

Legislative History for Connecticut Act

| AB 7667 | P.A. 231 | 1993 |
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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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CONNECTICUT
GENERAL ASSEMBLY
HOUSE

PROCEEDINGS

1993

VOL. 36

PART 9

3037-3421

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House of Representatives

Wednesday, April 28, 1993

If not, please return to the Call of the Calendar. 297.

CLERK:

On Page 5, Calendar 297, Substitute for House Bill 7007, AN ACT ENCOURAGING THE REMOVAL OF DAMAGED BUILDINGS. Favorable Report of the Committee on Finance, Revenue and Bonding.

DEPUTY SPEAKER PUDLIN:

Representative Davis.

REP. DAVIS: (50th)

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

DEPUTY SPEAKER PUDLIN:

The question is on passage. Will you comment?

REP. DAVIS: (50th)

Thank you, Mr. Speaker. The Clerk has an amendment, LCO Number 5876. I ask that it be called and I be allowed to summarize.

DEPUTY SPEAKER PUDLIN:

The Clerk please call 5876, House Amendment "A".

REP. DAVIS: (50th)

I'm sorry, it's a different LCO number.

DEPUTY SPEAKER PUDLIN:

Representative Davis, might it be 4643?

REP. DAVIS: (50th)

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That other one was our tax reform package but I decided not to call that one, Mr. Speaker. Instead, I'd like to call LCO Number 4643, please. And I be allowed to summarize.

DEPUTY SPEAKER PUDLIN:

The Clerk please call LCO4643, House Amendment "A".

CLERK:

LCO Number 4643 designated House Amendment
Schedule "A" offered by Representative Lyons et al.

DEPUTY SPEAKER PUDLIN:

The question is on summarization. Please proceed.

REP. DAVIS: (50th)

Thank you, Mr. Speaker. The amendment itself is to provide some technical changes to the language --

DEPUTY SPEAKER PUDLIN:

Excuse me, Representative Davis. Will the House please come to order? The House please come to order. Please take your conversations outside. Will the House please come to order. Thank you. Representative Davis.

REP. DAVIS: (50th)

Thank you. I don't think the amendment's worth that attention, but I thank you anyway. The amendment itself is merely technical to bring the file copy before us in conformance with some existing language

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and I move its acceptance.

DEPUTY SPEAKER PUDLIN:

The question is on acceptance. Will you comment? Will you remark? If not, let me try your minds. All those in favor of House "A" signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER PUDLIN:

Those opposed, nay. The ayes have it. The amendment is adopted and ruled technical.

Will you remark further on the bill as amended?

REP. DAVIS: (50th)

Thank you, Mr. Speaker. This bill is to allow municipalities the ability to have people move more promptly to remove a building which has been, has to be completely reconstructed because of fire or weather related damage.

We all know that there are some communities in our State that over the last several years have had some unfortunately high incidents of arson and I think that the communities are well served by trying to get those damaged buildings demolished and the lots fully graded as promptly as possible; and this sets up an incentive so that within 120 days, if that action is taken, the assessment for the damaged building, the removed

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building, goes back to the date of the occurrence of the fire or weather related damage. Thank you.

DEPUTY SPEAKER PUDLIN:

Will you comment further on the bill as amended? Representative Krawiec of the 26th.

REP. KRAWIEC: (26th)

Thank you, Mr. Speaker. Mr. Speaker, I rise to support this bill. It's a good bill.

At the present time, when a building is burned down, it takes the owner sometimes six months or longer before they will demolish this building and with this bill, we give them an incentive that if they do it within 120 days they will get a tax reduction from the day it burns down and also this way it will clean up the neighborhoods more promptly.

Thank you very much, Sir.

DEPUTY SPEAKER PUDLIN:

Will you comment further on the bill as amended? Will you comment? Representative DiMeo of the 103rd.

REP. DIMEO: (103rd)

Mr. Speaker, anything that can be done to speed up the removal of buildings beyond reasonable repair would be a God send to most mayors, in particularly our larger cities, but even in some of our smaller communities.

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House of Representatives

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The experience that I've had in that regard is that it's extremely difficult to convince people and to get them to remove these buildings, which become not only an eyesore, but quite often even worse than that, they become hazards because they are attractive nuisances to children and sometimes invite illegal activities.

I think it's a good bill. I think it's something that's necessary. Thank you.

DEPUTY SPEAKER PUDLIN:

Thank you, Sir. Will you comment? Will you comment further? If not, staff and guests to the well of the House. Members please be seated. 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 PUDLIN:

Have all the members voted and is their vote properly recorded? If so, the machine will be locked and the Clerk will take a tally. The Clerk will announce the tally.

