

Legislative History for Connecticut Act

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|------------------------------|----------------------------|-------------|
| HB 5379 | PA 330 | 1991 |
| House | 5978-5979, 6851, 7198-7200 | (6) |
| Senate | 3073-3075, 3127-3128 | (5) |
| Finance, Revenue and Bonding | 241-242, 381 | (3) |
| | | Total- 14p. |

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CONNECTICUT
GEN. ASSEMBLY
HOUSE

PROCEEDINGS
1991

VOL. 34
PART 16
5877-6288

tcc

House of Representatives

Thursday, May 16, 1991

CLERK:

Calendar 577 -- Calendar 578, correction 579,
Substitute for Senate Bill 277, AN ACT ESTABLISHING A
TASK FORCE TO STUDY THE FUTURE COMMERCIALIZATION AND
USE OF ADVANCED AERO-DERIVED GAS TURBINE POWER. (As
amended by Senate Amendment Schedule "A").

Favorable Report of the Committee on
Appropriations.

REP. COHEN: (15th)

Mr. Speaker.

SPEAKER BALDUCCI:

Representative Cohen.

REP. COHEN: (15th)

Thank you, Mr. Speaker. Mr. Speaker, may this item
be referred to the Committee on Government
Administration and Elections.

SPEAKER BALDUCCI:

Is there objection to referral? Seeing none, it's
so ordered.

CLERK:

Calendar 586, Page 12, Substitute for House Bill
5379, AN ACT CONCERNING COLLECTION OF DELINQUENT TAXES
BY MUNICIPALITIES FROM VENDORS.

Favorable Report of the Committee on Finance,
Revenue and Bonding.

tcc

House of Representatives

Thursday, May 16, 1991

REP. COHEN: (15th)

Mr. Speaker.

SPEAKER BALDUCCI:

Representative Cohen.

REP. COHEN: (15th)

Thank you, Mr. Speaker. Mr. Speaker, may this item be referred to the Committee on Planning and Development.

SPEAKER BALDUCCI:

The question is on referral. Is there objection? Is there objection? Seeing none, so ordered. Next.

CLERK:

Calendar 587, Substitute for House Bill 6921, AN ACT REVISING DAIRY STATUTES.

Favorable Report of the Committee on Environment.

REP. COHEN: (15th)

Mr. Speaker.

SPEAKER BALDUCCI:

Representative Cohen.

REP. COHEN: (15th)

Thank you, Mr. Speaker. Mr. Speaker, may this item be referred to the Committee on Finance, Revenue and Bonding.

SPEAKER BALDUCCI:

Is there objection? Seeing none, it's so ordered.

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CONNECTICUT
GEN. ASSEMBLY
HOUSE

PROCEEDINGS
1991

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PART 18
6655-7067

tcc

House of Representatives

Thursday, May 23, 1991

Appropriations.

And lastly, on Page 23 of our Calendar, Calendar 586, Substitute for House Bill 5379, File 690, AN ACT CONCERNING COLLECTION OF DELINQUENT TAXES BY MUNICIPALITIES FROM VENDORS.

Favorable Report of the Committee on Planning and Development.

At this time I'd like to move those onto the Consent Calendar for action at our next regularly scheduled session. Thank you, Mr. Speaker.

SPEAKER BALDUCCI:

The following items were placed on the Consent Calendar for action at our next session. On Page 10, Calendar 640; on Page 12, Calendar 655; and on Page 23, Calendar 586.

Is there objection to any of those items being placed on the Consent Calendar for action at our next session? Seeing none, the items are placed and will be acted upon tomorrow.

CLERK:

Page 18, Calendar 374, Substitute for House Bill 6097, AN ACT CONCERNING MEMBERSHIP ON THE BOARD OF DIRECTORS OF TRANSIT DISTRICTS. (As amended by House Amendment Schedules "A" and "B").

Favorable Report of the Committee on Judiciary.

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CONNECTICUT
GEN. ASSEMBLY
HOUSE

PROCEEDINGS
1991

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7068-7429

tcc

House of Representatives

Friday, May 24, 1991

Have all members voted? Have all members voted?
Please check the roll call machine to see that your
vote is properly cast. The machine will be locked. The
Clerk please take a tally.

The Clerk please announce the tally.

CLERK:

House Bill 7192.

Total number voting 145

Necessary for passage 73

Those voting yea 145

Those voting nay 0

Those absent and not voting 6

DEPUTY SPEAKER MARKHAM:

The bill is passed.

