

Connecticut Preservation Action

Commerce Committee Public Hearing – Tuesday, March 1, 2011

In Support of the Raised Bill 1002, with reservations.

Senator LeBeau, Rep. Berger, and members of the Commerce Committee: I am Anita Mielert, president of Connecticut Preservation Action, former member of the CT Historical Commission, and former First Selectman of the Town of Simsbury.

In Support of SB 1002 AN ACT TRANSFERRING THE OFFICE OF WORKFORCE COMPETITIVENESS AND COMMISSION ON CULTURE AND TOURISM TO THE DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT with reservations.

In my years of involvement with historic preservation in our state, CT Preservation Action has testified several times on merger proposals for our agency. Each time, CPA has vehemently opposed such merger, pointing out the essential conflicts of interest involved and the general lack of a larger vision. This time, in recognition of the dire straits of our state budget, we will not oppose the merger. A sensitive merger can be achieved and can work. However, we must reserve full endorsement until certain issues have been resolved.

1. **Conflict of Interest** on National Historic Preservation Act of 1966 Section 106 Reviews for all federally funded projects and under CT Environmental Policy Act for all state funded projects. The History Division of CCT has essential, mandated regulatory functions. At least three previous proposals for merger were not enacted because of this issue; in 1970 with the Dept. of Commerce, in 1992 with DED, and in 1995 with the State Library. The current configuration with arts and tourism does not pose such a conflict.
2. **Enforcement of CEPA C.G.S. §§ 22-14 to 22-19a.** The State Historic Preservation Officer needs to be able to go directly to the Attorney General in order to initiate litigation for enforcement. Our agency has fulfilled this responsibility for over 25 years.
3. **The Historic Preservation Council** needs to be retained to carry out essential work. They have the power to designate State Register of Historic Places listings, review local historic district ordinances and listings, and approve potential litigation requests of the AG's office. This measure has been retained in its present form, and we approve of this action.

Mergers cannot be a simple matter of cut-and-paste without encountering some unintended consequences. CPA would be pleased to bring together some experienced preservationists with key legislators to work out language that will ensure that this agency retains its ability to carry out its mandate to "Recognize, protect, preserve and promote historic resources."

Attached: Federal and State Statutory Responsibilities of the State Historic Preservation Office

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STATE HISTORIC PRESERVATION OFFICE

Historic Preservation and Museum Division *CONNECTICUT COMMISSION ON CULTURE & TOURISM*

The State Historic Preservation Office is required under federal law, (National Historic Preservation Act of 1966). The SHPO annually receives federal funding from the Historic Preservation Fund of the National Park Service, U.S. Dept. of the Interior. It administers a wide range of mandated federal and state programs that protect and preserve Connecticut's historic resources.

Federal and State Statutory Responsibilities:

- Environmental Review of all federally and state funded projects
1) under the federal National Historic Preservation Act (*referred to as a "Section 106 review"*) and 2) under CT Environmental Policy Act, Section 22a-1a-3(a)(4)
- Statewide historic preservation planning
- National and State Registers of Historic Places
- Federal Historic Rehabilitation Tax Credit and three state tax credit programs
- Grants-in-aid to municipalities and nonprofit organizations including over \$5.5 million from the Community Investment Act
- Certification of local town and city governments as federally-designated Certified Local Governments
- Historic structure special consideration in State Building Code and Americans with Disabilities Act
- Lead paint abatement for historic structures
- Planning assistance and grants to local decision-makers (elected officials, town planners, citizens)
- Statewide Historic Resource Inventory, an ever-expanding database on historic buildings, districts, and archaeological sites available to the public
- Designation and promotion of Connecticut African American Freedom Trail
- Designation of state Archaeological Preserves
- Historic cemetery/gravestone protection

*For further information about these or other historic preservation programs,
please visit www.cultureandtourism.org*