CLERK:

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House of Representatives

Wednesday, April 28, 1993

House Bill 7007 as amended by House Amendment
Schedule "A".

| | |
|-----------------------------|-----|
| Total number voting | 147 |
| Necessary for passage | 74 |
| Those voting yea | 147 |
| Those voting nay | 0 |
| Those absent and not voting | 4 |

DEPUTY SPEAKER PUDLIN:

The bill passes. Are there any points of personal
privilege? Any announcements? Representative Norton.

REP. NORTON: (48th) ... to ... \$100,000.

Mr. Speaker, would the Transcript please note that
Representative John Piscopo was out of the Capitol on
legislative business and may have missed some votes.

DEPUTY SPEAKER PUDLIN:

So noted. Are there any other points? Any other
announcements? If not, please return to the Call of
the Calendar. 177.

CLERK:

On Page 23, Calendar 177, House Bill Number 6307,
AN ACT CONCERNING THE POWERS OF THE BROOKLYN TOWN
LIBRARY ASSOCIATION. Favorable Report of the Committee
on Education.

DEPUTY SPEAKER PUDLIN:

Representative Davis.

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CONNECTICUT

GEN. ASSEMBLY

SENATE

PROCEEDINGS

1993

VOL. 36

PART 10

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THURSDAY
June 3, 1993

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291 is a Pass Retain, Calendar Item No. 321, Substitute SB909, I would move that this be recommitted.

THE CHAIR:

Thank you very much. Is there any objection to recommending Senate Calendar No. 321, Substitute SB909? Is there any objection? Hearing none, so ordered.

SENATOR DIBELLA:

Calendar Item No. 336, Pass Retain, Calendar Item No. 339, Substitute HB7007, I would move this to the Consent Calendar.

THE CHAIR:

Is there any objection in placing Senate Calendar No. 339, Substitute HB7007 on the Consent Calendar? Any objection? Hearing none, so ordered.

SENATOR DIBELLA:

Calendar Item No. 340 and 362, Pass Retain.

On Page 4, Calendar Item No. 381, HB7224, I would move this to the Consent Calendar.

THE CHAIR:

Is there any objection in placing Senate Calendar No. 381, HB7224 on the Consent Calendar? Is there any objection? Hearing none, so ordered.

SENATOR DIBELLA:

Calendar Item No. 391, HB5320, I would move this to the Consent Calendar.

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all Senators please return to the Chamber.

THE CHAIR:

Mr. Clerk, would you please read the items that have been placed on the Consent Calendar No. 1 for today, Thursday, June 3, 1993.

THE CLERK:

Consent Calendar begins on Calendar Page 1,
Calendar No. 591, SJ76, Calendar No. 592, SJ77.

Calendar Page 2, Calendar No. 609, HJ103.

Calendar Page 3, Calendar No. 339, Substitute
HB7007.

Calendar Page 4, Calendar No. 381, HB7224, Calendar
No. 391, HB5320.

Calendar Page 6, Calendar No. 459, Substitute
HB5350, Calendar No. 468, Substitute HB7191.

Calendar Page 7, Calendar No. 470, Substitute
HB5292.

Calendar Page 8, Calendar No. 507, Substitute
HB6378.

Calendar Page 10, Calendar No. 541, Substitute
HB7100, Calendar No. 546, Substitute HB7133.

Calendar Page 11, Calendar No. 552, Substitute
HB7275.

Calendar Page 12, Calendar No. 557, Substitute
HB7265, Calendar No. 560, Substitute HB6871, Calendar

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No. 562, HB6918.

Calendar Page 14, Calendar No. 578, Substitute
HB6843, Calendar No. 580, Substitute HB7268.

Madam President, that completes the Consent
Calendar.

THE CHAIR:

Thank you very much. You've heard the items that
have been placed on Consent Calendar No. 1 for today,
June 3rd. The machine is on. You may record your
vote.

Senator Mustone, Senator Kissel, Senator Fleming.
Have all Senators voted and are your votes properly
recorded? Have all the Senators voted and are your
votes properly recorded? The machine is closed.

The result of the vote:

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

The Consent Calendar is adopted.

The Chair would recognize - Mr. Clerk, do you have
any business on your desk? The Chair would recognize
Senator DiBella.

SENATOR DIBELLA:

Thank you, Madam President. I'd move that we
suspend the rules in order to transmit the business

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636-888

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Since I've lost my voice I'll leave it over, turn it over to the house chairman, Representative Jefferson Davis.

