to fund 100% of a district's Excess Cost grant without a cap on the pool, or to raise the cap significantly. Their concern is that even with these most recent revisions the grant will not provide sufficient reliability for districts because funds may be exhausted before all the districts' reimbursement

requests are met. Often in the past, districts have faced a large special ed expense (e.g., an outplaced student) later in the year after the special ed budget and grant have been exhausted. It will be important to see how beneficial the most recent revisions to the Excess Cost grant prove to be.

Children

- *Office of Early Childhood Blue Ribbon Panel on Child Care* – Access to quality early childhood education and care is critical to the health and well-being of Connecticut children and families, as well as our state economy. CRCOG generally supports the key recommendations set out in December 2023 report of the Office of Early Childhood’s Blue Ribbon Panel, particularly those related to workforce development, providing equitable access to care, and developing a more sustainable funding model.

Environment

- *Regional approaches to stormwater management* – Stormwater management is a challenge for many of our communities. The frequency of heavy rain events has increased. We have more impervious cover, and the region has several areas with poorly draining soils. Many properties in our older neighborhoods still have stormwater lines directly connected to sanitary sewer system (even in SSO communities). Our existing stormwater infrastructure is aging, undersized or both. All of these issues contribute to local flooding in streets, homes, and commercial properties. This flooding can overwhelm sanitary sewer systems leading to contamination in local waterways including the CT River and Long Island Sound. CRCOG recommends that the state continue to fund the Climate Resilience Fund program to assist municipalities and COGs with financing stormwater mitigation projects. CRCOG was awarded a grant in 2023 to conduct a regional stormwater management planning initiative and looks forward to kicking off its project in the coming year.
- *Waste management* – CRCOG is working with the Central Connecticut Solid Waste Authority (CCSWA) to develop short and long-term waste management solutions for our region. Through the Connecticut Coalition for Sustainable Materials Management (CCSMM) administered by the Connecticut Department of Energy & Environmental Protection (CTDEEP), the state is coordinating with COGs and municipalities to develop cost effective regional solutions to reduce, reuse, and recycle materials. CRCOG encourages the General Assembly to continue to support the CCSMM and CT DEEP in their efforts to develop innovative ideas and programs to promote food waste diversion, extended producer responsibility (EPR) for consumer packaging, and streamlined permitting of anaerobic digesters and related infrastructure.

Finance, Revenue & Bonding

- *Funding for CFSIC* – The CT Foundation Indemnity Solutions Company (CFSIC) was established to assist homeowners with crumbling foundations. To date, CFSIC has successfully replaced foundations for 863 homes within the CRCOG and Northeast CT Council of Governments regions. Under Public Act No. 17-2, CFSIC was scheduled to “sunset” on June 30, 2022. Public Act 21-120 eliminated CFSIC’s termination date and allocated \$100 million in additional General Obligation Bond funding for CFSIC payable in four annual installments of \$25 million each beginning on July 1, 2022. The state honored this commitment for FY23 and FY24, and CRCOG is seeking the same for FY25 and FY26. It is important to note that the FY24 funds were released much later than in previous years. It will be necessary for the State Bond Commission to timely authorize the issuance of the remaining balance of \$50 million in bond funds to enable CFSIC to continue its mission.
- *Tax abatement for childcare centers, group child care homes, or family care homes* – Pursuant to C.G. S. §12-81ll, municipalities have the local option to abate up to one hundred percent (100%) of property taxes due for properly licensed childcare

centers, group child care homes, or family care homes. The abatement is limited to five tax years. This legislation was adopted in 2022 and there are some questions within the CRCOG region as to whether abatement is functioning as designed. CRCOG recommends that the legislature direct the appropriate state agency to assess the performance of the abatement program and to recommend any necessary adjustments to the statute.

