

Legislative History for Connecticut Act

SB 16 PA 80-314 ofny 1980

House 257, 5463-5469

Senate 125, 1977-1980, 2228

Planning + Dev 99-104, 107-108, 121-122

24 p.

Transcripts from the Joint Standing Committee Public Hearing(s) and/or Senate
and House of Representatives Proceedings

Connecticut State Library

Compiled 2016

H-250

CONNECTICUT
GEN. ASSEMBLY
HOUSE

PROCEEDINGS
1980

VOL. 23
PART 1
1-307
INDEX

House of Representatives

Wednesday, March 5, 1980

7
klj

the Joint Standing Committee on Planning and Development, Bill No. 16, AN ACT CONCERNING HISTORIC DISTRICTS.

SPEAKER ABATE:

Referred to the Committee on Government Administration and Elections.

CLERK:

Change of Reference. Favorable Report of the Joint Standing Committee on Public Safety, Bill No. 35, AN ACT CONCERNING FUNDING FOR INVESTIGATIONS OF ORGANIZATIONS CONNECTED WITH LEGALIZED GAMBLING.

SPEAKER ABATE:

Referred to the Committee on Appropriations.

CLERK:

Change of Reference. Favorable Report of the Joint Standing Committee on Public Safety, Bill No. 53, AN ACT CONCERNING THE ADVISORY COMMITTEE ON CRIME PREVENTION AND CONTROL.

SPEAKER ABATE:

Referred to the Committee on Government Administration and Elections.

CLERK:

Change of Reference. Favorable Report of the Joint Standing Committee on Planning and Development, Bill No. 100, AN ACT CONCERNING MUNICIPAL AQUIFER PROTECTION.

House of Representatives

Wednesday, March 5, 1980

7
klj

the Joint Standing Committee on Planning and Development, Bill No. 16, AN ACT CONCERNING HISTORIC DISTRICTS.

SPEAKER ABATE:

Referred to the Committee on Government Administration and Elections.

CLERK:

Change of Reference. Favorable Report of the Joint Standing Committee on Public Safety, Bill No. 35, AN ACT CONCERNING FUNDING FOR INVESTIGATIONS OF ORGANIZATIONS CONNECTED WITH LEGALIZED GAMBLING.

SPEAKER ABATE:

Referred to the Committee on Appropriations.

CLERK:

Change of Reference. Favorable Report of the Joint Standing Committee on Public Safety, Bill No. 53, AN ACT CONCERNING THE ADVISORY COMMITTEE ON CRIME PREVENTION AND CONTROL.

SPEAKER ABATE:

Referred to the Committee on Government Administration and Elections.

CLERK:

Change of Reference. Favorable Report of the Joint Standing Committee on Planning and Development, Bill No. 100, AN ACT CONCERNING MUNICIPAL AQUIFER PROTECTION.

H-268

CONNECTICUT
GEN. ASSEMBLY
HOUSE

PROCEEDINGS
1980

VOL. 23
PART 19
5446-5787

House of Representatives

Tuesday, April 29, 1980

18
khp

DEPUTY SPEAKER FRANKEL:

Rep. John Groppo.

REP. GROPP0: (63rd)

May this item be recommitted to the Committee on Appropriations.

DEPUTY SPEAKER FRANKEL:

Is there objection to the motion? Is there objection?

If not, it is so ordered.

CLERK:

Calendar page 10, Calendar No. 674, File 509, Substitute
for Senate Bill No. 16. AN ACT CONCERNING HISTORIC DISTRICTS.

(As amended by Senate Amendment Schedule "B"). Favorable
report of the Committee on Government Administrations and
Elections.

REP. FARRICIELLI: (102nd)

Mr. Speaker.

DEPUTY SPEAKER FRANKEL:

Rep. Joseph Farricielli.

REP. FARRICIELLI: (102nd)

Mr. Speaker, I move acceptance of the Joint Committee's
Favorable Report and passage of the bill.

DEPUTY SPEAKER FRANKEL:

The question is on acceptance of the Joint Committee's
Favorable Report and passage of the bill. Will you remark, sir?

REP. FARCIELLI: (102nd)

Mr. Speaker, I'd like to have the Clerk call the Senate amendment. I'm sorry, Mr. Speaker I do not have the --

DEPUTY SPEAKER FRANKEL:

Clerk, has an amendment, Senate "B" is that the one the Gentleman seeks to have called?

