Legislative History for Connecticut Act

| SB 1561 PA 3 | 394 SCA | W 1979 |
|--------------------------|--------------|--------|
| House - 8528 - 8539 | | 12 |
| Senate - 2843 - 2845, 29 | 189 | 4 |
| Planning - 1078 | | |
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Transcripts from the Joint Standing Committee Public Hearing(s) and/or Senate and House of Representatives Proceedings

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Thursday, May 17, 1979

459 khm

SPEAKER ABATE:

The Bill passes.

CLERK:

Calendar No. 1173, File 511, Senate Bill No. 1561.

AN ACT CHANGING THE RESPONSIBILITIES UNDER THE CONGREGATE

HOUSING PROGRAM AND CLARIFYING THE STATUS OF PAYMENT IN LIEU

OF TAXES PROGRAM. As amended by Senate Amendment Schedule "A".

Favorable report of the Committee on Planning and Development.

REP. MC CLUSKEY: (86th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Dorothy McCluskey.

REP. MC CLUSKEY: (86th)

Thank you, Mr. Speaker. I move acceptance of the Joint Committee's Favorable Report and passage of the Bill in concurrence with the Senate.

SPEAKER ABATE:

The question is on acceptance of the Joint Committee's Favorable report and passage of the Bill in concurrence with the Senate. Will you remark?

REP. MC CLUSKEY: (86th)

Yes, Mr. Speaker, the Clerk has an amendment, Senate Amendment "A", LCO No. 7489 and I would request the Clerk to call and read it?

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SPEAKER ABATE:

The Clerk has in his possession an Amendment, LCO No.

7489, previously designated Senate Amendment Schedule "A". Would the Clerk please call and read the Amendment?

CLERK:

LCO No. 7489, offered by Sen. Cloud of the 2nd District. Strike lines 1 through 129 inclusive.

In line 130, strike the words "Section 4".

SPEAKER ABATE:

The Amendment is in your possession, Madam, what is your pleasure?

REP. MC CLUSKEY: (86th)

Mr. Speaker, I would move adoption of the Amendment.

SPEAKER ABATE:

The question is on adoption of Senate Amendment Schedule "A". Will you remark on its adoption?

REP. MC CLUSKEY: (86th)

Yes, Mr. Speaker. This Amendment would maintain the primary responsibility for administering the congregate housing program in the Department of Aging in cooperation with the Department of Economic Development as it presently is. It would be a good amendment.

SPEAKER ABATE:

Will you remark further on the adoption of Senate Amendment

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Schedule "A"?

REP. VAN NORSTRAND: (141st)

Mr. Speaker.

SPEAKER ABATE:

Rep. VanNorstrand.

REP. VAN NORSTRAND: (141st)

Through you, a question to Rep. McCluskey.

SPEAKER ABATE:

State your question, please, sir.

REP. VAN NORSTRAND: (141st)

Rep. McCluskey, am I fair in stating as I read the

Amendment, the program is disappearing?

SPEAKER ABATE:

Rep. McCluskey, will you respond, madam?

REP. MC CLUSKEY: (86th)

No, not that the program would disappear, but it would, the primary responsibility would remain where it is now.

REP. VAN NORSTRAND: (141st)

In other words, through you, Mr. Speaker,

SPEAKER ABATE:

Rep. VanNorstrand.

REP. VAN NORSTRAND: (141st)

So there would be no change in the current law? That's the thrust of the Amendment?

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REP. MC CLUSKEY: (86th)

That is correct, in the current primary responsibility for the program where it is now.

REP. VAN NORSTRAND: (141st)

Thank you.

SPEAKER ABATE:

Will you remark further?

REP. CONNOLLY: (16th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Connolly.

REP. CONNOLLY: (16th)

Thank you, Mr. Speaker, a question through you to the proponent.

SPEAKER ABATE:

State your question, please madam.

REP. CONNOLLY: (16th)

Thank you. Rep. McCluskey, I just had thrust at me a fiscal impact statement and under state costs it says state and municipal impact, see below. Now I haven't even had time to read that, would you please explain to me what that impact is?

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SPEAKER ABATE:

Rep. McCluskey?

REP. MC CLUSKEY: (86th)

Through you, Mr. Speaker. Yes, the fiscal note indicates the passage of the Bill will result in no additional cost to the state as the state does not contribute funds to the payment in lieu of taxes program for the elderly, and therefore, it would not be contributing to the pilot program for congregate housing.