REP. DAVIS: Alright, it's good to have you back here today Thirman, just keep your germs to yourself.

SEN. MILNER: You're sitting too close.

REP. DAVIS: Thanks we have a lot of people signed up in the legislative, municipal CEO's and state agencies this morning so we want to get cracking. We would like to limit your testimony, we will limit your testimony to three minutes a piece. And we will be very strict in that because we have a long list of people today who would like to testify. If you have any written information, testimony, please make sure that you submit that to the clerk so that we will be able to fully review that even if the time allotted does not allow you to give your complete testimony.

First up this morning is Representative Stan Krawiec along with is that Gary LeBeau? Oh, he's second, I thought he was with you.

: (inaudible speaker)

REP. DAVIS: Absolutely.

REP. KRAWIEC: Good morning Representative Davis and Senator Milner. I'm here to testify on House Bill HB7007, AN ACT ENCOURAGING REMOVAL OF DAMAGED BUILDINGS. This act would encourage owners of damaged buildings to remove them in a more timely manner in order to benefit from a property tax adjustment. Current law allows an adjustment from the date the building is demolished and removed.

This proposal would provide adjustments from the date of damage. Providing the building was demolished within 120 days of occurrence. This would encourage owners to remove the building quickly, remove eyesores from the public domain and be fairer to those who suffer the loss.

I believe this legislation is both fair and beneficial to the owners and municipalities by providing tax relief to owners and removing safety hazards within the municipality. I encourage the Committee to vote favorably on this bill. I have submitted written testimony and our assessor also has. And if you have any questions I have the assessor I'd like to turn it over to. Charlie Agley.

CHARLES AGLIE: I'm the City assessor for the city of New Britain. Basically this bill came out because we had a rash of fires in the city of New Britain over the last few years and I had the unhappy task of explaining to any number of property owners that they could get a property tax adjustment if their building was torn down and the site was cleared and graded and that the adjustment would be as of the date that, that happened that it was torn down and the site was cleared and graded.

Almost without exception the property owners would say to me, why isn't the adjustment as of the date of the fire or loss? And Representative Krawiec and I worked on this so that we could provide a period of time during which they would take down the building, and if they did so the adjustment would be as of the date of loss rather than as of the date the building was torn down and the site was cleared and graded. So this is to provide a window of opportunity for property tax payers to get a little more favorable treatment than they are getting right now when they suffer this kind of loss. Thank you.

REP. KRAWIEC: I would also like to add that this would encourage the property owners to get rid of these eyesores because we have many people that, in order to demolish the building can take a long time before they settle with their insurance companies and so on. And this would benefit the owner and also get rid of these eyesores in any city. Any questions?

REP. DAVIS: Thank you, did any Committee members have any question on this bill? If not thank you very much. Next up is Representative Gary LeBeau.

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State of Connecticut
HOUSE OF REPRESENTATIVES
STATE CAPITOL
HARTFORD, CONN. 06106-1591

REPRESENTATIVE STANLEY J. KRAWIEC
TWENTY-SIXTH DISTRICT

66 ALDEN STREET
NEW BRITAIN, CONNECTICUT 06053

ASSISTANT MAJORITY LEADER
COMMITTEES:
GENERAL LAW
APPROPRIATIONS

TESTIMONY OF
REPRESENTATIVE STANLEY J. KRAWIEC
PLANNING AND DEVELOPMENT COMMITTEE

MARCH 5, 1993

H.B. 7007

Good morning chairmen and members of the committee. I am here to testify on House Bill 7007, An Act Encouraging the Removal of Damaged Buildings. This act would encourage owners of damaged buildings to remove them in a more timely manner in order to benefit from a property tax adjustment.

Current law allows an adjustment from the date the building is demolished and removed. This proposal would provide the adjustment from the date of damage, providing the building was demolished within 120 days of the occurrence. This would encourage owners to remove the buildings quickly, remove eyesores from the public domain and be fairer to those who suffer the loss.

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I believe this legislation is both fair and beneficial to the owners and the municipalities by providing tax relief to owners and removing safety hazards within the municipality. I encourage the committee to vote favorably on this bill.