REP. FARCIELLI: (102nd)

Yes, please.

DEPUTY SPEAKER FRANKEL:

The Clerk has in his possession an amendment, LCO 3545 previously designated Senate "B." Would the Clerk please call and read.

CLERK:

LCO No. 3545, offered by Senator Lieberman of the 10th district.

In line 848 before the word "the" insert the letter "a"

After line 860 insert the following: (B) the provisions of this act will not apply to any property owned by non-profit institutions of higher education so long as non-profit institution of higher education owns such property.

DEPUTY SPEAKER FRANKEL:

The amendment's in your possession, sir. What is your pleasure?

House of Representatives

Tuesday, April 29, 1980

20
khp

REP. FARRICIELLI: (102nd)

Mr. Speaker, I move adoption of the amendment.

DEPUTY SPEAKER FRANKEL:

The question is on adoption of Senate "B." Will you remark, sir.

REP. FARRICIELLI: (102nd)

Mr. Speaker, this senate amendment is to address a problem that seems to arise after the bill was in progress and had a joint favorable by the committee and I merely move adoption of it.

DEPUTY SPEAKER FRANKEL:

Will you remark further on the adoption of Senate "B?"

REP. BARNES: (21st)

Mr. Speaker.

DEPUTY SPEAKER FRANKEL:

Rep. Dorothy Barnes.

REP. BARNES: (21st)

Mr. Speaker, I am going to support this amendment because this is the second year that the historic district bill has been before us. And last year, the historic district bill failed as some of us here remember because of a problem with the National Register Program. Once again, this amendment dealing with one institution which in this instance is Yale University, has run

into problems with the registry program.

The effect of the amendment is to cut out a special niche in a bill to protect non-profit institutions of higher education of which there are not many. But it is the foothold in the door and why non-profit institutions of higher education would be more important next year than hospitals or museums or who knows what, we cannot say. I know that in dealing shortly ago on a museum bill that I heard from many people in educational institutions who felt very strongly about history as it related to museums and as far as the state's obligation to pay for them. In this particular instance it appears that the non-profit institutions of higher education no longer care that much about history.

And if the educational institutions in this state do not care about history, particularly one that is considered one of the highest citadels of learning in this country, then what is the impact on historic districts in the future?

DEPUTY SPEAKER FRANKEL:

Would you remark further on Senate "B?" Will you remark? If not, all those in favor, please signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER FRANKEL:

Those opposed nay.

The ayes have it. The amendment's adopted and ruled technical. Will you remark further on this bill as amended by Senate "B?"

REP. FARRICIELLI: (102nd)

Mr. Speaker.

DEPUTY SPEAKER FRANKEL:

Rep. Farricielli.

REP. FARRICIELLI: (102nd)

Thank you, Mr. Speaker. This bill would clarify and make some both substantive and technical changes in the law governing the formation and operation of historical districts. In amending existing statutes the bill would alter the procedure for voting on historic districts, make provisions for alternatives on historic district committees and historic district commissions. It would delineate historic district powers and procedures. It would allow a 90 day stay of demolition for certain buildings and it would clarify existing statutes for court actions for enforcement of the law and disposition of the finds. This bill was considered last year. I believe that the bill before us has been greatly improved. I urge its adoption and I would like to yield to Rep. Dorothy Barnes.

REP. BARNES: (21st)

Mr. Speaker, without prolonging the debate any longer, this is the bill that has been supported by the Connecticut Historical Commission and its been worked on for a number of years by the various historical commission throughout the state, of which there are 66, in 45 different municipalities, and I think as it finally appeared in the file, many of the problems that have existed with the law have been solved and as far as administrating local problems goes it will be infinitely easier.

DEPUTY SPEAKER FRANKEL:

Will you remark further on this bill as amended? Will you remark further? If not, would the staff and guests please come to the Well of the House. Would the members please take their seats. The machine will be opened.

The House of Representatives is now voting by roll. Would the members please return to the Chambers. There is a roll call vote in progress in the Hall of the House. Would the members return to the Chamber immediately.

Have all the members voted? If so, the machine will be locked. The Clerk will take a tally.