CLERK:

Please turn to Page 1, Calendar 586, Substitute for
House Bill 5379, AN ACT CONCERNING COLLECTION OF
DELINQUENT TAXES BY MUNICIPALITIES FROM VENDORS.

Favorable Report of the Committee on Planning and
Development.

DEPUTY SPEAKER MARKHAM:

Representative Pelto of the 54th.

REP. PELTO: (54th)

Thank you, Mr. Speaker. At this time I'd like to
move today's Consent Calendar for action. Today's

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House of Representatives

Friday, May 24, 1991

Consent Calendar is made up of Calendar 586, Calendar 640 and Calendar 655. I'd like to move that for action today.

DEPUTY SPEAKER MARKHAM:

The question is to move today's Consent Calendar. All members please take their seats. Staff and guests come to the well of the House. The machine will be opened.

CLERK:

The House of Representatives is voting by roll call. Members to the Chamber. The House is voting by roll call. Members to the Chamber please.

DEPUTY SPEAKER MARKHAM:

Have all members voted? Have all members voted and is your vote properly recorded? If all members have voted, the machine will be locked and the Clerk will take a tally.

The Clerk will announce the tally.

CLERK:

| | |
|---------------------------------|-----|
| Consent Calendar, May 24, 1991. | |
| Total Number Voting | 144 |
| Necessary for Passage | 73 |
| Those voting Yea | 144 |
| Those voting Nay | 0 |
| Those absent and not Voting | 7 |

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007200
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House of Representatives

Friday, May 24, 1991

DEPUTY SPEAKER POLINSKY:

The Consent Calendar is passed.

BUSINESS ON THE CONSENT CALENDAR
BILLS PASSED

On motion of Representative Pelto of the 54th, the following bills on the Consent Calendar which were starred for action were passed in accordance with Rule 43 of the House Rules:

PLANNING AND DEVELOPMENT. Substitute for H.B. No. 5379 (COMM) (File No. 690) AN ACT CONCERNING COLLECTION OF DELINQUENT TAXES BY MUNICIPALITIES FROM VENDORS.

APPROPRIATIONS. Substitute for H.B. No. 7242 (RAISED) (File No. 777) AN ACT CONCERNING THE COUNCIL ON SOIL AND WATER CONSERVATION.

APPROPRIATIONS. Substitute for H.B. No. 7311 (RAISED) (File No. 802) AN ACT CONCERNING THE RECOMMENDATION OF THE THOMAS COMMISSION REGARDING THE LICENSURE OF YOUTH CAMPS.

CLERK:

Page 5, Calendar 526, House Bill No. 6716, AN ACT CONCERNING POWER OF ATTORNEY FOR HEALTH CARE DECISIONS.

Favorable Report of the Committee on Judiciary.

REP. COHEN: (15th)

Madam Speaker.

DEPUTY SPEAKER POLINSKY:

Representative Cohen.

REP. COHEN: (15th)

Thank you, Madam Speaker. Madam Speaker, at this

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SENATE

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1991

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MONDAY
June 3, 1991

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aak

Senator Spellman or anyone else.

SENATOR SPELLMAN:

Madam President, I would indicate that the fiscal note indicates minimal cost that can be absorbed within the existing authority of DEP and my assumption is that would be under the existing budget without any increase in personnel to DEP.

THE CHAIR:

Thank you very much, Senator. Would anyone else wish to remark? Are there any further remarks? If not, Senator Spellman.

SENATOR SPELLMAN:

If there's no objection, I'd ask it to be placed on Consent.

THE CHAIR:

Thank you very much, Senator. Is there any objection in placing Senate Calendar #576, Substitute HB7101 on Consent? Is there any objection? Senator DiBella, do you have any objection? No. Is there any objection? Hearing none, so ordered.

THE CLERK:

Calendar #577, File 690. Substitute HB5379, AN ACT CONCERNING COLLECTION OF DELINQUENT TAXES BY MUNICIPALITIES FROM VENDORS. Favorable Report of the Committee on Planning and Development.

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THE CHAIR:

Thank you very much, Mr. Clerk. Senator DiBella, you have center stage. Senator DiBella.

SENATOR DIBELLA:

Madam President.

THE CHAIR:

Yes, sir.

SENATOR DIBELLA:

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

THE CHAIR:

Thank you very much, Senator. Would you care to remark further, sir?

