

Legislative History for Connecticut Act

SB 787

PA 139

(fax)

1969

Senate: 1153

House: 2050

Roads & Bldgs: 10-11 • In fax file  
15-16

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S-70

CONNECTICUT  
GENERAL ASSEMBLY

SENATE

PROCEEDINGS

1969

VOL. 13

PART 3

944 - 1473

Page 44

April 17, 1969

passage of the bill indicate by saying aye, opposed. The bill is passed.

THE CLERK:

Calendar No. 418, File No. 363. Favorable report of the joint standing committee on Roads and Bridges on Substitute Senate Bill No. 787. An Act concerning Taxation of Leased Land, Buildings and Air Rights Within Highway Rights-of-Way.

SENATOR TANSLEY:

Mr. President, I ask for acceptance of the committee favorable report and passage of the bill.

THE CHAIR:

Will you remark.

SENATOR TANSLEY:

Mr. President, the use of land acquired for highway purposes provides an opportunity to utilizes land in the state which otherwise remain dormant and unattachable in municipalities. Its a good bill and should pass.

THE CHAIR:

Further remarks. All those in favor indicate by saying aye opposed. The bill is passed.

THE CLERK:

Calendar No. 421, File No. 365. Favorable report of the joint standing committee on Banks on Senate Bill No. 863. An Act concerning Retirement Benefits of Savings Bank Officers and Employees.

H-98

CONNECTICUT  
GENERAL ASSEMBLY

HOUSE

PROCEEDINGS  
1969

VOL. 13  
PART 4

1520-2064

Tuesday, April 29, 1969

136

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Calendar No. 550, Modified House Bill No. 7073, File No. 581.

On page 20 at the top, Calendar No. 555, Modified House Bill No. 5447, File No. 585.

Calendar No. 571, Substitute for Senate Bill No. 787, File No. 363.

On page 21, second from the top, Calendar No. 558, Senate Bill No. 863, File No. 365.

Calendar No. 559, Modified Senate Bill No. 864, File No. 366.

Calendar No. 560, Senate Bill No. 1489, File No. 339.

Calendar No. 561, Senate Bill No. 1250, File No. 346.

Calendar No. 564, Modified Senate Bill No. 1213, File No. 259.

Calendar No. 565, Modified Senate Bill No. 186, File No. 343.

Calendar No. 568, Senate Bill No. 759, File No. 293.

THE SPEAKER:

You have heard the motion. Are there further objections at this time? If not, the vote is in favor of acceptance of the motion. All those in favor, indicate by saying "Aye". Opposed? The motion is adopted. The bills are passed.

THE SPEAKER:

The gentleman from the 78th.

MR. PAPANDREA: (78th)

Mr. Speaker, pursuant to Rule 47, I move that the follow-

JOINT  
STANDING  
COMMITTEE  
HEARINGS

ROADS & BRIDGES

1-315

1969

INDEX

TUESDAY

ROADS AND BRIDGES

FEBRUARY 11, 1969

other hand, that which is in the commissioner's bill, 791, which would meet the need for housing persons, businesses and facilities actually displaced by highway construction.

So it would meet two considerations. 1. Those actually displaced by the highway or 2. facilities which could not be build elsewhere without massive displacement and it provides a sweetener for this. It provides that dispositions which meet neither of those purposes of section 7 could be made for nominal financial consideration. It correctly provides, however, that any other disposition which might be appropriate for industrial or commercial use, for example, should be made at a cost which represents some payment back to the state for the monies expended in developing and collecting that land.

Thus, our state can and should provide the catalytic subsidies for developments over highways which enhance the conditions and quality of urban life but developments purely commercial should pay their own way.

In New Haven, the Yale-New Haven Hospital of the Medical Center in the city are ready to devebp air space over Route 34. The parking and housing provided will signifi - cantly enhance our city. It can and must be the first in a series of such developments in the years ahead. With the enactment, this session, of H. B. 7334, these imaginative, new opportunities will be open to all the cities of our state. Thank you very much for your attention.

Senator Gunther: Senator Gunther, 21st district. Believe me, I'll be much briefer than other previous speakers. I don't know about other committees in the sub-committees of this legislature but most of them have been limiting us to one or two minutes. I think it's a hell-uv-a good idea just between you and I so I think you can read the bill and know what's in it and I think you should leave it up to the public to come in here and cover it. We do have to cover, yes.

Actually, I would like to support Senator Amenta's bill, 787.

S. B. No. 787 (Senator Amenta-6th) AN ACT CONCERNING GRANTS IN LIEU OF TAXES ON STATE-OWNED PROPERTY LAND.

I think it's already been covered in subject matter in the General Law committee today. They have a general category in this area. I think that we need some uniformity in setting up this lieu of taxes on state properties in the various towns. I don't think it should be

TUESDAY

ROADS AND BRIDGES

FEBRUARY 11, 1969

done on a patronage basis but I think we should have an overall program as to how we set up these programs and give subsidies to the town. I should also like to take and join with Jerry Stevens who is from my district in asking for a toll collection study. Now, this was in here two years ago and I hope we aren't going to have to come back in another two years. I think a general study of the Conn. Turnpike is necessary because we are having our problems. I agree with Jerry. I certainly think we could run it as efficiently, make as much money and still have it to the advantage of all the towns in surrounding areas. We have a \$33,000,000 surplus and we are worrying too much about making money, about not making money by it but I think we can make the same amount and keep the (one word inaudible) onto the highway. Thank you very much.