Clerk, please announce the tally.

House of Representatives

Tuesday, April 29, 1980

24
kal

CLERK:

Senate Bill No. 16 as amended by Senate Amendment
Schedule "A."

Total Number Voting	137
Necessary for Passage	69
Those Voting Yea	137
Those Voting Nay	0
Those Absent and Not Voting	14

DEPUTY SPEAKER FRANKEL:

The bill as amended passes.

CLERK:

Calendar Page 6, Calendar No. 589, File 766, Substitute
for House Bill No. 5968, AN ACT CONCERNING TRANSPORTATION AND
MOTOR VEHICLES. Favorable Report of the Committee on
Appropriations.

REP. KINER: (59th)

Mr. Speaker.

DEPUTY SPEAKER FRANKEL:

Rep. William Kiner.

REP. KINER: (59th)

I move acceptance of the Joint Committee's Favorable
Report and passage of the bill.

S-157

CONNECTICUT
GEN. ASSEMBLY
SENATE

PROCEEDINGS
1980

VOL. 23

PART 1

1-304

INDEX

Tuesday, March 4, 1980 , 2

SENATOR ROBERTSON:

Mr. President, I move that all items on the Senate Agenda dated March 4th, 1980 be acted upon as indicated and that the Agenda be incorporated by reference into the Senate Journal and the Senate Transcript.

The Senate Agenda dated March 4th, 1980 reads as follows:

SENATE FAVORABLE CHANGES OF REFERENCES

Planning and Development. Substitute Senate Bill 16. An Act Concerning Historic Districts.

Referred to the Committee on Government Administration and Elections.

Planning and Development. Substitute Senate Bill 277. An Act Concerning Private Sewerage Systems.

Referred to the Committee on Environment.

SENATE LIST OF BILLS - (LIST 12)

Referred to the Committees Indicated.

SENATE FAVORABLE CHANGE OF REFERENCE

Planning and Development. Substitute Senate Bill 100. An Act Concerning Municipal Aquifer Protection.

Referred to the Committee on Environment.

THE CHAIR:

So ordered. Does the Clerk have any further business?

S-163

CONNECTICUT
GEN. ASSEMBLY
SENATE

PROCEEDINGS

1980

VOL. 23

PART 7

1975-2229

1977

Wednesday, April 23, 1980

63.

roc

THE CLERK:

Cal. 370, File 509. Substitute for Senate Bill 16.
AN ACT CONCERNING HISTORIC DISTRICTS. Favorable report of
the Committee on Government Administration and Elections.
The Clerk has two amendments.

THE PRESIDENT:

Is Senator Baker in the chamber? Senator Lieberman.

SENATOR LIEBERMAN:

Mr. President, I was about to ask Senator Johnson
if we could impose upon her to take this bill out because
I believe it originated in Planning and Development.

THE PRESIDENT:

Very good. Thank you, sir. Senator Johnson.

SENATOR JOHNSON: (6th)

Thank you, Mr. President. I move acceptance of the
joint committee's favorable report and passage of the bill.

THE PRESIDENT:

Proceed.

SENATOR JOHNSON:

This bill would clarify and make a broad range of
substantive and technical changes in the law governing the
formation and operation of historic districts created by
municipalities. In amending existing statute, the bill would,
first, alter the procedure for voting on historic districts
(2) make provision for alternatives on historic district study

1978

Wednesday, April 23, 1980

64.

roc

committees and historic district commissions, (3) delineate or make more specific historic district powers and procedures and clarify which items are subject to historic district control, (4) allow a ninety-day stay of demolition for certain buildings and (5) clarify existing statute concerning court actions for enforcement of the law and the disposition of fines.

If there is no objection, I would move this bill to the Consent Calendar.

THE PRESIDENT:

Senator Johnson, I believe there are two amendments. Mr. Clerk, will you call the amendments, please.

THE CLERK:

The Clerk has two amendments offered by Senator Lieberman. Senate Amendment Schedule A. LCO 3539. Copies have been distributed.

THE PRESIDENT:

Senator Lieberman.

SENATOR LIEBERMAN: (10th)

Mr. President, may I ask, through the Clerk, are both of those amendments my amendments? Can we stand at ease for just a moment because we intend to withdraw one of them and I want to make sure we withdraw the correct one.

