



House of Representatives

File No. 749

General Assembly

February Session, 2008

(Reprint of File Nos. 402 and 691)

Substitute House Bill No. 5778
As Amended by House Amendment Schedule
"A"

Approved by the Legislative Commissioner
April 28, 2008

**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2 repealed and the following is substituted in lieu thereof (*Effective*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
61 assistance to carry out the purposes of this section and sections 10-410
62 to 10-416, inclusive; [(15)] (14) adopt regulations in accordance with the
63 provisions of chapter 54 for the preservation of sacred sites and
64 archaeological sites; and [(16)] (15) inventory state lands to identify
65 sacred sites and archaeological sites. The commission shall study the
66 feasibility of establishing a state museum of Connecticut history at an
67 appropriate existing facility. The Historic Preservation Council shall
68 (A) review and approve or disapprove requests by owners of historic
69 properties on which the commission holds preservation easements to
70 perform rehabilitation work on [sacred sites and archaeological sites]
71 such 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)

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:

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill, which makes technical changes and limits the requirements of certain grant recipients, has no fiscal impact.

House "A" makes technical changes and has no fiscal impact.

OLR Bill Analysis**sHB 5778 (as amended by House "A")******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.

The bill eliminates a provision authorizing CCCT to specifically operate the Henry Whitfield House museum. The law already gives CCCT broad authority to acquire, restore, maintain, and operate historic museums and landmarks for the public to visit (CGS § 10-413).

Lastly, the bill makes a technical correction to a statute authorizing business tax credits for rehabilitating historic commercial and industrial properties for mixed uses.

*House Amendment "A" eliminates the provision authorizing CCCT to operate the Henry Whitfield House museum.

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 (1) eliminated a provision limiting the current payment and performance bond requirement for restoring historic structures and landmarks to contracts over \$50,000 and (2) restored a provision authorizing CCCT to operate the Henry Whitfield House museum. (House "A" eliminates the latter provision.)

Related Bill

sSB 650 (File 654) makes the same technical correction as this bill does.

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)