

Legislative History for Connecticut Act

HB 4088	PA 760	1967
House 4916-4918	SCAN	(3)
Senate 2473		(1)
State Development 375-377, 378-380, 402-403		(8)
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GEN. ASSEMBLY  
HOUSE

PROCEEDINGS  
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PART 10

4448-4936

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this amendment and I urge its passage.

MW

THE SPEAKER:

Will you remark further? If not, the question is on acceptance and passage of the bill as amended by House Amendment Schedule A. All those in favor will say aye. All those opposed? The bill is passed.

THE CLERK:

Page 10 of the Calendar. Calendar No. 1277, substitute for House Bill No. 4088. An Act concerning Municipal Development Projects for Industrial and Business Purposes.

THE GENTLEMAN FROM THE 96th:

MR. ROLLIN W. METTLER JR., 96th DISTRICT:

I move acceptance of the Joint Committee's favorable report in passage of the bill.

THE SPEAKER:

The question is on acceptance and passage of the bill. Will you remark?

MR. ROLLIN W. METTLER JR., 96th DISTRICT:

Mr. Speaker, the Clerk has an amendment.

THE CLERK:

House Amendment A offered by Mr. Mettler of the 96th. Do you waive the reading of the Amendment, it is a six-page amendment?

MR. ROLLIN W. METTLER JR., 96th DISTRICT:

I do and I will give a brief resume, Mr. Speaker.

THE SPEAKER:

Is there any objection to the waiving of the reading of the amendment provided the gentleman gives a brief resume of it? There being no objection, the gentleman can proceed.

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THE GENTLEMAN FROM THE 96th:

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MR. ROLLIN W. METTLER JR., 96th DISTRICT:

Briefly, the amendment changes the bill to bring into conformance with the Community Development Act which passed this House last week and removed from the jurisdiction of the Connecticut Development Commission. There are also several sections to the bill which were omitted from the file copy which have been added in this amendment and I now move adoption of the Amendment, House Schedule A.

THE SPEAKER:

The question is on adoption of House Amendment Schedule A. All those in favor will say aye. All those opposed? The amendment is adopted.

THE GENTLEMAN FROM THE 96th:

MR. ROLLIN W. METTLER JR., 96th DISTRICT:

With the permission of the Chair, I now yield to the distinguished gentleman from the 40th District.

THE GENTLEMAN FROM THE 40th:

MR. WILLIAM S. MAYER, 40th DISTRICT:

I rise in support of this bill and to explain briefly its contents. This is a revision of Public Act 8 of the 1958 Special Session and Public Act 449 of the 1965 Session. These sections have been revised to allow a grant instead of a loan program in industrial development. Further, the state aid would include planning, land acquisition, demolition and so forth and not just sight improvement. This particular bill will be of interest to towns interested in industrial development not only within their own confines but within multi-town districts. A section of this particular act provides that towns can get together to develop industrial land on contiguous

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borders. Many towns presently are considering such foods. This is entirely a voluntary measure, one that requires approval of town meetings and the legislative bodies of the towns involved. It is an excellent bill and I urge its passage.

MW

THE SPEAKER:

Will you remark further? If not the question is on acceptance and passage of the bill as amended by House Amendment Schedule A. All those in favor will say aye. All those opposed? ~~The bill is passed.~~

THE GENTLEMAN FROM THE 104th:

MR. ROBERT G. OLIVER, 104th DISTRICT:

Move reconsideration of Calendar No. 1268, substitute for House Bill No. 3360, File 1425 on Page nine.

THE SPEAKER:

The question is on reconsideration of House Bill No. 3360. The motion is on reconsideration. All those in favor of reconsidering the bill will say aye. All those opposed? The matter will be reconsidered.

MR. ROBERT G. OLIVER, 104th DISTRICT:

Mr. Speaker, the Clerk has an amendment.

THE CLERK:

House Amendment Schedule A offered by Mr. Oliver of the 104th District. Section 2, line 14 delete the word passage and insert in lieu thereof the words the effective day. Add a new Section 3 as follows: This act shall take effect if approved by ordinance adopted by the Town of East Haven and by ordinance adopted by the City of New Haven within 90-days of the passage hereof.