THE PRESIDENT:

The Senate will stand at ease.

1979

Wednesday, April 23, 1980

65.

roc

THE CLERK:

LCO 3539 has been withdrawn. The Clerk will now call Senate Amendment Schedule B. LCO 3545.

THE PRESIDENT:

The Senate will return to order. Senate Lieberman.

SENATOR LIEBERMAN:

Thank you, Mr. President. I move adoption of the amendment and ask that the reading be waived.

THE PRESIDENT:

Is there objection? If not so ordered. Proceed.

SENATOR LIEBERMAN:

Thank you. The amendment essentially exempts higher educational institutions from the requirements of the act on the ground that those institutions occasionally have to adapt their buildings within those historic districts and that in itself serves, what we take to be, a high public purpose. So I move adoption of the amendment.

THE PRESIDENT:

The amendment has been moved. Will you remark further on the Amendment B? If not, all those in favor will signify by saying Aye. Opposed. SENATE AMENDMENT B IS ADOPTED.

Proceed to the bill. Senator Lieberman.

SENATOR LIEBERMAN:

Mr. President, I believe Senator Johnson described the bill. I would yield to her for further discussion.

Wednesday, April 23, 1980

66.

roc

THE PRESIDENT:

I believe Senator Johnson has moved it to Consent.
Would you care to remark further, Senator Johnson?

SENATOR JOHNSON:

No. If there is no objection, I would move it to
the Consent Calendar.

THE PRESIDENT:

Motion to Consent. Would anyone remark further?
If not, so ordered to Consent.

THE CLERK:

Cal. 382, File 491. Substitute for Senate Bill 402.
AN ACT REQUIRING THE REGISTRATION OF PETROLEUM PRODUCT
VENDORS. Favorable report of the Committee on Government
Administration and Elections. The Clerk has an amendment.

THE PRESIDENT:

Senator Prete.

SENATOR PRETE: (14th)

Mr. President, I move acceptance of the joint com-
mittee's favorable report and the passage of the bill.

THE PRESIDENT:

Will you remark?

SENATOR PRETE:

Yes. I move adoption of Senate Amendment Schedule A,
and ask that the reading be waived.

THE CLERK:

Wednesday, April 23, 1980

315.

roc

THE CLERK:

Page one - Cal. 551, 552, 553. Page two - Cal. 554, 555, 556, 557. Page three - Cal. 63, 84, 132. Page four - Cal 187. Page five - Cal. 188, 190, 192, 193. Page six - Cal. 199, 247, 283. Page eight - Cal. 318. Page nine - Cal. 370. Page ten - Cal. 394, 396, 402. Page eleven - Cal. 429 and 436. Page twelve - Cal. 442, 444, 447, 448. Page thirteen - Cal. 452, 453, 460, 461 and 462. Page fourteen - Cal. 464. Page fifteen - Cal. 470, 472, 473. Page sixteen - Cal. 476, 477, 478. Page seventeen - Cal. 482 and 484. Page eighteen - Cal. 486, 488, 490, 491. Page nineteen - Cal. 492, 493 and 494. Page thirty-six - Cal. 89 and 157. And that concludes today's Consent

Calendar. SR 28, SR 29, SR 31, SR 30, SR 32, SR 33, SR 34, SB 308, SB 309, HB 5331, HB 5164, HB 5187, HB 5537, HB 5275, HB 5339, SB 637,

THE PRESIDENT: HB 5181, SB 359, SB 253, SB16, SB 540, SB 710, HB 5546, SB 656, SB 524, SB 718, HB 5865, HB 5213, HB 5572, HB 5902,

The machine is open. Have all senators voted?

The machine is closed. The Clerk will take a tally.

Result of the Vote - 32 Yea - 0 Nay. THE CONSENT

CALENDAR IS ADOPTED. HB 5903, SB 44, SB 47, SB 134, SB 262, SB 450, SB 526, SB 616, HB 5186, HB 5606, HB 5771, HB 5609, Senator Lieberman. HB 5545, HB 5073, HB 5792, HB 5990, HB 6031, HB 6032, HB 5550, HB 5673, SB 488, SB 549

SENATOR LIEBERMAN:

Mr. President, I move for suspension of the rules to allow for immediate transmittal to the House of those bills that should go to the House.