SPEAKER ABATE:

Rep. Connolly, you still have the floor, Madam.

REP. CONNOLLY: (16th)

Thank you. Through you, Mr. Speaker, then would you explain to me why this statement says state and municipal impact? You did address the problem of state but I'm still concerned about municipal impact?

SPEAKER ABATE:

Rep. McCluskey, will you respond through the Chair, Madam? REP. MC CLUSKEY: (86th)

Through you, Mr. Speaker. Actually, in answering the question I have to go into the Bill rather than the Amendment, and, with your permission, I will so do. The fiscal note further says with the passage of this Bill, the eligible developer of a congregate housing project would make a payment

in lieu of taxes to the municipality of not more than 10% of the shelter rent per annum, for each occupied dwelling unit, provided that the amount of such payment shall not exceed the amount of taxes which would be paid on the property were the property not exempt from taxation.

The amount of payment would be determined by the municipality, with the approval of the Commissioner of Economic Development.

REP. CONNOLLY: (16th)

Through you, Mr. Speaker.

SPEAKER ABATE:

Rep. Connolly, you still have the floor, Madam.

REP. CONNOLLY: (16th)

Yes. At the bottom of this fiscal note I notice a statement here, a pilot program would result in lower rents for congregate housing tenants and possible lower property tax revenues for municipalities with congregate housing projects than would be received if such projects were paying their full tax liability.

Then it would have a municipal impact in, according to this statement, in that town would be receiving a lower property tax revenue. Am I correct in that interpretation?

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SPEAKER ABATE:

Rep. McCluskey.

REP. MC CLUSKEY: (86th)

Through you, Mr. Speaker, it is my understanding that presently there are no congregate housing programs of this nature, that the program has authorized. At present there are none and this would be worked out as a part of the agreement. This Bill, if the Amendment passes, will provide, expand the payment in lieu of taxes program grants that we presently have on state moderate rental housing and on elderly housing projects through the congregate housing.

REP. CONNOLLY: (16th)

Well, I recognize that we don't have congregate housing in place as yet, but I presume when this is, and when this Bill passes, it will be instituted and I am trying to establish, through you, if it does indeed have a municipal impact on tax revenues.

SPEAKER ABATE:

Rep. McCluskey, will you respond, madam.

REP. MC CLUSKEY: (86th)

Through you, Mr. Speaker, the fiscal note says there would be a possible lower tax revenue with the project than would be received if the projects were paying their full tax liability.

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SPEAKER ABATE:

Rep. Connolly.

REP. CONNOLLY: (16th)

Well, I do have a concern here because once the state does not have fiscal responsibility and that additional cost is passed on to the municipalities, the state and the Department on Aging, I'm sure, will push immediately for congregate housing.

I approve of the concept, on the other hand, we have passed, I've been trying to keep track of it, I believe we've passed already, ten bills which have an impact on municipal budgets, and I'm afraid if we pass this, it will be reflected in the municipal budget rather than the state budget.

Thank you, Mr. Speaker.

SPEAKER ABATE:

Will you remark further?

REP. MOYNIHAN: (10th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Timothy Moynihan.

REP. MOYNIHAN: (10th)

Mr. Speaker, just to clear up any confusion at this late hour, I would draw the Chamber's attention to line no. 138 through 140, where it clearly says that there will be a sum to be determined by the municipality, with the approval of the Commissioner

of Economic Development. It's really a three legged stool, where you have the developer applying for this type of housing, and then that developer working in conjuction with the municipality and the Department of Development, to come up with an equitable tax plan that makes the project economically feasible, but in no case, and this is what the language of the file talks about, in no case should that tax range be beyond 10% of the gross income of the project.

I think we're just giving a guideline to what should be appropriate for this kind of housing, to encourage it and to encourage developers as well as the communities and our own department to advance this type of housing. I hope that clarifies the problem.

SPEAKER ABATE:

Will you remark further?

Will you remark further on the adoption of Senate Amendment Schedule "A"?

REP. BELDEN: (113th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Belden.

REP. BELDEN: (113th)

Pardon me Mr. Speaker, I want to talk on the Bill.

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SPEAKER ABATE:

Will you remark further on the adoption of Senate Amendment Schedule "A"?

Will you remark further on its adoption?

If not, all those in favor of its adoption, please indicate by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER ABATE:

Opposed nay? The ayes have it, the Amendment is adopted and it is ruled technical.

Will you remark further on the Bill as amended by Senate "A"?

REP. BELDEN: (113th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Belden.

