



Legislative & Rules Committee – Board of Representatives

Benjamin Lee, Chair

Elise Coleman, Vice Chair

Committee Report

Date: Tuesday, July 31, 2018

Time: 7:00 p.m.

Place: Republican Caucus Room, 4th 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, Lion, Miller, Nabel, Pia and Zelinsky. Also present were Reps. McMullen, Morson and Sherwood; Michael Toma, Law Department; Hugh Bareiss, BYO Stamford; and Jackie Lightfield, Stamford Partnership.

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

Item No.	Description	Committee Action
1. LR30.019	ORDINANCE for publication; Restricting Single-Use Plastic Shopping Bags in Stamford. 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	Approved 8-0-0

Chair Lee read the email below from Rep. Jacobson into the record:

Chairman Lee,

I am afraid I am unwell and will not be able to attend tonight's meeting. I do however want to express my thoughts to you relative to the above referenced item with the hope that you can share my thoughts with the Committee this evening.

Initially, with respect to the issue of bag thickness, I trust that after hearing the expert testimony tonight the Committee will reach a conclusion that is reasonable and in the best interests of the citizens of our City. Without hearing such testimony directly, I am afraid I am unable to opine on this issue at this time.

As it pertains to the issue of whether or not to exempt dry cleaning bags in this ordinance, I am in favor of the exemption. While I agree in principle with the proposition that dry cleaning bags should be regulated, I believe it is more appropriate to take on

such a measure with a separate and distinct ordinance. LR30.019 is not simply a "plastic bag ban", it is an ordinance specifically designed to promote recycling and reusability, to "BYOB". I fear that including dry cleaning bags in this item runs against the spirit of the ordinance, as I do not believe it is reasonable to expect citizens of our City to "bring their own bag" to the dry cleaners.

As such, I would vote to keep the language as is, and exempt dry cleaning bags in this ordinance.

I hope that the Committee can complete its discussion this evening and move the item to a public hearing next month.

Sincerely,

Jonathan Jacobson
Stamford Board of Representatives
District 12

Committee members first discussed whether there should be an exemption for bags over 2.25 mils.

Mr. Bareiss distributed the [attached handout](#) and passed around examples of plastic bags of 2.5 mils, 3.5 mils and 1.5 mils, as well as a Stop & Shop reusable bag of approximately 3.1 to 3.2 mils. He noted that starting the exemption at 12 mils, as Greenwich did, would ban plastic bags entirely. He explained that the goal is to encourage a behavioral change.

Chair Lee noted that the standard exemption for reusable plastic bags is 2.25 mil. He pointed out that the email from Mr. Pesce states that the standard issue bag is 0.5 mil and that the cost of a 2.25 mil bag is sufficiently high that it will not be used as a replacement.

Mr. Bareiss noted that no other municipality in Connecticut uses the hybrid of a ban and payment. Paper bags are also single use and end up in landfills, but people should be able to purchase a bag if they don't have any reusable bags with them. .

A motion to amend §3.D from 2.5 mil to 3.2 mil was made and seconded.

Ms. Lightfield suggested that the committee was focusing too much on groceries and that bags could easily be carried over city lines. She questioned the feasibility of enforcement.

Committee members discussed that 2.25 mils is the norm. The motion to amend §3.D was withdrawn.

Committee members then discussed the exemption for dry cleaning bags. Reps. Morson and Lee recounted their communications with dry cleaners regarding the costs if there were no exemption as well as the lack of alternatives for dry cleaning plastic.

A motion to eliminate §5 was made but received no second.

A motion to change §8.B.ii to the fines in the earlier draft was made but received no second.

Committee members discussed whether the language in §A.1.v regarding "unwrapped foods" was ambiguous.

Committee members discussed voting to approve this item for public hearing, but then holding the item at Steering in order not to hold the public hearing in August.

A motion to approve this ordinance for publication (with a correction to scrivener's errors), was made, seconded and approved by a vote of 8-0-0 (Reps. Lee, Coleman, Fedeli, Lion, Miller, Nabel, Pia and Zelinsky in favor).

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

Chair Lee stated that there are 2 questions in front of the committee: 1) how many residents are affected and 2) should the City create community support organizations

Mr. Handler stated that he asked the assessor's office to determine how many households in Stamford might be affected by the \$10,000 limit to the deductibility of state and local taxes. They looked at real estate and motor vehicle taxes (they did not look at personal property taxes or income taxes). They assumed an average tax rate of 25.00 mills which would produce a \$9,000.00 tax bill on a home with a \$515,000 appraised value. A second assumption was that every household has 2 vehicles and an average car tax bill at \$500 would add \$1,000.00 to their tax liability thereby hitting the threshold. This is about 11,000 parcels, or 1/3 of the parcels in the City.

Chair Lee explained that the recent changes in the tax law capped the availability of the state and local tax deduction at \$10,000. This has a greater impact on northern states with higher property taxes. However, the law did not change the charitable donation deduction, therefore the proposal permits municipalities to create "community support organizations" and convert a portion of the property tax to a charitable contribution, thereby allowing homeowners to retain the benefit of the deduction. This would not benefit renters or people with lower property taxes, who generally are not affected by this recent change in the tax law.

Committee members discussed this item. To date, no other municipality has taken advantage of this state law. The committee determined that it needed advice from the law department regarding the consequences to the taxpayer and the City if this is disallowed by the IRS.

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

- ²3. [LR30.043](#) ORDINANCE for publication; establishing the 4th of July as a holiday in the City of Stamford Failed 0-7-1
07/03/18 – Submitted by Rep. Kolenberg

Rep. Kolenberg stated that this ordinance came out of the Mayor's decision to cut the fireworks, which has happened before due to conflicts between the executive and the legislature. The precedent for this ordinance is the Martin Luther King Day holiday.

Committee members discussed whether this ordinance is redundant, whether the proposed ordinance would address the issue of fireworks; whether an observance requirement should

¹ Video Time Stamp 00:46:15

² Video Time Stamp 01:12:51

apply to other holidays, such as Veterans' Day; and whether there are other mechanisms to provide for fireworks in the future.

It was noted that the language needed to be amended to conform to the requirement that non-gendered language be used.

A motion to amend the proposed ordinance to change the word "in" in Section 2 to "on" and to change the beginning of Section 3 to read "The Mayor or the Mayor's designee shall..." was made, seconded and approved by a vote of 8-0-0 (Reps. Lee, Coleman, Fedeli, Lion, Miller, Nabel, Pia and Zelinsky in favor).

A motion to approve the proposed ordinance was made, seconded and failed by a vote of 0-7-1 (Reps. Lee, Coleman, Lion, Miller, Nabel, Pia and Zelinsky opposed; Rep. Fedeli abstaining).

Chair Lee adjourned the meeting at 8:45 p.m.

Respectfully submitted,
Benjamin Lee, Chair

This meeting is on [video](#).