THE PRESIDENT:

JOINT
STANDING
COMMITTEE
HEARINGS

PLANNING &
DEVELOPMENT
PART 1
1-296

1980
INDEX

MR. SHANNAHAN: (continued)

committee at any point for questions concerning that bill, so if I might concentrate on Senate Bill 16 which has not been addressed so far this morning, I'd like to do that at this time.

The Connecticut Historical Commission is the state historic preservation agency responsible for -- and I forgot to mention my name, I'm sorry. Jack Shannahan, Director of the Connecticut Historical Commission and State Historic Preservation officer for Connecticut. Our agency, as I indicated, is responsible for administering programs for the identification and re-use of historically, architecturally and archaeologically significant sights, buildings and districts. The commission is, therefore, concerned about projects -- programs legislation which would affect the preservation of that heritage.

Senate Bill 16, an act concerning historic districts is a revision of Section 7-147 of the General Statutes of Connecticut. This law enables towns and cities to establish historic districts and local commissions to review exterior architectural changes to those fragile, handsome and irreplaceable areas. Connecticut's historic district program is one of the most successful in the nation. Some 46 towns have established some 67 districts since the first district in Litchfield was designated by the General Assembly in 1959.

The Historic District Enabling Statute is in need of change and improvement, however. Since the law's passage in 1961, almost every session of the General Assembly has had some changes to the law. The result is that certain sections are internally inconsistent and confusing. In other places, the law is unclear or silent on procedure and the responsibilities of the local commission. Senate Bill 16 provides the opportunity to benefit from some 20 years of experience in creating and operating historic districts in the first comprehensive re-drafting of the historic district law since its inception.

Senate Bill 16 represents the culmination of years of work by the staff of both the Connecticut Historical Commission and the Association of Connecticut Historic District Commissioners. This bill has been subjected to detailed criticism by local historic district commission members on several occasions. The version which is presented before the committee varies in some respects from that which was prepared by the Connecticut Historical Commission and endorsed by the Association last year. I detailed several suggestions in a letter dated December 14, 1979 to Chairman Cloud and Farricielli. For the benefit of the members of the committee, copies of this letter are attached with line references changed so that they will refer to Senate Bill 16, and I've included that with my testimony.

MR. SHANNAHAN: (continued)

There are two provisions which deserve special comment. First, the provision on Line 254 that 75 percent of owners voting must approve the establishment of a historic district should be altered to a simple majority. In the past two years in historic district balloting, majorities of 65 percent, 67 percent, 71 percent, 72 percent, 73 percent, 74½ percent of the property owners have voted in many communities in favor of the establishment of a historic district. Yet because of the 75 percent voting provision which is unchanged from present law, a small minority has thwarted the will of an overwhelming majority. Such a procedure clearly runs counter to the tradition of majority rule, a corner stone of our political system.

I might add that Connecticut is the only state in the nation that has such a voting requirement within its legislation. Second, the procedure for a written sacred ballot at Line 252 states that "each such ballot has been properly signed and returned"...

MR. SHANNAHAN: (continued)

555.06
five percent of the proper change from the present one, an overwhelming majority. Such a procedure clearly runs counter to the tradition of majority rule, a cornerstone of our political system. I might add that Connecticut is the only state in the nation that has such a voting requirement within its legislation.

Second, the procedure for a written sacred ballot at Line 252 states that: "Each such ballot has been properly signed and returned." Actually, all ballots may not be returned. The sentence should end, ".each ballot returned has been properly signed." This will make it clear that ballots need not be cast but that those which are cast must be properly signed.

Mr. Chair and members of the Committee, the Historic District Bill should be passed. The changes which I have suggested this morning, and which are in the attached letter, would in my opinion make this important bill very much more useful. As indicated before, the Commission has gone on record as supporting Senate Bill 274, An Act Concerning the National Register of Historic Places. This bill is important because it attempts to clarify and streamline a process which was instituted in the last session of the legislature and I think it also provides for, and mandates, a local public hearing which was not dictated in the previous legislation. I think the passage of this particular amendment would certainly assist in the nomination of properties to the National Register and, as other speakers have testified before you today, this can be a substantial economic benefit to Connecticut in that our agency has processed more than \$35 million in rehabilitation work for properties on the National Register in the last two years, not to mention the grants and aid assistance that would be available to property owners.

