



Legislative & Rules Committee – Board of Representatives

Benjamin Lee, Chair

Elise Coleman, Vice Chair

Committee Report

Date: Thursday, June 21, 2018

Time: 7:00 p.m.

Place: Democratic Caucus Room, 4th Floor Government Center, 888 Washington Boulevard, Stamford, CT

The Legislative & Rules Committee met as indicated above. In attendance were Chair Lee and Committee Members Fedeli, Jacobson, Lion, Miller, Nabel, Pia and Zelinsky. Absent or excused was Vice Chair Coleman. Also present were Reps. Matherne, McMullen and Sherwood; Michael Pollard, Chief of Staff; Michael Toma, Legal Department; Samira Fink, BYO Stamford; and Louis Burch, Citizens Campaign for the Environment.

Chair Lee called the meeting to order at 7:07 p.m.

Item No.	Description	Committee Action
1. LR30.040	APPROVAL; Agreement With Holland & Knight LLP, RFP #726 for Federal Lobbying Services. 06/01/18 – Submitted by Mayor Martin 06/14/18 - To be considered by Board of Finance	Approved 7-0-1

Mr. Pollard discussed this agreement with the Committee as follows:

- The City has had a lobbyist since the 1990s and it has been very effective
- Holland & Knight was selected through the RFP process
- The contract is for 1 year with 2 possible extensions
- The contract was begun as of May 1st because the City was concerned about missing opportunities for transportation and infrastructure grants
- Lobbyists provide tremendous revenue opportunities for the City
- Lobbyists are useful sources of information beyond funding and have expertise which the City does not have
- State and federal representatives do not provide this level of service
- The [attached document](#) details the accomplishments and ROI of the prior lobbyist
- This contract is consistent with previous contracts
- The City works primarily with the DC office of the firm

A motion to approve this item was made, seconded and approved by a vote of 7-0-1 (Reps. Lee, Fedeli, Lion, Miller, Nabel, Pia and Zelinsky in favor; Rep. Jacobson abstaining)

2. [LR30.019](#) ORDINANCE for publication; Restricting Single-Use Plastic Shopping Bags in Stamford. **Held 8-0-0, as amended**
12/07/17 – Submitted by Reps. Aquila, Coleman, Cottrell, de la Cruz, Fedeli, Giordano, Graziosi, Jacobson, Kolenberg, Lee, Lion, Lutz, Matherne, Michelson, Miller, Morson, Nabel, Patterson, Pendell, Pia, Saftic, Sherwood, Stella and Zelinsky
01/24/18 – Held in Committee
02/28/18 – Held in Committee
03/22/18 – Report Made & Held in Committee
04/30/18 – Report Made & Held in Committee
05/29/18 – Held by Committee, as amended

A motion to change the whereas clauses to use the language recommended by Rep. de la Cruz, using the phrase “non-biodegradable disposable carryout bags” throughout was made, seconded and approved by a vote of 8-0-0 (Reps. Lee, Fedeli, Jacobson, Lion, Miller, Nabel, Pia and Zelinsky in favor).

Chair Lee explained that there was a scrivener’s error in § 3.D – millimeters should be mils. A mil is one thousandth of an inch. A motion to change millimeters to mils in § 3.D was made, seconded and approved by a vote of 8-0-0 (Reps. Lee, Fedeli, Jacobson, Lion, Miller, Nabel, Pia and Zelinsky in favor).

Committee members discussed getting input from experts as to whether 2.25 mils is the appropriate thickness and whether dry cleaning bags should be excluded.

Mr. Toma stated that the application of the ordinance to wholesale distribution would violate the Interstate Commerce Clause. A motion to change §4.a to remove “or wholesale” was made, seconded and approved by a vote of 8-0-0 (Reps. Lee, Fedeli, Jacobson, Lion, Miller, Nabel, Pia and Zelinsky in favor).

A motion to change the language in §4.B.3 to read “Conspicuously display the phrase “Please Recycle This Bag”, or a substantially similar phrase.” was made, seconded and approved by a vote of 8-0-0 (Reps. Lee, Fedeli, Jacobson, Lion, Miller, Nabel, Pia and Zelinsky in favor).

A motion to change §4.a to change “,retail, ” to “by a retail establishment” was made, seconded and approved by a vote of 8-0-0 (Reps. Lee, Fedeli, Jacobson, Lion, Miller, Nabel, Pia and Zelinsky in favor).

