



Testimony in SUPPORT of S.B. 333: An Act Concerning Local Charter Revisions

Submitted by David Flemming, Director of Policy and Research

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Thank you for the opportunity to testify before the Planning & Development Committee in support of S.B. 333. My name is David Flemming, and I am the Policy Director for Yankee Institute, a non-profit public policy organization in Hartford dedicated to empowering Connecticut residents to build a vibrant, hopeful future.

In the absence of county governments, Connecticut municipalities are better positioned than in any other state to serve the will of the people.

The Legislature hastily, and perhaps accidentally, upended the balance between state and municipal government by passing Public Act 23-205 last year. SB 333 reverses three changes made in 23-205 regarding municipal charters.

First, SB 333 reapproves municipalities' power to amend their charters to seek greater public input regarding the disposition of municipality-controlled land for development.

The freedom to peacefully request change based on the needs of communities and individuals is fundamental to the American system of government. The First and Fourteenth Amendments of the US Bill of Rights and the Connecticut Constitution's [Declaration of Rights](#), stipulates that government shall make no law preventing citizens from "petitioning the government for a redress of grievances."

Second, SB 333 re-authorizes municipalities to change the makeup and powers of their planning and zoning commissions.

To function smoothly, municipal governments must maintain the flexibility to change as new circumstances arise. Local citizens are well-placed to inform gov't officials regarding new elements to the costs and benefits of developments across their communities.

Finally, SB 333 reapproves municipalities' right to self-impose restrictions on their [power of eminent domain](#) over resident property in a municipal charter.

In 2023 Stamford [was considering a charter change](#) making it more difficult for city officials to acquire private property. This practice highlights one of the most egregious examples of government greed and overreach that rose to national prominence in Connecticut during the *Kelo vs. City of New London* 2005 Supreme Court case.

In *Kelo*, the Supreme Court authorized New London to acquire Mrs. Kelo's property through eminent domain in the [ultimately fatal hope](#) that building an upscale hotel and office buildings on the property would increase New London's tax intake.

Connecticut has some of the broadest and most easily abused eminent domain laws in the nation. The Constitution State [ranks 47th in the country](#) at limiting the power of eminent domain, in front of only New York, Massachusetts and Arkansas, according to the Institute for Justice. In the tradition of limited government, municipalities like Stamford should be allowed to make legally binding promises with their residents, promising to protect their

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private property, rather than make residents worried that their private property rights are conditional on being in the good graces of government officials.

The Legislature ought to uphold municipalities like Stamford as shining examples for other CT municipalities to follow regarding the power of local control over charters, rather than as loose cannons in need of restraint.

Giving back choice to local voters around the state will strengthen our residents and families' faith in government, while creating a more cordial relationship between state government and all 109 municipal governments with charters.

Thank you for the opportunity to testify before this distinguished committee.

Respectfully submitted,

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