Finally, the National Historic Preservation Act, as amended, provided that federally funded projects which must take into account historic resources, whether or not they are listed in the National Register of Historic Places, so the particular amendment here will assist in that effort to provide the incentives but will also not thwart the efforts of many communities which have approached the Commission to assist in the rehabilitation of worthwhile properties.

MR. SHANNAHAN: (continued)

In conclusion, the National Register is intended to be a comprehensive list of significant resources in American history and pre-history. Citizens have an important role in suggesting resources for study and nominating and insuring that the state Historic Preservation Office and the State Preservation Board know about local features of importance and about their wishes in seeing areas nominated or not nominated, but the weight of judgment in assessing significance in history -- architectural history or archaeology -- is properly left to professionals in those disciplines.

Mr. Chairman and members of the Committee, I strongly endorse the passage of these two bills and hope that the Committee will take favorable action on them. I'd be glad to answer any questions.

REP. FARRICIELLI: Yeah, Jack, I do have a couple of questions about the first bill -- Senate Bill 16. The 75 percent voting, is that 75 percent of property owners?

MR. SHANNAHAN: That's correct. That's 75 percent of the property owners voting on a particular area. For example, if half of the property owners were only to vote then 75 percent of those voting would count as an adequate vote to establish a district.

REP. FARRICIELLI: Okay. In determining the 75 percent, if somebody owns two pieces of property, or three pieces of property, within the proposed historic district, do they get three votes or one?

MR. SHANNAHAN: That particular question has been raised in a number of communities. I think the attempt in this bill is to clarify that -- that one man, one vote issue -- but some communities have varied on that. One situation that comes to mind was in the Town of Groton where the City of Groton -- the city council -- determined that no -- they could have three properties, they could have three votes, and the Town of Groton -- the town attorney -- made the other determination. I'd say the majority of towns have determined that, ah, one owner, one vote, irregardless of the number of parcels that are owned and you could see where this could effect you in a situation where a property owner may own a hundred acres and one that owns one acre. So there are pros and cons on that but I think this particular bill attempts to clarify that issue for purposes of local communities.

62
kjr

PLANNING AND DEVELOPMENT

February 26, 1980

REP. FARRICIELLI: Okay, then it's your interpretation of Senate Bill 16 that if a person owned the majority of the property in a district that they could be outvoted simply by the fact that they owned the majority of the buildings but were only afforded one vote for that majority of buildings?

MR. SHANNAHAN: That's correct. That's correct. If they own --

REP. FARRICIELLI: Do you support that position?

MR. SHANNAHAN: Well, again, this is local enabling legislation and there are individuals who would vary in their interpretations locally on that. I would be glad to research that question on the benefit of the Committee but I think there has been substantial testimony in previous sessions on that.

REP. FARRICIELLI: Well, I was just, you know, trying to get some information when you have a situation where a community might have a number of buildings owned by one person or an association or a non-profit organization. The other thing is I believe there is a mandate in here -- if a building were to be torn down that they must first get the 90 days approval from the Historical Commission?

MR. SHANNAHAN: I think that's a 90 day period to assess whether or not there was any opportunities to -- it would not prevent demolition, it would just be an opportunity, a cooling period, to assess whether or not there isn't some other means of saving that building and that might even include moving it, for example, off the site. But in a number of communities, particularly here in Hartford, there is a -- now, an ordinance on the books which provides when an individual property owner wishes to demolish a building a 90 day delay pending an opportunity to see if there can't be something to be done before the building is lost. So I think that is one last opportunity for those property owners -- abutting property owners, individuals in the community, to see if there isn't some way in which all would not be lost entirely.

REP. FARRICIELLI: Okay, I'd have no problem with the delay but as I understand it, this bill contains actual provision for purchase?

MR. SHANNAHAN: If that were desired. If that were desired. Obviously that's subject to --

REP. FARRICIELLI: In other words, okay, the terminology in here then, if somebody didn't want to sell and wanted to tear down a building, you would not be preventing them or forcing them to sell it?

MR. SHANNAHAN: No, not at all. It would just be an opportunity to explore if there isn't another way to prevent that from happening.

REP. FARRICIELLI: Any other questions? Thank you very much. At this time I would like to call on Representative Kemler.