SENATOR DIBELLA:

Yes. The bill allows municipalities to offset delinquent property taxes owed to them by vendors by withholding payments of any contracts entered into with such vendors on or after 10/1/91. The tax must be delinquent by at least one year and the amount of payment withheld cannot exceed the total amount of tax due, penalties and interest.

THE CHAIR:

Thank you very much, Senator. Would anyone else wish to remark? Are there any further remarks on Senate Calendar #577? If not, Senator DiBella.

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SENATOR DIBELLA:

I'd move this to the Consent Calendar.

THE CHAIR:

Thank you very much, Senator. Is there any objection in placing Senate Calendar #577, Substitute HB5379 on the Consent Calendar? Is there any objection? Hearing none, it is so ordered.

Mr. Clerk.

THE CLERK:

Calendar #579, File #471 and #827. Substitute HB5479, AN ACT CONCERNING GASOLINE VAPOR RECOVERY. Favorable Report of the Committee on Appropriations.

THE CHAIR:

Thank you very much, Mr. Clerk. The Chair would recognize Senator Spellman.

SENATOR SPELLMAN:

Thank you, Madam President. I move acceptance of the Joint Committee's Favorable Report and passage of the bill.

THE CHAIR:

Thank you very much, Senator. Would you care to remark further?

SENATOR SPELLMAN:

Thank you, Madam President. This bill the Commissioner of DEP to adopt a regulation by July 1 of

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Thank you very much, Mr. Clerk. Mr. Clerk, would you be good enough to read the items that have been placed on Consent Calendar #1.

THE CLERK:

Madam President, the first Consent Calendar begins on Calendar Page 1, Calendar 588, HJ131. Calendar Page 2, Calendar 589, HJ132. Calendar 56, Substitute HB5497. Calendar Page 6, Calendar 551, Substitute HB5600. Calendar Page 7, Calendar 572, Substitute HB7192.

Calendar 573, Substitute HB6825. Calendar 575, Substitute HB6097. Calendar Page 8, Calendar 576, Substitute HB7101. Calendar 577, Substitute HB5379. Calendar 579, Substitute 5479. Calendar Page 12, Calendar 603, Substitute HB7377.

Calendar Page 15, Calendar 617, Substitute HB7184. Calendar Page 17, Calendar 443, Substitute SB964. Calendar Page 18, Calendar 444, Substitute SB856. Calendar Page 19, Calendar 488, Substitute HB7341. Calendar Page 20, Calendar 95, Substitute SB633. Calendar 160, Substitute SB792.

Calendar Page 21, Calendar 200, SB632. Calendar 267, Substitute SB683. Calendar...correction, that was Calendar 237, Substitute SB863. SB683. It must be after eight. Calendar 239, Substitute SB347. Calendar

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291, Substitute HB6877.

Calendar Page 22, Calendar 306, Substitute SB860.
Calendar 350, Substitute SB917. Calendar Page 23,
Calendar 560, Substitute SB892. Madam President, that
completes the first Consent Calendar.

THE CHAIR:

Thank you, Mr. Clerk, you did a fine job. You have
heard the items that have been placed on Consent
Calendar #1 for the date, June 3, 1991. The machine is
open. You may record your vote. Thank you very much.
The machine is closed.

The result of the vote.

| | |
|----|--------|
| 36 | Yea |
| 0 | Nay |
| 0 | Absent |

The Consent Calendar is adopted.

And just for the record, Senate Calendar 239,
Substitute SB347 now has been passed, now constitutes a
Committee on Conference.

THE CLERK:

Madam President, returning to the Calendar,
Calendar Page 2, Calendar 75, File 57, Substitute
HB5570, AN ACT CONCERNING ADMINISTRATIVE PROCEDURES OF
THE DEPARTMENT OF PUBLIC UTILITY CONTROL AND THE
STATUTORY DEFINITIONS OF ELECTRIC COMPANY, GAS COMPANY

JOINT
STANDING
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1-331

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ALEX LIEUWMA: The leasing company, Senator DiBella.

REP. BELDEN: O.K. The other side of that is when the temporary person takes a wage with no benefits. That's where the savings are and why people hire temporaries. The job shopper typical job shopper. Most of them in my experience has been they are kind of temporary and they'd rather take the money. So they'll take a higher wage and not be looking for benefits per se. So I think what we're all trying to understand is what the differentials are here and what makes one more inviting and how do you keep the tax structure fair for both.

SEN. DIBELLA: And consultants and ..

REP. BELDEN: Exactly.