MR. ROBERT G. OLIVER, 104th DISTRICT:

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THE CLERK:

Calendar 1547, file 1443, substitute HB 4088, An Act concerning Municipal Development Projects for Industrial and Business Purposes. As amended by House Amendment Schedule "A". Favorable report of the Joint Committee on Finance.

SENATOR VERRIKER:

Mr. President, I move acceptance of the joint committee's favorable report and passage of the bill. This bill authorizes the commission on community affairs to make plans with municipal planning commissions to develop or dispose of land to be used primarily for industrial or business return. The purpose of this act the commission may issue bonds in a sum not to exceed five million dollars. The Joint Finance Committee recommends its passage.

THE CHAIR:

Any further remarks? If not, all those in favor of the passage of this bill, indicate by saying Aye. AYE. Opposed?  
The bill is passed.

THE CLERK:

Calendar 1548, file 1543, HB 3406, An Act concerning Allocation of Certain Sales Tax Receipts to the Development Commission. Favorable report of the Joint Committee on Finance.

SENATOR VERRIKER:

Mr. President, I move acceptance of the committee's report and passage of the bill, as amended, if it was amended.

THE CHAIR:

Will you remark? If not, all those in favor of the passage

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believe that's for the expansion of the airport. But then in the bill that you're hearing today, H.B. 4548, now they want the state to take over the airport, so they can't have their cake and eat it, too. Either the relocation of the road is a good act, and this other one is bad, or vice versa, and I oppose both of them.

Chr. Tudan: 1213, Senate Bill. Anyone care to speak in favor of this bill?

S.B. No. 1213 (Senator Verrick, 15th District) AN ACT CONCERNING THE COORDINATOR OF ATOMIC DEVELOPMENT ACTIVITIES.

Mr. Leo Donohue, Deputy Commissioner of Finance: I am speaking in favor of S.B. 1213. This would more clearly authorize the Coordinator of Atomic Activities to contract for assistance in carrying out his responsibilities. As the statute now stands, and, through appropriations by the General Assembly, this authority has been implied, but this bill would make it clear in the General Statutes that he has this authority.

Chr. Tudan: Thank you very much. Anyone else care to speak in favor? In opposition? We declare the hearing closed. Representative Mayer.

Repr. Mayer, 49th District: I just have one gentleman who would like to speak on a bill. He has an appointment and has to leave. George Edwards..

Chr. Tudan: On this 3864.

Repr. Mayer: Substitute for 3864, and I'd like to have these passed out so that members of the Committee will have a copy of it.

H.B. No. 3864 (Reps. Mayer and Stecker) AN ACT PROVIDING FOR REGIONAL ECONOMIC DEVELOPMENT DISTRICTS.

Mr. George Edwards, Chief Administrative Officer, Town of Granby: Mr. Chairman, members of the Committee, the bill we are speaking about, I believe, is the revision to H.B. 3864, is that right? Substitute bill - and I'd also like to mention in passing, because I do have to leave -- I'd like to mention in passing, since you're not talking about it now, H.B. 4088, many of the provisions of which, at one time, were contained in the substitute bill 3864, and register in favor of that. I would like to say, by way of background on substitute H.B. 3864, that it results from the activities of both citizen groups and the town governments of Simsbury, East Granby, and Granby, as a joint effort to try to stimulate industrial development in an area which is contiguous to three separate towns. Hopefully, a unique and distinctive industrial complex will develop in the area of the southeast corner of our town, the southwest corner of East Granby, and the north corner of Simsbury.

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Chr. Tudan: Are you folks present in the Capital Region? Is your town presently in the Capital Region?