REP. KEMLER: Thank you, Mr. Chairman. I'll be very brief. I'm here to speak on behalf of 5269 and 5271. I don't know whether or not you, as elected representatives of the state, have had the benefit of an elderly housing project in your community as I have. I know you have, Senator Johnson. We have a new facility in West Hartford and for the state to provide this kind of comfortable, affordable housing to our elderly citizens, in my opinion, is the finest service we can provide to our state's elderly.

Not only do we provide housing as such but there is a whole stream of benefits that go with it, in my opinion. We have a built-in social structure so that we don't have to provide community centers for the elderly to -- within which they socialize. We provide the opportunity for people to help each other physically so that they don't have to call on outside services when often they are perhaps not needed, and we allow, through this lower rent, for people to go out and purchase services themselves without having to go through the state bureaucracy and put on us a cost of 50 cents on every dollar for the service that is purchased.

I, therefore, urge that we expand our Rental Housing for the Elderly program and also that we increase our bond authorization for congregate housing. Here, too, where elderly need services I think they should be provided in this kind of a clustered setting. It is a much more economical service delivery setup and also we, again, provide the opportunity for people to help each other before we have to go out and call for additional services outside of the community itself. I hope that this year, if there's any expansion we can do in our services it will be in terms of housing for the elderly. Thank you very much.

REP. FARRICIELLI: Thank you. Our next speaker will be Representative Bill Cibes.

MS. SCHADLER: Mr. Chairman and members of the Committee, my name is Holly Schadler and I'm here to represent Connecticut Preservation Action in our support for Senate Bill 16 concerning historic districts. The concept of historic districts has been used very successfully in Connecticut throughout the years. It gives local citizens an opportunity to decide for themselves whether to establish historic districts in their village or town. In addition, the application procedure is voluntary and there are many advantages to the town inherent in the process. Hence, Bill 16 is essentially a housekeeping bill which is meant to clarify and in some ways simplify the present procedure for setting up an historic district.

The bill does not substantially change the process or alter the significance of an historic district and has been the result of many years of research and study by people who have been closely involved with the process. The proposed revision to the present law attempts to clarify sections where the procedure for the town is unclear and to remove internal inconsistencies. In addition, where the duties of the Connecticut Historical Commission are confusing, the bill defines them more accurately. The only change we would like to see made in the bill is the provision -- is in the provision that 75 percent of the property owners must approve the establishment of a district. Surely a simple majority indicates adequate support and is more in keeping with the democratic political process.

Under the present requirement, the will of the majority can be subverted by 25 percent of the voters and, in fact, in many cases this has occurred. We strongly believe that the Senate Bill 16 will expedite the process for establishing historic districts and allow the procedure to be more accessible to towns interested in it and we want to encourage the endorsement of these admissions. Thank you.

REP. FARRICIELLI: Holly, can I just ask you a question I had asked earlier, again, about the 75 percent. The 75 percent doesn't take into account if there were ten parcels of land and one institution owned seven of them, they would only get one vote in which case they would have 70 percent of the property affected and yet they would only have 25 percent of the final votes cast. Do you concur that that is a good system? And, knowing that, do you still hold that a simple majority would also be good?

MS. SCHADLER: It seems to me that in that case there is -- there does seem to be some problem but I would continue that a simple majority in the --

REP. FARRICIELLI: Majority of the property owners?

MS. SCHADLER: Right. In the cases that have been given as examples as reasons that a simple majority would be a good idea. I seems to me that I would continue to support this as a --

REP. FARRICIELLI: The problem, I think as I see it, in a simple majority is how you determine the vote. A simple majority if each piece of property is entitled to a vote sounds reasonable, but a simple majority when -- if the Mystic Sea Aquarium were to own 14 buildings out of 20 being considered and they only be given one vote, does not seem fair and equitable and that's the only reason why I was trying to determine either the voting procedure or the 75 percent.

MS. SCHADLER: I don't quite see how the change from 75 to a simple majority would make any less fair amount --

REP. FARRICIELLI: No, it's already that and that would make it worse. It's determined on how you vote. If you get a vote or -- you first have to determine, I think, who votes and then once you determine whether everyone has an adequate vote then a majority seems logical and reasonable. Are there any other questions from anyone? Thank you. Our next speaker is Isadore Radding.

