



# House of Representatives

General Assembly

**File No. 691**

February Session, 2008

Substitute House Bill No. 5778

*House of Representatives, April 21, 2008*

The Committee on Finance, Revenue and Bonding reported through REP. STAPLES of the 96th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## **AN ACT CONCERNING TECHNICAL CHANGES TO CONNECTICUT COMMISSION ON CULTURE AND TOURISM STATUTES.**

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

1 Section 1. Subsection (a) of section 10-409 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *October 1, 2008*):

4 (a) With respect to [historical] historic preservation, there is  
5 established within the Connecticut Commission on Culture and  
6 Tourism, established under section 10-392, an Historic Preservation  
7 Council. The Historic Preservation Council shall consist of twelve  
8 members to be appointed by the Governor. On or before January fifth  
9 in the even-numbered years, the Governor shall appoint six members  
10 for terms of four years each to replace those whose terms expire. One  
11 of such members shall be the State Historian and one shall be the State  
12 Archaeologist. Members shall be appointed in accordance with the  
13 provisions of section 4-9a. No member shall serve for more than two

14 consecutive full terms. Any member who fails to attend three  
15 consecutive meetings or who fails to attend fifty per cent of all  
16 meetings held during any calendar year shall be deemed to have  
17 resigned from office. The Governor shall biennially designate one  
18 member of the council to be chairperson. The Governor shall fill any  
19 vacancy for any unexpired portion of the term and may remove any  
20 member as provided by section 4-12. No compensation shall be  
21 received by the members of the council but they shall be reimbursed  
22 for their necessary expenses. The Connecticut Commission on Culture  
23 and Tourism may, with the advice of the Historic Preservation  
24 Council, (1) study and investigate historic structures and landmarks in  
25 this state and encourage and recommend the development,  
26 preservation and marking of such historic structures and landmarks  
27 found to have educational, recreational and historical significance; (2)  
28 prepare, adopt and maintain standards for a state register of historic  
29 places; (3) update and keep current the state historic preservation plan;  
30 (4) administer the National Register of Historic Places Program; (5)  
31 assist owners of historic structures in seeking federal or other aid for  
32 historic preservation and related purposes; (6) recommend to the  
33 General Assembly the placing and maintaining of suitable markers,  
34 memorials or monuments or other edifices to designate historic  
35 structures and landmarks found to have historical significance; (7)  
36 make recommendations to the General Assembly regarding the  
37 development and preservation of historic structures and landmarks  
38 owned by the state; (8) maintain a program of historical, architectural,  
39 and archaeological research and development including surveys,  
40 excavation, scientific recording, interpretation and publication of the  
41 historical, architectural, archaeological and cultural resources of the  
42 state; (9) cooperate with promotional, patriotic, educational and  
43 research groups and associations, with local, state and national  
44 historical societies, associations and commissions, with agencies of the  
45 state and its political subdivisions and with the federal government, in  
46 promoting and publicizing the historical heritage of Connecticut; (10)  
47 formulate standards and criteria to guide the several municipalities in  
48 the evaluation, delineation and establishment of historic districts; (11)

49 cooperate with the State Building Inspector, the Codes and Standards  
50 Committee and other building officials and render advisory opinions  
51 and prepare documentation regarding the application of the State  
52 Building Code to historic structures and landmarks if requested by  
53 owners of historic structures and landmarks, the State Building  
54 Inspector, the Codes and Standards Committee or other building  
55 officials; (12) review planned state and federal actions to determine  
56 their impact on historic structures and landmarks; (13) operate the  
57 Henry Whitfield House of Guilford, otherwise known as the Old Stone  
58 House, as a state historical museum and, in its discretion, charge a fee  
59 for admission to said museum and account for and deposit the same as  
60 provided in section 4-32; (14) provide technical and financial assistance  
61 to carry out the purposes of this section and sections 10-410 to 10-416,  
62 inclusive; (15) adopt regulations in accordance with the provisions of  
63 chapter 54 for the preservation of sacred sites and archaeological sites;  
64 and (16) inventory state lands to identify sacred sites and  
65 archaeological sites. The commission shall study the feasibility of  
66 establishing a state museum of Connecticut history at an appropriate  
67 existing facility. The Historic Preservation Council shall (A) review  
68 and approve or disapprove requests by owners of historic properties  
69 on which the commission holds preservation easements to perform  
70 rehabilitation work on [sacred sites and archaeological sites] such  
71 properties; (B) request the assistance of the Attorney General to  
72 prevent the unreasonable destruction of historic properties pursuant to  
73 the provisions of section 22a-19a; and (C) place and maintain suitable  
74 markers, memorials or monuments to designate sites or places found  
75 to have historic significance. The council shall meet monthly. The  
76 Connecticut Trust for Historic Preservation may provide technical  
77 assistance to the council.