000865

CITY OF NEW BRITAIN
NEW BRITAIN, CONNECTICUT

TO: SENATOR MILNER, REPRESENTATIVE DAVIS AND
ALL MEMBERS OF THE PLANNING AND DEVELOPMENT COMMITTEE

FROM: CHARLES G. AGLI, JR. - ASSESSOR, CITY OF NEW BRITAIN *Charles G. Agli*
(TELEPHONE NUMBER: 826-3323)

DATE: MARCH 5, 1993 - PUBLIC HEARING TESTIMONY

RE: COMMITTEE BILL NO. 7007 - AN ACT ENCOURAGING
THE REMOVAL OF DAMAGED BUILDINGS

Sec. 12-64a was passed by the General Assembly in 1981. It was entitled an Act to Encourage the Removal of Damaged Buildings. It provides that if a building is so badly damaged that it would require total reconstruction before it could be used for a purpose related to its prior use, that the owner could get a property tax adjustment. The adjustment would be made as of the date the building was demolished and removed and the site was cleared and graded.

In New Britain in the last few years we have had a rash of fires. Some buildings were so badly damaged that they were demolished and the site was graded. Several of these properties were victims of an arsonist who caused some terror in the city. The owners who suffered the loss of their property were very unhappy that the property tax adjustment was not as of the date of the fire.

The City has an interest in having badly damaged buildings torn down and removed. Property owners have an interest in receiving a property tax adjustment as of the date of loss. We believe a change in 12-64a would serve both interests. The proposal is to provide a period of time, within 120 days of the fire or weather event, for the property owner to tear down the building and clear and grade the site. If this demolition, removal and grading occurs within the 120 days, the property tax adjustment would be based on the date of the fire or weather event. If it is done on the 121st day or later, the adjustment would be as of the date of demolition and removal as it is now.

I have attached a draft of the bill with a slight change in the language. The portion from line 46 to line 51 addresses damage which occurs within 120 days before any October 1 assessment date. Such an instance requires an additional adjustment if the demolition occurs after October 1. I can best explain it with an example. If a fire occurred on September 1 and the building was torn down and removed on November 1, the proposed bill would enable the assessor to remove one month of the property tax on the building in the prior assessment year and to remove the tax on the building in total for the intervening October 1 assessment date.

We believe this proposal meets the interest of municipalities and property taxpayers. We would ask for your favorable action on this bill.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 12-64a of the general statutes is repealed and the following is substituted in lieu thereof:

(a) Whenever a building is so damaged as to require total reconstruction before it may be used for any purpose related to its use prior to such damage and following which, the owner provides for complete demolition with the material from demolition being removed from the parcel of real property on which the building was situated or used as fill on such parcel for purposes of grading, such parcel shall be assessed for purposes of property tax as of the date such demolition, removal and grading are completed, to the satisfaction of the building inspector in the municipality, and such assessment shall reflect a determination of the assessed value of such parcel, exclusive of the value of the building so damaged, demolished and removed. The adjusted assessment shall be applicable with respect to such parcel from the date demolition, removal and grading are completed, as determined by said building inspector, until the first day of October next succeeding and the amount of property tax payable with respect to such parcel for the assessment year in which demolition, removal and grading are completed shall be adjusted accordingly in such manner as determined by the assessor.

(B) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (a) OF THIS SECTION, IN THE CASE OF A BUILDING THAT SUSTAINS FIRE OR WEATHER RELATED DAMAGE THAT REQUIRES THE BUILDING TO BE TOTALLY RECONSTRUCTED BEFORE IT MAY BE USED FOR ANY PURPOSE RELATED TO ITS USE PRIOR TO THE DAMAGE, THE ASSESSMENT REDUCTION SHALL BE CALCULATED FROM THE DATE OF SUCH FIRE OR WEATHER EVENT IF THE OWNER, WITHIN ONE HUNDRED TWENTY DAYS OF THE FIRE OR WEATHER EVENT, PROVIDES FOR THE COMPLETE DEMOLITION, REMOVAL AND GRADING TO THE SATISFACTION OF THE BUILDING INSPECTOR IN THE MUNICIPALITY. IF THE FIRE OR WEATHER EVENT OCCURS NOT MORE THAN ONE HUNDRED TWENTY DAYS BEFORE THE NEXT ASSESSMENT DATE AND THE OWNER PROVIDES FOR THE COMPLETE DEMOLITION, REMOVAL AND GRADING TO THE SATISFACTION OF THE BUILDING INSPECTOR AFTER THE NEXT ASSESSMENT DATE, BUT WITHIN 120 DAYS AFTER THE DATE OF THE FIRE OR WEATHER EVENT, THE ASSESSMENT FOR THE DAMAGED BUILDING SHALL BE REMOVED FOR SUCH ASSESSMENT DATE ALSO.