Government Administration & Elections

- *Apprenticeship program for building code officials* – Many of CRCOG’s members and other municipalities across the state are struggling to recruit and retain qualified building inspectors and other municipal officials. The Department of Administrative Services (DAS) has formed a working group to develop a bona fide apprenticeship program for building inspectors that could prove a model for the state. CRCOG is participating in this initiative which will likely require changes to the state building code and legislative action.
- *Reciprocity for municipal officials* –In order to assist municipalities with filling various staff vacancies, CRCOG recommends that Connecticut increase reciprocity to accept certifications from other states for various professional and technical positions. CRCOG proposes that the state establish an interdisciplinary work group to develop related recommendations for the General Assembly’s consideration.
- *Sealed bid requirement* – Under C.G.S. §7-148v, municipalities that have adopted an ordinance concerning competitive bidding are required to use a sealed bid for contracts and purchases greater than \$25,000. Sealed bid requirements add cost and administrative burdens. The \$25,000 threshold was set in 2013. CRCOG recommends that the legislature increase this figure to account for inflation and to build an appropriate index into the statute.

Housing

- *Affordable housing* – The availability of affordable housing remains an issue for many if not most CRCOG communities. CRCOG recommends that the state promote the construction of affordable housing through tax credits, brownfield restoration tax credits, and the local property tax exemption with state reimbursement. CRCOG further suggests that the state include accessory dwelling units (ADUs) in the scope of any tax credits. Affordable housing is important to our region for several reasons, including workforce recruitment and retention, equity, economic development, and neighborhood vitality.

Planning & Development

- *Complete streets planning* – Complete streets planning is important for several reasons, especially to promote pedestrian and traffic safety, economic development, and livability. CRCOG encourages the state to continue to provide resources to enable municipalities to develop and implement a Complete Streets Plan as a component of local Plans of Conservation and Development (POCD).

Public Health

- *Funding for PFAS and AFFF testing and remediation* - Per-and polyfluoroalkyl substances (PFAS) are a group of over 9,000 manmade chemicals that are used in many consumer and industrial products such as non-stick cookware, fabric coatings, food packaging, and firefighting foams. Aqueous film forming foam (AFFF) products are used in firefighting operations and earlier versions contain PFAS. PFAS products are very persistent and can migrate through soil and remain in groundwater for long periods of time. PFAS substances are being studied as a cause for various health issues, including thyroid disorders and several cancers. The state has worked to address this serious public health issue with the creation of the Connecticut Interagency PFAS Task Force and its PFAS Action Plan. Given the prevalence of these harmful chemicals across our region and Connecticut overall, the state has allocated \$3 million in FY24 and \$2 million in FY25 for municipal grants to test and

remediate PFAS contamination, as well as for AFFF buy-back programs to safely dispose of these harmful materials. CRCOG recommends that the state continue to monitor progress statewide and to provide additional funding as needed for testing, remediation, and buyback programs. COGs and regional health districts could be a partner in this effort.

- *Primary Service Area Responder (PSAR)* – The concept of Primary Service Areas (PSA) was introduced in Connecticut in 1974. A PSA is a specific geographic area that is served exclusively by an emergency medical services (EMS) provider. The State Department of Public Health (DPH) designates this provider, which is referred to as the Primary Service Area Responder (PSAR). In 2014, the state passed legislation providing municipalities with greater influence and control over the provision of emergency medical services within their community. One important change was to require the chief administrative official of the host municipality along with the regional council of governments to review and provide a recommendation on any proposed change in the PSAR designation. A municipal government may also seek the PSAR under the state's application process. Based on recent experience, CRCOG's members believe that the state should critically assess the PSAR application process to determine how well the system functions and whether it is meeting the policy goals of the 2014 legislation. CRCOG encourages the state to require municipal approval, as opposed to a recommendation, for any change in the PSAR designation within their community.

Transportation

- *Hartford Line* - CRCOG welcomes the investments that the state is making to enhance the Hartford Line and passenger rail service and has recently commented on both the state's passenger rail and freight rail plans. With respect to passenger rail, CRCOG strongly urges the CTDOT to complete the design and construction of the stations in West Hartford, Newington, and Windsor – as well as full buildouts in Windsor Locks and Enfield – as expeditiously as possible. These investments are necessary to maximize the ridership potential along the line.