MR. RADDING: My name is Isadore Radding. I represent Radding Signs in East Hartford and Strafford, Connecticut. I can also speak, I would say, as an authority in the sense that we've been in business for some 50 odd years -- in the sign business. I've engaged in all aspects of the sign business, both in billboards and in identification signs, so I am here to render my protest to Bills 275 and 276 and I wish to touch upon both of them from a different aspect entirely. I felt that Mr. Schatz spoke very well for the billboard industry and what it entails and what is involved. Pardon me, I'm just recovering from a nasty cold.

A number of years ago, as president of the Connecticut Sign Association, I was directly involved with the Town of West Hartford here in a situation where they sought to pass

MR. FRANKEL: (continued)

I have some questions about the use of the word "authority" in that bill -- that's line 23. It could mean very easily housing authorities which would be different than non-profit housing development corporations that might be available for some subsidy as well. So I'm concerned about that -- the use of the word "authority" and what it means. Also, if there is some kind of subsidy or shelter arrangement -- subsidy shelter arrangement -- there's a hidden cost factor in there and I'm wondering if there's been any thinking done on terms of what is the upper limit cost in the rental housing -- in those facilities going to be because that, in itself, would increase the cost of that bond.

Finally, there's some question as to whether private for profit establishments should be included in a subsidy like this or whether it should be restricted to public and private non-profit community based operations. Those are -- so I have some personal concerns about that particular bill. Thank you very much.

REP. FARRICIELLI: Thank you. Are there any questions? Fine, thank you. Our next speaker is Nan Heminway.

MS. HEMINWAY: Good afternoon, Mr. Chairman and members of the Committee. My name is Nan Heminway. I'm here to speak in support of Senate Bill 16 concerning historic districts on behalf of the Association of Historic District Commissioners in Connecticut.

The Association was the first organization in the country formed to represent the interests of locally established and locally administered historic district. In its opinion the purpose of Bill 16, which is to clarify the powers and duties of historic districts and the methods of creating such districts, is well served by the revisions contained therein, and that they will be of inestimable value to the commissioners of the 67 historic districts in 46 of Connecticut's cities and towns. The Litchfield Historic District Commission, of which I am chairman, was established by a special act of the legislature 21 years ago. Since that time the historic environment has been increasingly threatened and the need for clarification of legislation designed for its protection increasingly felt.

I would be happy to comment on specifics of the bill, however it would seem to be sufficient to repeat that this statement comes from an informed statewide constituency which urges your support for this bill.

MS. HEMINWAY: (continued)

I would like to make one comment on the 75 percent voting requirement. Proponents of retention of this requirement feel that it assures efficient administration of the district and there is nothing worse than trying to administer aesthetic zoning regulations with a disaffected constituency, and I do feel it could be changed somewhat because there have been cases where there was 72 percent majority and this doesn't seem fair but we would be happy -- the Association would be happy to cooperate in trying to find a way to make this more equitable.

REP. FARRICIELLI: Just one question. In the 72 percent majority, who voted? Was there a vote for each property or --

MS. HEMINWAY: Yes, this was in New Hartford, which is a -- it was a combination of a rural district and a very small town where there were, I don't know how many property owners there were. There are some district consisting of four properties and so if you have, you know, two property owners voting against your district which may be for many reasons needful of control, it's not passed; and so there must be some way but no one has really figured it out yet -- to control this. I, personally, come from a district which did not have to go through the "pangs" of a majority vote but we would be happy to do anything we could to cooperate.

REP. FARRICIELLI: Thank you. Are there any other questions by any members? Fine, thank you. Our next speaker is David Marr.

MR. MARR: Senator Cloud, Representative Farricielli, members of the Commission, I'm here this afternoon to speak briefly on Raised Senate Bill No. 162. For several years now in Mystic and southeastern Connecticut, we've been involved in many different types of cooperative tourism ventures. I'd like to stress the word "cooperative" there. Among the, we've established a professionally staffed year-round tourism center. We have been involved in advertising ventures, including television, magazines and newspapers with the formation of local and regional tourism committees. All of these programs continue to be privately funded which shows strong support for this bill from the private sector.

While we hope that many of these programs will be continued, passage of Raised Senate Bill 162 could only result in