78 Sec. 2. Subsection (f) of section 10-416b of the 2008 supplement to  
79 the general statutes is repealed and the following is substituted in lieu  
80 thereof (*Effective from passage*):

81 (f) If the commission certifies that the rehabilitation plan conforms  
82 to the standards developed under the provisions of subsections (b) to

83 (d), inclusive, of this section, the commission shall reserve for the  
 84 benefit of the owner an allocation for a tax credit equivalent to (1)  
 85 twenty-five per cent of the projected qualified rehabilitation  
 86 expenditures, or (2) for rehabilitation plans submitted pursuant to  
 87 subsection (e) of this section on or after June 14, 2007, thirty per cent of  
 88 the projected qualified rehabilitation expenditures if (A) at least twenty  
 89 per cent of the units are rental units and qualify as affordable housing,  
 90 as defined in section 8-39a, or (B) at least ten per cent of the units are  
 91 individual homeownership units and qualify as affordable housing, as  
 92 defined in section 8-39a. No tax credit shall be allocated for the  
 93 purposes of this subdivision unless an applicant has submitted to the  
 94 commission a certificate from the Department of Economic and  
 95 Community Development pursuant to [subsections (k) and (l) of this  
 96 section] section 8-37lll of the 2008 supplement to the general statutes,  
 97 confirming that the project complies with affordable housing  
 98 requirements under section 8-39a.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2008</i>	10-409(a)
Sec. 2	<i>from passage</i>	10-416b(f)

**FIN**      *Joint Favorable Subst.*

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 chamber thereof for any purpose:

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***OFA Fiscal Note***

***State Impact:*** None

***Municipal Impact:*** None

***Explanation***

The bill makes technical changes and has no fiscal impact.

**OLR Bill Analysis****sHB 5778*****AN ACT CONCERNING TECHNICAL CHANGES TO CONNECTICUT COMMISSION ON CULTURE AND TOURISM STATUTES.*****SUMMARY:**

This bill makes technical changes to the culture and tourism statutes. Current law authorizes the Historic Preservation Council to approve work rehabilitating sacred and archaeological sites on historic property where the Commission on Culture and Tourism (CCCT) holds a preservation easement. The bill specifies that this authority applies to work rehabilitating any part of that property, not just those sites.

It also makes a technical correction to a statute authorizing business tax credits for rehabilitating historic commercial and industrial properties for mixed uses.

EFFECTIVE DATE: October 1, 2008, except for the technical correction, which takes effect upon passage.

**BACKGROUND*****Legislative History***

The House referred the bill (File 402) to the Finance Committee, which reported a substitute that eliminated provisions (1) limiting the current payment and performance bond requirement for restoring historic structures and landmarks to contracts over \$50,000 and (2) eliminating CCCT's authority to operate the Henry Whitfield House Museum.

***Related Bill***

sSB 650 makes the same technical correction as the bill.

**COMMITTEE ACTION**

Commerce Committee

Joint Favorable Substitute

Yea 22 Nay 0 (03/18/2008)

Finance, Revenue and Bonding Committee

Joint Favorable Substitute

Yea 50 Nay 0 (04/09/2008)