Mr. Edwards: Yes, we are. I'd like to leave the rest of the speaking for the bill to the other people from Granby, East Granby, and Simsbury here today. I would like to mention several points that I think are technical in nature, not substantive, which would improve the bill, if I may. Section 15 is the first section I would like to refer to, which discusses the annual meeting and the budget meetings of the proposed district, economic development district. I believe there is some confusion in the terminology. Initially, in the fourth line - in fact, in the second and fourth lines - the term annual meeting is used. As a General Act, I believe that this may confuse some towns that do not have an annual meeting to elect its officers, and I think it could be spelled out as to what the purpose of the annual meeting was. I assume this would be for the election of officers. Secondly, within the same section, it refers in line 5 to a public budget meeting to be held in the district, and in the next line it refers to such public hearing, I believe referring to the same commodity. I think this needs a little clarification. I believe that what the intent was that this was to read "such budget meeting". I'd also like to suggest that an additional phrase be added at this point, something which accomplish the following "the procedures for calling, advertising, and conduct of such public budget meeting shall (and this is the addition) be determined in the adopting ordinance referred to in Section A." This would mean the towns involved in setting up such a district would have the option of spelling out the procedures for the public budget meeting in the ordinance which sets forth or adopts the regional economic district. Moving to Section 16, the next section, this section in general refers to the powers of the economic district to borrow an unstated sum of money, up to a maximum of five years - five year serial notes. There are two points, I think, which need to be drawn to your attention. First of all, there is no reference to the towns involved, although the small sum of money, albeit, would affect the debt service status of the three towns in our case, or any number of towns involved. I think that some reference should be made, and authorization received, prior to any such borrowing from at least the Boards of Selectmen, or their successor bodies in other towns, for such an action. Secondly, within this Section, at one point, in an earlier draft, there was a maximum of an aggregate of \$100,000. There is no such maximum now. I believe that a maximum, not to exceed... I believe a proper maximum to this section might be a not to exceed of 1%... an aggregate not to exceed 1% of the debt limit provided by Section 12. Section 12 also provided for the economic development district to have certain debt service powers, bond-issuing powers. Moving to Section 18, a very brief inote in passing,

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a flaw which I am sure is easily correctable, the last word of that Section is "the dissolution", in effect, it says "dissolution of a district shall be dissolved subject to the provisions of this Section". I think Section should be broader than that; it should be referred as Section 20 below, which talks about dissolution.

Chr. Tudan: Are you talking about this bill now?

Mr. Edwards: Yes, I am.

Chr. Tudan: You still want to change it? You want to change it again?

Mr. Edwards: Yes. The last one I'd like to mention to you is in the last section of the bill, Section 21, the very last phrase of the bill which says "and paid over to the State up to the amount received as a grant-in-aid". This is a carry-over from a prior draft when there was a grant-in-aid provision in this bill, and I don't believe it's applicable now. It's not applicable, I don't think, to put in a bill of this nature. It should rather be in a bill providing for a grant-in-aid. In closing, I simply would like to say that our First Selectman, with whom I talked last night, was unable apparently to be here today. He wished to, and register in favor of the bill. Another selectman is here who, I am sure, can confirm that the Town is on record as to being in favor of the Tri-Town Industrial District, which is our way of saying a regional economic development district, as provided for in such bill. So I thank you very much for your time.....

Chr. Tudan: Representative Morano - he has to go to a caucus.

Repr. Morano, 151st District: Mr. Chairman, distinguished members of the Committee, I am speaking for Nicholas A. Lenge, 13th District. I am here today to speak to Bill 4547. It's been a long, long day, and, in the sense of brevity, I will not elaborate on the bill, but I would like to leave some information with your Committee, and appear before your Committee when they have an Executive Session to give you any further information. Thank you.

Chr. Tudan: Mr. Morano, don't you come from Greenwich?

Mr. Morano: The great town of Greenwich.

Chr. Tudan: Why don't you leave that with the secretary, if you will? Also, anyone else care to speak in favor of H.B. 3864?

Repr. Mayer of the Committee, 40th District: I'm speaking for substitute for 3864, an Act providing for Regional Economic Development Districts. Now, many of you may have heard of the Tri-Town Industrial Development, and the Tri-Town Industrial Committee, which was formed between the towns of Simsbury, Granby, and East Granby. If you haven't, I'm here to tell you about it, and I'd like to pass these

