



House of Representatives

General Assembly

File No. 539

January Session, 2001

Substitute House Bill No. 6624

House of Representatives, May 1, 2001

The Committee on Judiciary reported through REP. LAWLOR of the 99th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING TOWN CLERK LIABILITY FOR CERTAIN LICENSE FORMS AND CHANGING THE OFFICIAL WHO RECEIVES CERTAIN FEES FOR THE HISTORIC DOCUMENTS PRESERVATION ACCOUNT.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 26-36 of the general statutes is repealed and the
2 following is substituted in lieu thereof:

3 Each town clerk shall keep a record of all licenses issued by [him]
4 such clerk under the provisions of this chapter for a period of two
5 years after issuance, which record shall be open to public inspection,
6 and such clerk shall, on the first Monday of each month, remit to the
7 commissioner all money, except the recording fees, received by [him]
8 such clerk for such licenses issued during the month preceding and
9 shall also forward to the commissioner copies of all licenses issued
10 during the month preceding. Within fifteen days following the close of
11 each calendar year, the town clerk shall send to the commissioner (1)
12 all license forms, other than lifetime license forms, allotted to [him]

13 such clerk which were not issued, [and] (2) an annual report in such
 14 form as is required by the commissioner, accounting for all license
 15 forms furnished [him] such clerk by the commissioner, licenses sold by
 16 [him] such clerk, licenses voided by [him] such clerk and licenses
 17 unused, and (3) an affidavit attesting to the accuracy of the accounting
 18 in said annual report. [Such clerks shall be held responsible for the face
 19 value of all license forms supplied to them.]

20 Sec. 2. Subsection (d) of section 7-34a of the general statutes is
 21 repealed and the following is substituted in lieu thereof:

22 (d) In addition to the fees for recording a document under
 23 subsection (a) of this section, town clerks shall receive a fee of three
 24 dollars for each document recorded in the land records of the
 25 municipality. Not later than the fifteenth day of each month, town
 26 clerks shall remit two-thirds of the fees paid pursuant to this
 27 subsection during the previous calendar month to the [State Treasurer]
 28 State Librarian for deposit in a bank account of the State Treasurer and
 29 crediting to the historic documents preservation account established
 30 under section 11-8i. One-third of the amount paid for fees pursuant to
 31 this subsection shall be retained by town clerks and used for the
 32 preservation and management of historic documents. The provisions
 33 of this subsection shall not apply to any document recorded on the
 34 land records by an employee of the state or of a municipality in
 35 conjunction with said employee's official duties. As used in this section
 36 "municipality" includes each town, consolidated town and city, city,
 37 consolidated town and borough, borough, district, as defined in
 38 chapter 105 or chapter 105a, and each municipal board, commission
 39 and taxing district not previously mentioned.

GAE *JOINT FAVORABLE SUBST. C/R* PD
PD *JOINT FAVORABLE C/R* JUD
JUD *JOINT FAVORABLE*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: None

Affected Agencies: Office of the State Treasurer, State Library

Municipal Impact: None

Explanation

State Impact:

Section 2 of the bill transfers from the state treasurer to the state librarian responsibility for depositing fees received from town clerks into the historic documents preservation account. This provision has no fiscal impact because it codifies current practice.

Section 1 contains various technical changes and has no fiscal impact.

OLR Bill Analysis

sHB 6624

AN ACT CONCERNING TOWN CLERK LIABILITY FOR CERTAIN LICENSE FORMS AND CHANGING THE OFFICIAL WHO RECEIVES CERTAIN FEES FOR THE HISTORIC DOCUMENTS PRESERVATION ACCOUNT.

SUMMARY:

This bill requires town clerks to send the Department of Environmental Protection (DEP) commissioner an affidavit annually attesting to the accuracy of the accounting they are required to make in their annual report to him on fish and game licenses. This affidavit is in lieu of the clerks being held responsible for the face value of all license forms the commissioner gives to them.

The bill also requires town clerks to give the money they collect to preserve and manage state and local historic documents to the state librarian instead of the state treasurer. Under the bill, the money must be deposited in one of the state treasurer's accounts and credited to the Historic Documents Preservation Account. Under current law, it is deposited in the preservation account.

EFFECTIVE DATE: October 1, 2001

BACKGROUND

Fish and Game Licenses

Town clerks must keep a record of the fish and game licenses that they issue and annually report to the DEP commissioner an accounting of all:

1. the license forms the commissioner allotted them,
2. licenses they sold or voided, and

- 3. unused licenses.

Preservation of Historic Documents

By law, town clerks collect money to preserve and manage state and local historic documents by adding a \$3 surcharge to the fee they charge everyone, except a state or town employee engaged in official duties, to record land documents. The clerks keep \$1 and give \$2 to the state treasurer for the Historic Documents Preservation Account.

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable Substitute Change of Reference

Yea 17 Nay 0

Planning and Development Committee

Joint Favorable Change of Reference

Yea 17 Nay 0

Judiciary Committee

Joint Favorable Report

Yea 40 Nay 0