REP. BELDEN: (113th)

Mr. Speaker, I support this legislation that's before us today and I would just like to make note of one point which I feel probably should be addressed, possibly next year by the Public Health Committee, and that is that we are essentially through the Department of Aging, establishing certain types of housing in Connecticut, involving services to the elderly,

although not as sophisticated as nursing homes. It generally falls in the category as something that probably should, for inspection purposes and for quality purposes in the long term come under the jurisdiction of the Department of Health.

In that these would essentially be contracted services through the Department of Aging through operators out there in the state who could be profit, non-profit, private entities, what not.

And I think that the concept is good and we should proceed with the concept, but I think there's a little more that has to be done in the long term, to insure that people who are residing in these particular type of housing are receiving a reasonable amount of protection.

SPEAKER ABATE:

Will you remark further on the Bill as amended by Senate "A"? Will you remark further on the Bill as amended?

If not, would all the members please be seated. Would all staff and guests please come to the well of the house.

The machine will be opened.

The House of Representatives is voting by roll at this time, will the members please return to the Chamber immediately.

The House of Representatives is voting by roll at this time, will the members please return to the Chamber immediately.

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Have all the members voted? Would the members please check the roll call machine to determine if their vote is properly recorded?

The machine will be locked. The Clerk will take the tally.

The Clerk please announce the tally.

CLERK:

Senate Bill 1561 as amended by Senate "A".

Total number voting 127
Necessary for passage 64
Those voting yea 127
Those voting nay 0

Those absent and not voting 24

SPEAKER ABATE:

The Bill as amended passes.

REP. GROPPO: (63rd)

Mr. Speaker.

SPEAKER ABATE:

Rep. Groppo.

REP. GROPPO: (63rd)

I think everybody's getting a little punchy with their light buttons. I'd like to give the schedule for next week.

We still intend to pass some more bills so don't get -- in all

SENATE

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THE CLERK:

Calendar 533, File 511, FAvorable Report of the Joint Standing

Committee on Planning and Development, <u>Senate Bill 1561</u>, AN ACT CHANGING

THE RESPONSIBILITIES UNDER THE CONGREGATE HOUSING PROGRAM AND CLARIFY
ING THE STATUS OF THE PAYMENT IN LIEU OF TAXES PROGRAM.

THE CHAIR:

Senator Cloud.

SENATOR CLOUD:

Mr. President, I believe there is an Amendment to this Bill which will become the main Bill. Imove adoption of the Amendment.

THE CHAIR:

Madam Clerk, do you have an Amendment?

THE CLERK:

Yes, I do have an Amendment.

THE CHAIR:

Would you proceed with Senate A and read the LCO.

Did you move for acceptance and passage of the Bill?

SENATOR CLOUD:

Yes. I've moved acceptance of the Joint Committee's Favorable Report and passage of the Bill.

THE CHAIR:

Question is on acceptance and passage. Does the Clerk have an Amendment?

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THE CLERK:

Clerk has Sanate Amendment, Schedule A, File 511, Senate Bill 1561, offered by Senator Cloud, LCO 7489. 7489.

THE CHAIR:

Senator Cloud.

SENATOR CLOUD:

Mr. President, I waive the reading of the Bill and ask that I be able to remark.

THE CHAIR:

The question is on adopting of Senate A and waiving of the reading.

Is there objection to waiving the reading? Hearing none, you may proceed with the adoption of Senate, Senator Cloud.

SENATOR CLOUD:

Thank you Mr. President. Mr. President and Members of the Circle, this Amendment would require an eligible developer, approved by the Department of Economic Development for State financial assistance for a congregate housing project, to pay to the municipality in which any of the congregate housing projects are located, a sum determined by the municipality with the approval of the Commissioner of Economic Development, not in excess of 10 percent of the shelter rate per annum for each occupied dwelling unit. It further states that an amount of such payment shall not be limited to ten percent when funds are made available for payment by an agency or department of the Federal Government. Finally it provides that no payment shall exceed the amount of taxes which would be paid on the property if it were not tax exempt. Mr. President, it's a good Amendment. It has the

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support of both the Department of Economic Development and the Department of Aging and I would move adoption of the Amendment.

THE CHAIR:

Discussion on the Amendment? Hearing none, those in favor indicate by saying aye. Those in opposition to? Amendment A is adopted.

SENATOR CLOUD:

Mr. President, I would move passage of the Bill as amended. THE CHAIR:

Question is on acceptance and passage as amended by Senate A. Is there further discussion on the Bill?