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pamphlets around, which were the results of about a year and a half study in this particular area on inter-town cooperation for industrial development, and, while present legislation allows two or more towns to get together to establish basically industrial developments, it is our feeling and the feeling of others that it is just about impossible to get the towns to work together towards mutual industrial development under existing legislation. My purpose here, right now, is to explain some of the features of this bill, and the reasons that we have incorporated them in it. Now, first, in the first three sections, basically outlines the position of the reason for the bill, and Section 3 gets into the meat of it. This provides that any two or more towns can set up a study committee to establish, or to look into, the possibility of getting together for industrial development. Section 4 tells the Committee to organize rules and establish rules for that committee. Section 5 states that each town shall share the expense of this study, and Section 6 goes into the preparation of a plan of development, and Section 7 states that the plan should be submitted to the local planning commission, the regional planning commission, and to the Connecticut Development Commission, for advisory reports only. Now, if the committee decides that this would be a good idea, to have adjacent towns join in with industrial development, each town votes on this to establish a regional economic development district. Now, under Section 10, it gives the regional economic development district, the same powers that exist under present statutes, Public Act 449, and also the revision to that statute in H.B. 4088 that is being heard today. Section 11 is probably the most controversial, and one of the things that makes this particular piece of legislation unique, in that it allows the towns in this district to average taxes within the district, and to collect taxes on a mutual basis, and to have one tax structure, and, when the revenues of taxation come in from this industrial development, it would be distributed back to the individual towns in the same manner in which they had contributed to the development itself. This is where we found most of the problem, with trying to cooperate with other towns in industrial development, in this particular area, and the reason for it is simple. If, for example, one of the towns, when they get together and they all decide to develop an industrial district, each one says "well, let's have it in our town, of course", and there becomes a fight as to which town this industrial plant is located. But under this bill, it puts them all in the same pool. Everyone shares in the growth of this particular industrial area regardless of whether the industrial plant is in their town or not. Now, this is a difficult thing, and I know that we perused over this for many, many months. We feel we have a solution here to this particular problem. It will take the competition between the three towns out of the matter,

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as far as developing our industrial lands where it borders within, or near borders of various towns. Section 12 allows...

Chr. Tudan: May I ask you a question? The fact that this is your Assembly District, does this motivate your having this district within your area?

Repr. Mayer: No, this is not my Assembly District entirely. My Assembly District comprises the towns of East Granby, Granby, and Suffield, and Simsbury is a separate district, and Mr. Stecker is on the committee....

Chr. Tudan: Find, this answers the question...All right, go ahead.

Sen. Buckley: Bill, before you pass from that point, give it to me again slow about that tax business. I haven't had a chance to read the substitute.

Repr. Mayer: All right. Well, basically, what it would allow is the towns to have a mutual tax district, with a tax that would be the same. It would not be in any case less than the average of the taxation presently in existence throughout the communities. In other words, you couldn't go in there with a 10 mil tax rate, if you will, to attract industry.

Chr. Buckley: Let me ask another question? How is that going to be feasible, because the mil rate depends on the assessment scale in the various towns, and, under our statutes, one town could put it at 65, another at 85, so that the mil rate would be based upon their needs in relation to the assessed value of property.

Repr. Mayer: This would have to be taken into consideration, and there is latitude for that under the bill. But the problem here is in existence that, if you don't do something like this, if you don't get together on the receipts of it, you might as well forget it. For example, in 4088, it allows two or more towns to get together for industrial development. I don't see this happening, and I see problems already in existence in other towns in the state where they have attempted this. They finally get together; they plan the whole thing, and then everybody fights about where the industrial development is going to occur. This is a fact of life, if you will, as far as town government is concerned. Section 12 allows the towns to issue bonds and upon approval of the town's legislative bodies. Section 15 provides for annual public hearings on the subject, and Section 16 and thereafter provide for withdrawal from the district, in case anybody gets unhappy. We feel this is a good measure. It can work well, and will work well with H.B. 4088, and we encourage the passage of both bills. One is by Mr. Tudan of this Committee...

Chr. Buckley: Any questions of Representative Mayer?

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Repr. Mayer: I'll be after you more on this.

Chr. Buckley: Roy?

Mr. Leroy Jones, Managing Director, Conn. Development Commission: Mr. Chairman, speaking also in behalf of H.B. 3864, I think, as Mr. Mayer pointed out, here's a chance for the municipalities to pool their resources to get these needed facilities, the legal means, as we see it, for them to get together on these matters, and it does dovetail with Vic Tudan's bill, 4088. In addition to the area, though, that it concerns Representative Mayer particularly, I would add that there is a light concern right now down in Southbury, Middlebury, and Oxford area, since that area is becoming a rather large industrial park complex, involving a multi-town complex there, and we believe that there must be a rationale and a way found so that more than one municipality can join together in achieving comprehensive industrial park development. We ask your serious consideration.