Senator Finney: Mr. Chairman and members of the committee, I just want to spend about a half minute on H B. No. 5333

H. B. No. 5333 (Rep. Fox-152nd) AN ACT EXEMPTING BYRAM RESIDENTS FROM PAYING TOLLS AT THE GREENWICH TOLL STATION, AND PROVIDING FOR THE ISSUANCE OF APPROPRIATE REGISTRATION MARKERS.

which has to do with allowing people who live in the Byram section, to allow Byram residents to get on the Conn. Turnpike without having to pay a toll. The answer is that the station just before the New York state line is right in the middle of the Byram area so you can't go from one part of Greenwich to the other without paying a toll. You've had it before but I hope you'll consider it again. thank you.

Rep. Pearson of the 128th: I have a bill 7328 but to save time on that one, I believe that I'd like to support 5142, Rep. Stevens bill.

H. B. No. 5142 (Rep. Stevens-122nd) AN ACT PROVIDING A STUDY OF THE TOLL COLLECTION SYSTEM ON THE CONNECTICUT TURNPIKE.

The name is Rep. Pearson, 128th, Stratford. The purpose is to eliminate the Stratford toll and I appreciate that this cannot be done without a study and you wouldn't want to eliminate any of the revenue so that's why I'm coming forth to support the other bill today. (Inaudible phrase) are really unbelievably crowded and we are hit very hard as an impact area which is Stratford and everyone, just about everyone turns off there. Very few go through that toll to pay it. I do myself. We all turn off. Cars, trucks and I think almost everyone and the congestion is

TUESDAY

ROADS AND BRIDGES

FEBRUARY 11, 1969

Therefore, summing up, we support the highway bill which would permit the highway commission to sell air rights but we would request that in any such bill the rights be reserved to the local municipality to pass on any development proposed in the sale.

Rep. Miscikoski: Sir, doesn't the Highway Dept. now have to check with the municipality before they sell?

Eugene Sosnoff: Right now there's no provision for sale at all, so there's no provision for clearing with them.

Chairman LaFleur: Mr. Platt, did you wish to be heard on any bill?

Rep. Platt: I will register my approval again and urge your consideration of the bill to study the toll system on the Conn. Turnpike. I think there's a real need for a good study made of the plan. I think it will increase traffic rather than decrease it and certainly will make it a lot easier for people to use to stop them from jumping on and off and ducking toll stations. This has been in for a number of sessions. I see Mr. Stevens has one in now, 5142 which is the same bill. I urge you to give it your consideration. Thank you very much.

Senator Amenta: What do you think they ought to do? What should they study?

Rep. Platt: I think they ought to have either a book which is good for over 30 days or a ticket book that is good for all stations. Either one of those two things. The 30 day limit is a little bit close for anyone except commuters. For commuters it's fine. I had it for years but when you get beyond the commuting stage, you still want to use the roads and it would be nice if tickets would be available in more than one station. Either one of those two things will accomplish what I'd like. Thank you.

Chairman LaFleur: We'll start taking up the Senate bills and seeing that we don't have copies of the bills, I'll call them up in order and the gentlemen from the Highway Dept. can come up and explain the bill, we'll appreciate it. I'll call first on S. B. 787.

S. B. No. 787 (Sen. Amenta-6th) AN ACT CONCERNING GRANTS IN LIEU OF TAXES ON STATE-OWNED PROPERTY LAND.

Tom Yasensky, Director of Rights-of-Way, Conn. Highway Dept.: S. B. 787 is an act concerning grants in lieu of taxes on state owned property. The Highway Dept. would like to make a comment on the tax proviso in this bill.

Section 12-19 of the General Statutes sets forth a procedure for the taxation of State properties which are subsequently rented or leased. The Statute establishes a minimum assessment as being no less than the value of the land with improvements at the time of the acquisition of the property. The formula for arriving at the value of the rented or leased State property is to use an average assessed valuation of the land and improvements for the period of five years prior to the acquisition.

This statute and the method of taxation which it establishes, presents a problem for the Highway Dept. in attempting to carry out cooperative ventures with municipalities, private individuals, business concerns, etc. Once the land along and below the highway right of way was held inviolate. Today the whole concept of land use along the highways has changed and joint ventures and multiple uses are permitted within certain conditions. The law on taxation of these areas as written is a strong deterrent to such activity.

For example, prior to the State's acquisition a parcel of land had a five story business building located on it. The taxes in this urban area averaged \$20,000 per year. Under the present provisions of Section 12-19 the prospective lessee would be required to pay that amount in taxes even if the vacant land leased could not support these expenses. Say, the land could only handle twenty parked cars bringing an average rental of \$10 per month. Add this to the cost of improving and maintaining the area and it is easy to understand why the tax clause is prohibitive.

The change recommended by the Highway Dept. will permit this type of land to be utilized to its fullest and still provide the municipality with the taxes to which it is entitled. This would come about by having the property taxed on an ad valorem basis. The State will benefit from this change by gaining revenue from leases; the municipalities will benefit by having land returned to the tax rolls; and business and industry will benefit from the development of new parking areas or other uses. In general, this bill will contribute to the economic climate of the State of Connecticut.

The Highway Dept. feels that this bill will be of greater benefit to the municipalities than the present law. Whereas the present law virtually precludes development by making the tax excessive while this bill would actually encourage development and still produce taxation. The Highway Dept. desires your strong support for this progressive legislation. Thank you.