



## **Legislative & Rules Committee – Board of Representatives**

Benjamin Lee, Chair

Elise Coleman, Vice Chair

# **Committee Report**

**Date:** Monday, April 30, 2018

**Time:** 7:00 p.m.

**Place:** Democratic Caucus Room, 4<sup>th</sup> Floor Government Center, 888 Washington Boulevard, Stamford, CT

The Legislative & Rules Committee met as indicated above. In attendance were Chair Lee, Vice Chair Coleman and Committee Member Reps. Fedeli, Jacobson, Lion, Miller, Nabel, Pia and Zelinsky. Also present were Reps. Cottrell, McMullen and Sherwood; Dan Colleluori, Operations; Jackie Lightfield, Stamford Partnership; Michael Toma, Law Department; Samira Siskind, BYO Stamford; and approximately 7 members of the public.

Chair Lee called the meeting to order at 7:03 pm.

<b>Item No.</b>	<b>Description</b>	<b>Committee Action</b>
1. <a href="#">LR30.019</a>	REVIEW; Restricting Single-Use Plastic Shopping Bags in Stamford. 12/07/17 – Submitted by Reps. Zelinsky and Patterson 01/24/18 – Held in Committee 02/28/18 – Held in Committee <b>03/22/18 – Report Made &amp; Held in Committee</b>	<b>REPORT MADE &amp; HELD</b>

Committee members discussed this proposal with Ms. Lightfield, Mr. Toma, Mr. Colleluori and Ms. Siskind as follows:

- Members of the business community need a long lead time on the operational side
- The Committee should consider an educational component from a public and retail standpoint
- BYO Stamford has had responses from 109 households to its online survey
- Courts are averse to governmental interference in the marketplace and government should not intervene in private transactions between a business and a consumer
- The remedy for social problems is taxation, with the funds used for remediation, such that the monetary burden is shared equally
- The City does not have taxation authority for plastic bags, and must exercise its authority to protect the environment within these parameters
- The Committee should hear from Storm Water Management, the WPCA, the Harbor Management Commission and the Parks Department about problems caused by plastic bags
- A fee on plastic bags collected by the City would be considered a tax
- There is no case law in CT about fees collected by retailers
- The phrase “charge” vs. “fee” might be more appropriate, but courts would look at how the charge is used
- If the cost is solely borne by retailers, this would be a disfavored way to accomplish this

- A state ban would be more effective
- Smaller retailer have greater difficulty complying than larger stores
- Cash based businesses would have a challenge charging a fractional amount
- What are any additional environmental impacts caused by non single-use bags
- State statutes, i.e. a paper bag requirement for liquor, would supersede any ordinance
- The Committee should seek outside experts, possibly from UCONN
- Whether the ordinance would apply to non food stores
- The Committee should start with the more comprehensive version of the ordinance and review the Greenwich ordinance
- How would the City enforce/manage this ban
- The Committee should get input from business owners
- Should the lead time be different for different types/sizes of stores
- Next month the Committee will start working on the ordinance itself

2. [LR30.036](#) APPROVAL; Amendment to [Board of Representatives Rules of Procedure](#) to add a public participation session. **FAILED 2-7-0**  
 03/07/18 – Submitted by Rep. Cottrell, Sherwood, Zelinsky, Lutz, Aquila, Summerville, Nabel and Matherne  
**03/22/18 –Held in Committee**

**Secondary Committee: Communications**

The committee reviewed the [amended proposal](#).

A motion to eliminate ¶ 4 was made, seconded and approved by a vote of 9-0-0 (Reps. Lee, Coleman, Fedeli, Jacobson, Lion, Miller, Nabel, Pia and Zelinsky in favor).

A motion to eliminate ¶ 2 was made, but did not receive a second.

Committee members noted that a public speaking period does not preclude other avenues of communication.

A motion to amend ¶ 1 to add the sentence “Each speaker will be limited to three (3) minutes.” was made, seconded and approved by a vote of 9-0-0 (Reps. Lee, Coleman, Fedeli, Jacobson, Lion, Miller, Nabel, Pia and Zelinsky in favor).

It was noted that this change would require changes to other sections of the rules pertaining to the order of meetings.

A motion to amend Section IV.A.1 of the Rules of Order [The Order of Business at a Regular Board Meeting] if this amendment were passed to add a public participation session after subsection d. Communications and Announcements, was made, seconded and approved by a vote of 5-4-0 (Reps. Lee, Coleman, Lion, Nabel and Zelinsky in favor; Reps. Fedeli, Jacobson, Miller and Pia opposed).

A motion to amend Section IV.A.2 of the Rules of Order [The Order of Business at a Special Meeting] if this amendment were passed to add a public participation session after subsection d. Communications and Announcements, was made, seconded and failed by a vote of 2-7-0 (Reps. Nabel and Zelinsky in favor; Reps. Lee, Coleman, Fedeli, Jacobson, Lion, Miller and Pia opposed).

A motion to approve the proposed amendment to the Rules, as amended, was made, seconded and failed by a vote of 2-7-0 (Reps. Nabel and Zelinsky in favor; Reps. Lee, Coleman, Fedeli, Jacobson, Lion, Miller and Pia opposed).

3. LR30.037      RESOLUTION; Amending the Language of the Code of Ordinances to use Non-Gendered Language throughout      **WITHDRAWN**  
03/12/18 – Submitted by Reps. Lee and Lion  
04/24/18 – WITHDRAWN

Chair Lee adjourned the meeting at 9:25 p.m.

Respectfully submitted,  
Benjamin Lee, Chair

This meeting is on [video](#).