Repr. Stecker, 39th District: I would merely like to indicate that the Town of Simsbury, that I represent, has had members of its industrial development commission functioning with the corresponding members from these other towns. They have spent long hours trying to devise a way in which such an economic development commission can be established and can function properly, and Simsbury, for one, wholeheartedly supports this type of an arrangement, and I would like to have this on the record. Thank you.

Mr. Richard Nixon, Granby: I'm appearing as a representative of the Granby Chamber of Commerce and also secretary of the Tri-Town Industrial Committee. All of our members were appointed by the Boards of Selectmen of the towns of Simsbury, East Granby, and Granby, as previously has been stated. The problems of the smaller towns in attracting industry are manifold and generally well-known. On an individual basis, it would be very difficult, it'd be very difficult to compete with the larger towns and the cities, both within the State of Connecticut and from the outside. One possible solution of this problem might be through regional economic development districts, where two or more towns may join together. They can pool their land, their resources, and their efforts and attempt the establishment of commercial or industrial areas that will benefit all of the towns and citizens in that district. A great deal of time, effort, and thought has been put in this project to date, but, before any additional progress can be made, legislation must be enacted that will enable us to become a reality. Therefore, we urge the passage of Bills 3864 and 4088. Thank you.

Mr. Bertlen Turner, East Granby, Town Counsel for the Town of East Granby:

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Leroy Jones, Connecticut Development Commission: 4088 - a copy of H.B. 4088.

Chr. Tudan: It's a good bill.

Mr. Jones: This, ladies and gentlemen, is the rewrite of what we have been knowing as Public Act 8 and Public Act 449. We consider this extremely important. The measure that made the history, you know, was Public Act 8, the state and local urban renewal program, under which the Long Wharf Project of New Haven, the New Britain Industrial Park Project... and then, in addition to that, under 449, in Norwich there is now an industrial park there; the Mayor of New Britain came in, asking that money be reserved for another project there. This afternoon I met with the Mayor of Danbury who is most anxious to know whether there is any money left that he may use for this particular purpose. These were projects that were not eligible to qualify (?) for federal assistance, federal urban renewal assistance. The Act 449 which was passed in the 65 Session did need some work done on it. Sen. McCormick was engaged and did redraft the bill, as you have it before you. It has made some changes over what was .... Public Act 449, by making this a grant program rather than a loan. The Act that was passed in 1965 would not allow included in the project cost the acquisition of land. It was only after the land had become either under the municipality's control or under the control of a local development corporation, then money could be expended for sewers, water, site improvements, roads, and so forth, and this would allow, however, the acquisition cost to be included in the bill. I believe it was a \$6 million amount. Now, I would note, on that respect, Mr. Chairman, that the Community Development Act, which you will be hearing, I believe, next week, does refer to and includes incorporation of this particular bill, thus, while I don't like to see you taking money out, I would suggest that we are going to have a CDA act, that the monies might not be very important in this bill, that the CDA monies are sufficient to the cause, and I'm sure will be a topic of discussion next week. But, at any rate, I think that the important thing is to see that there is legislation on the books to enable both the municipalities and the state to get into and further this work. It does combine - I know all the cities have an interest in the continuation of Public Act 8. It does revive the projects which are presently under Public Act 8, by a so-called grandfather clause which swept in under the provisions of this Act right here. We consider it extremely important, and probably one of the most important tools in use for both sound industrial development and also a major renewal for industrial development purposes in our municipalities. I don't think I need to go into a lot of other details. I happen to have, per usual, copies of my testimony here.

Chr. Tudan: Just give the secretary one.

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Repr. Orcutt of the Committee: Roy, it should be CDA or this...You'll take the CDA, and, if you get the CDA, you won't need this?

Mr. Jones: I won't need \$6 million.

Repr. Orcutt: But you'll need the act.

Mr. Jones: But I need the authorization.....Sen. McCormick had to approve projects without state aid, because the municipalities must act under this act also, and, in empowering them -- Bloomfield, and one other one, I forget where, and had to find that these were bondable projects all right, under 449, but he, at that time, suggested..... to bring it more in line with current needs, and thus instituted a redraft of the act, and knew the authority would be there, as well as to say without money - it's that important. It comes down to that.....

Chr. Tudan: Any other questions? All bills having been heard today, we declare the hearing closed.