A motion to delete §5 was made but did not receive a second. Committee members discussed whether the \$0.10 charge is appropriate. Mr. Toma informed the committee that this charge would be taxable under State law. Committee members noted that there is research stating that the hybrid approach, with a ban and a fee, is the most effective. A motion to change the language in §5.A to “no less than \$0.10” was made and seconded and subsequently withdrawn. Committee members discussed giving retailers the option to charge more than \$0.10 in order to cover their costs. It was noted that retailers do not charge for bags currently.

A motion to add the word “disposable” prior to “carryout bags” throughout §6 was made seconded and approved by a vote of 8-0-0 (Reps. Lee, Fedeli, Jacobson, Lion, Miller, Nabel, Pia and Zelinsky in favor).

A motion to delete “wholesalers and” in §6.C was made, seconded and approved by a vote of 8-0-0 (Reps. Lee, Fedeli, Jacobson, Lion, Miller, Nabel, Pia and Zelinsky in favor).

Committee members discussed how this ordinance should be enforced and whether there is a need for additional rules. Mr. Toma noted that the maximum penalty the City can charge is \$250.

A motion to amend §8.B.2 to add “of \$250” after the word “penalty” in the first sentence and to delete the second sentence, including subsections i, ii, and iii, was made seconded and approved by a vote of 8-0-0 (Reps. Lee, Fedeli, Jacobson, Lion, Miller, Nabel, Pia and Zelinsky in favor).

A motion to delete the word “Rules” from the heading of §8; to amend §8.A to read “This Article shall be enforced by the Civil Citation process as set forth in Section 97 of the Code of Ordinances”; to replace “the Mayor of the City of Stamford” in §8.B with “a Civil Citation Officer”; and delete §9 in its entirety was made seconded and approved by a vote of 8-0-0 (Reps. Lee, Fedeli, Jacobson, Lion, Miller, Nabel, Pia and Zelinsky in favor).

A motion to hold this item, as amended, in order to get expert input next month, was made seconded and approved by a vote of 8-0-0 (Reps. Lee, Fedeli, Jacobson, Lion, Miller, Nabel, Pia and Zelinsky in favor).

The Committee next took up Item No. 4.

4. [LR30.042](#) REVIEW; [Public Act 18-49](#), Opportunities Regarding Community Support Organizations and Possible Local Tax Benefits. **Held 8-0-0**
06/06/18 – Submitted by Mayor Martin and Rep. Lee

A motion to hold this item due to the unavailability of the invited guests was made, seconded and approved by a vote of 8-0-0 (Reps. Lee, Fedeli, Jacobson, Lion, Miller, Nabel, Pia and Zelinsky in favor).

3. [LR30.036](#) APPROVAL; Amendment to [Board of Representatives Rules of Procedure](#) to add a public participation session. **Failed, 4-4-0, as amended**
03/07/18 – Submitted by Rep. Cottrell, Sherwood, Zelinsky, Lutz, Aquila, Summerville, Nabel and Matherne
04/30/18 – Failed 2-7-0
05/07/18 – Held by Full Board
05/29/18 – Failed 2-6-0
06/04/18 – Held by Full Board

Secondary Committee: Communications

Committee members reviewed the latest version of this proposed rule change, as prepared by Rep. Lee.

A motion to remove the bracketed language was made, seconded and subsequently withdrawn. Committee members discussed whether the public comments should be limited to items not discussed at a prior public hearing and whether the comments should be limited to items on the agenda.

A motion to delete the brackets in §a.iii was made, seconded and approved by a vote of 8-0-0 (Reps. Lee, Fedeli, Jacobson, Lion, Miller, Nabel, Pia and Zelinsky in favor).

A motion to change the word “topic” in the second sentence of §a.iii to “current agenda item” was made, seconded and approved by a vote of 8-0-0 (Reps. Lee, Fedeli, Jacobson, Lion, Miller, Nabel, Pia and Zelinsky in favor).

A motion to change “on December 4, 2018” in §c to “after the 6th regular Board meeting after adoption” was made, seconded and approved by a vote of 8-0-0 (Reps. Lee, Fedeli, Jacobson, Lion, Miller, Nabel, Pia and Zelinsky in favor).

A motion to replace the language of the proposed rule change with the 6/21/18 language provided by Rep. Lee, as amended, was made, seconded and approved by a vote of 8-0-0 (Reps. Lee, Fedeli, Jacobson, Lion, Miller, Nabel, Pia and Zelinsky in favor).

A motion to amend the Rules of the Board was made, seconded and failed by a vote of 4-4-0 (Reps. Jacobson, Lion, Nabel and Zelinsky in favor Lee, Fedeli, Miller and Pia opposed).

Chair Lee adjourned the meeting at 9:32 p.m.

Respectfully submitted,
Benjamin Lee, Chair

This meeting is on [video](#).