ALEX LIEUWMA: PC's are different.

REP. BELDEN: They're different private contractors but you have a problem with the federal government.

ALEX LIEUWMA: Again Representative Belden I'd like to defer to the people from the leasing company who have all the technical answers.

SEN. DIBELLA: Why don't we let the leasing people make that decision. Thank you very much. Any further questions? Andrew Urban?

ANTHONY BERSACHIO: I'm here to speak on behalf of Mr. Urban, he's not with us right now. My name is Anthony Bersachio, I'm the collector of revenue for the town of West Hartford.

SEN. DIBELLA: We generally don't do that.

ANTHONY BERSACHIO: I'd like to speak regarding proposed bill HB5379.

SEN. DIBELLA: If you were from any other town but West Hartford we would not have permitted that.

ANTHONY BERSACHIO: Thank you. AN ACT CONCERNING COLLECTION OF DELINQUENT TAXES BY MUNICIPALITIES FROM VENDORS. This bill will provide additional leverage in the collection of delinquent local

property taxes. Towns and cities will have another collection tool that can be utilized to collect unpaid tax dollars. Unfortunately we all realize that tax collections have gone south so to speak and so any additional mechanism that could be given to us collectors to help collect these taxes would be beneficial.

I urge you to consider this bill. Thank you.

SEN. DIBELLA: Are there any questions? Thank you sir. Next speaker is David DeMotte, Hyatt Corporation.

DAVID DEMOTTE: Thank you Senator DiBella, Representative Mulready, and ladies and gentlemen of the committee. In view of the Chair's request about the length of the meeting I have a formal statement and I have given some 50 copies to the clerk. I'm not sure if those are in front of you this morning but I am prepared to summarize my testimony in some oral or in my comments right now.

I am David DeMotte, Assistant Vice President of Tax of Hyatt Corporation. Hyatt manages a major hotel in Connecticut. Now, I am from Chicago, I have come in to support HB6765 and my comments today are dealing with the portion of the bill that deals with the on site employees in a hotel industry. I might add that although I am from Chicago I know where West Hartford is and have recently been through there Representative.

Because of the technical listing of these employees the Department of Revenue had determined that their wages should be subject to the sales tax we heard about earlier today. In my opinion bill HB6765 corrects this technical problem. Hyatt operates like many other hotel chains and manages hotels owned by the outside owners. The hotel owner pays a management fee to Hyatt for the use of its name and the other services including the management of the property.

As a matter of convenience it is very common for a hotel owner to list its employees on the management company's payroll by negotiating this through the management contract. These employees that I am speaking of are the on site people whom you see when you stay at a hotel. The front desk job, the

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1991

- Court appeals are lengthy and costly to municipalities.
- Funding such a Board would ensure the equity and efficiency of the assessment-appeals process by permitting highly qualified professionals to assess the merits of assessment appeals.

Disclosure of Certain DRS Information to Municipalities

CCM supports the disclosure of certain State information that would enable assessors to identify taxpayers not filing personal property tax declarations. [H.B. 6462, "An Act Governing the Disclosure of Certain Information by the Commissioner of Revenue Services to Municipal Assessors and Clerks"]

- This bill would enable municipal assessors to identify all taxpayers licensed to do business in the State of Connecticut to ensure that those same taxpayers have declared personal property for local tax purposes.
- This bill would establish a level playing field between those that dutifully file property declarations and those that previously may not have.
- CCM recommends that H.B. 6462 be amended to include permit the disclosure of such information to "municipal assessors, clerks, or their designees" (lines 18-19). The addition of the word "designees" would reduce certain administrative costs borne by municipalities.

Collection of Delinquent Property Taxes from Vendors

CCM supports the proposed legislation that would permit municipalities to collect delinquent taxes from those that sell goods or services to municipalities. [H.B. 5379, "An Act Concerning Collection of Delinquent Taxes by Municipalities from Vendors"] This legislation would authorize municipalities to deduct the from the amount that municipality may owe to a vendor the amount owed by the vendor to the municipality for delinquent taxes.

- This proposed legislation provides a mechanism by which those who benefit from conducting business with a municipality could not evade their tax obligations to that same municipality.

Collection of Delinquent Property Taxes from Lessees of State Property

CCM supports the proposed legislation that would require the State to collect and remit to the municipality property taxes for which a lessee of state property is liable. [H.B. 6234, "An Act Concerning the Collection of Property Taxes Owed by Lessees of State Property"]