SENATOR CLOUD:

No Mr. President. If there is no objection, I would ask that it be placed on the Consent Calendar.

THE CHAIR:

The Motion is to place on Consent. Is there objection to the Motion?

Hearing none, it is so ordered. The item is on the Consent Calendar.

THE CLERK:

Calendar 548, File 532, Favorable Report of the Joint Standing

Committee on Government Administration and Elections, Substitute for Senate

Bill 718, AN ACT CONCERNING THE DISCLOSURE REPORTS OF UNFAIR TRADE PRAC
TICES BY THE DEPARTMENT OF CONSUMER PROTECTION.

Senator Baker.

THE CHAIR:

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THE CHAIR:

Have all Senators voted? The machine will be closed.

HJ 170, HJ 171, HJ 172, HJ 164, HJ 165 SB 1430, HB 7071, SB 1291, HB 6091, SB 384, SB 1354, will take a tally. SB 1561, SB 718, SB 1187, HB 6907, HB 5017, HB 5218, 303, HB 7537, SB 1314, SB 369, HB 6140, HB 5151 The vote is: , нв 6856, нв 7299, нв 7302, нв 7066, нв 5580, 1557, НВ 6079, НВ 6657, НВ 7295, SB 227, SB 1186, YEA 1612, SB 555, SB 1555, SB 1545, SB 1662, HB 5908 НВ 5470, НВ 6230, НВ 6267, НВ 6444, НВ 7121, НВ 7768 NAY нв 7884, нв 7894, нв 7922, нв 5612, нв 6180, нв 7388 The Consent Calendar passes. HB 7397, HB 7403, HB 7930, HB 7943, SB 640, SB 1225, SB 1558, SB 917, SB 1591, SB 503, THE CLERK: HJ 151, HJ 152, HJ 153, HJ 154, HJ 155, HJ 156, HJ 157, HJ 158, НЈ 159, НЈ 160, НЈ 161, НЈ 162, НЈ 163, НЈ 166, НЈ 167, НЈ 168 НЈ 169, Clerk has Senate Agenda that has been passed out today, May 9, 1979. It's on the desks of the Senators.

SENATOR LIEBERMAN:

Mr. President, I move that theitems on the Agenda be acted upon as indicated thereon and that the Agenda be incorporated by reference into the Senate Journal and the Senate Transcript.

THE CHAIR:

The question is on adopting the Senate Agenda. Will you remark?

Hearing none, those in favor indicate by saying aye. Those in opposition

to? The Senate Agenda is adopted. Senator Lieberman.

SENATOR LIEBERMAN:

Mr. President, the Senate Democrat s and Republicans will caucus tomorrow as soon after 10:00 as we can muster a quorum and we will not convene until 1:30 tomorrow after the luncheon that the Members of the Circle of both parties are going to so I would urge these people to be here early for the caucus so we can get some work done in the caucus.

DAVID DEAKIN (Continued): fiscal year.

Raised Committee Bill 1552 would enable the Department of Economic Development to carry out the mandate of a bill established in the Department of Housing to provide tenant/landlord advisory services.

Committee Bill 1553. One of the primary needs to be met in the proposed urban action program is loans for rennovation or rehabilitation of housing. This bill will meet with their needs with funding to be provided by the proceeds of bonds issued under the urban action program introduced by Governor Grasso.

Committee Bill 1561 is An Act Changing the Responsibilities under the Congregate Housing Program. Under the present legislation, the responsibility for the development of this housing is unclear. This bill would clarify the responsibility as resting within the Department of Economic Development or its successor agency, the Department of Housing.

Committee Bill 1562 is An Act Concerning Responsibility for Indian Housing Authorities. The responsibility for overseeing all houisng authorities is presently vested within the housing division of the Department of Economic Development. This bill would bring housing—indian housing authorities under the management provisions of the housing division of economic development.

Committee Bill 1563. This bill would permit the cost of state services for housing authorities for rehabilitation programs to be charged to the individual project being funded. Present housing staff costs of architects and destruction specialists would then be charged to this program.

Committee Bill 1564, An Act Concerning Appropriations to the Department of Economic Development for Existing State Uniform Relocation Assistance. Administration of the Uniform Relocation Assistance Act by the Department of Economic Development requires that technical assistance and a hearing of appeal be provided by this department. This bill will provide the department staff to carry on its legislative mandate. At the present time, we have one staff person who is attempting to devote some of his time to this particular act.