

Legislative History for Connecticut Act

HB 2298

PA. 678

1959

Senate p 4095-97

House p 4506-08, 4621-24, 5359-62, 5909

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and House of Representatives Proceedings

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CONNECTICUT
GEN. ASSEMBLY
SENATE

PROCEEDINGS
1959

VOL 8
PART 8
3625-4196

WEDNESDAY

JUNE 3, 1959.

Vehicles shall on or before January 1st, 1960, establish and thereafter maintain a branch office of the Motor Vehicle Department in the city of New Britain. And the expense of those should be paid out of the appropriations of said department. It's a good bill and I urge its adoption.

THE CHAIR:

Will you remark further? If not all those in favor will signify by saying "aye", those opposed "no". The "ayes" have it. The bill is ordered passed.

THE CLERK:

Favorable report. Joint Standing Committee on Cities and Boroughs. House Bill No. 2298. File No. 1172. An Act concerning Local Substitutions of Special Acts.

SENATOR FALSEY:

Mr. President..

THE CHAIR:

Senator from the 8th.

SENATOR FALSEY:

I move for suspension of the rules for immediate consideration of this bill.

THE CHAIR:

Question is on suspension of the rules for immediate consideration. Will you remark?

SENATOR FALSEY:

Mr. President, I move for the..

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JUNE 3, 1959.

THE CHAIR:

The question is on suspension of the rules for immediate consideration. Any objection? Appears to be none, the rules are suspended.

SENATOR FALSEY:

I move for the approval of the committee's favorable report and the passage of this bill.

THE CHAIR:

Question is on acceptance of the committee's favorable report and passage of the bill. Will you remark?

SENATOR FALSEY:

This bill, Mr. President, would correct the often spoken defect of the 1957 Home Rule Act. By allowing local amendments, special acts, by the towns adopting the special acts in the form of a Home Rule Ordinance. The procedure would then be similar to the adoption of a charter amendment under the Home Rule Act and this could of course be done locally. It's a worthwhile bill, in fact a necessary bill and I urge its adoption.

THE CHAIR:

Will you remark further? Senator from the 26th.

SENATOR SIBAL:

I'm very happy to see this bill favorably reported. We have been anxiously awaiting it, it appears. Now we've talked about it many times on the floor of the Senate. Had it been passed earlier I think many bills that we have spent time on would have been unnecessary and the local communities could have acted upon them.

WEDNESDAY

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This does fill a void, which existed after the passage of the Home Rule Act and I urge its adoption.

THE CHAIR:

Will you remark further? If not all those in favor will signify by saying "aye", those opposed "no". The "ayes" have it. The bill is ordered passed.

THE CLERK:

Favorable report. Joint Standing Committee on Judiciary and Governmental Functions. House Bill No. 4030. File No. 1540. An Act concerning Payment of Compensation to Mrs. Garrett Burkitt and Mrs. Robert Keeler.

SENATOR SCANLON:

Mr. President..

THE CHAIR:

Senator from the 6th.

SENATOR SCANLON:

I move for suspension of rules for immediate consideration.

THE CHAIR:

Question is on suspension of the rules for immediate consideration. Any objection? Appears to be none, the rules are suspended.

SENATOR SCANLON:

I move for acceptance of the committee's favorable report and passage of the bill.

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CONNECTICUT
GEN. ASSEMBLY
HOUSE

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1959

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PART 11
4480-5072

Monday, May 25, 1959

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of the bill please say aye, opposed no. The ayes have it. The bill is passed.

THE CLERK: report of the Committee on Cities and Boroughs.

Returning to page 12 of the Calendar, second from the top. Calendar No. 1530. File No. 1163. House Bill No. 3436. An Act validating Acts of the Burgesses of the Borough of Naugatuck. Favorable report of the Committee on Cities and Boroughs.

THE SPEAKER: report and passage of the bill.

THE SPEAKER: The gentleman from Vernon.

MR. SPIELMAN OF VERNON: acceptance of the committee's favorable report. Mr. Speaker, I move the acceptance of the committee's favorable report and passage of the bill.

THE SPEAKER: speaker, this bill allows the library... The question is on acceptance of the committee's favorable report and passage of the bill. Will you remark?

MR. SPIELMAN OF VERNON:

Mr. Speaker, this bill sets up the term for offices of the borough of Naugatuck. In section 2 it validates the actions because there was an omission of their designation from section 2 of the special acts of 1937.

THE SPEAKER:

Will you remark further? The question is on passage of the bill. All those in favor please say aye, opposed no. The ayes have it. The bill is passed.

THE CLERK:

Calendar No. 1531. File No. 1164. House Bill No. 3512.

Monday, May 25, 1959

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An Act validating Action by the Town Council of the Town of Windsor to Include Library Employees in Social Security Coverage. Favorable report of the Committee on Cities and Boroughs.

THE SPEAKER: report and passage of the bill.

THE SPEAKER: The gentleman from Vernon.

MR. SPIELMAN OF VERNON: report and passage of the bill.

Mr. Speaker, I move the acceptance of the committee's favorable report and passage of the bill.

THE SPEAKER: speaker, this bill just changes the language in respect Question is on the acceptance of the committee's favorable report and passage of the bill. Will you remark?

MR. SPIELMAN OF VERNON: report.

Mr. Speaker, this just allows the library employees in the town of Windsor to placed in the social security. They were exempt from that when the rest of the employees of the town were placed on social security.

THE SPEAKER: speaker, this is a rather important bill. Will you remark further? Question is on passage of the bill. All those in favor say aye, opposed no. The ayes have it. The bill is passed.

THE CLERK: it does is to permit that your present operating under Calendar No. 1533. File No. 1172. House Bill No. 2298. An Act concerning Local Substitution of Special Acts. Favorable report of the Committee on Cities and Boroughs.

THE SPEAKER: fall in with the and what you want to do with it. The bill will be continued retaining.

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I'm sorry. The gentleman from Vernon.

MR. SPEELMAN OF VERNON:

Mr. Speaker, I move the acceptance of the committee's favorable report and passage of the bill.

THE SPEAKER:

Question is on the acceptance of the committee's favorable report and passage of the bill. Will you remark?

MR. SPIELMAN OF VERNON:

Mr. Speaker, this bill just changes the language in a ^{very} few respects by just substituting a couple of words here and there which clears up the general language of the bill.

I urge its adoption.

THE SPEAKER:

Will you remark further? The Chair recognizes the gentleman from Brookfield.

MR. PINNEY OF BROOKFIELD:

Mr. Speaker, this is a rather important bill. This bill results from the study of the Legislative Council and also from some very sincere effort on the part of the gentleman from Waterford.

What it does is to permit those towns presently operating under the general statutes but having one or two special acts to amend those special acts at home. This fills a very substantial gap in the home rule act since there is a rather large group of towns which fall in this class and which group of towns were not taken into consideration when the home rule act was passed in the

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'57 session. This, I think, now makes it possible for all towns, chartered towns, general act towns and general act and special act towns to operate under home rule. It's a very worthy change in the statutes and I wholeheartedly support it.

THE SPEAKER:

Will you remark further? The Chair recognizes the lady from Stamford.

MRS. MILLS OF STAMFORD:

An amendment to this bill is being prepared. Could this be held over until the amendment is ready?

THE SPEAKER:

The bill will be continued retaining if there is no objection.

THE CLERK:

Page 10 of the Calendar. Calendar Nos. 1493 and 94 are now ready. Calendar No. 1493. File No. 1182. House Bill No. 2981. An Act amending the Municipal Planning Commission Enabling Law. Favorable report of the committee on State Development.

THE SPEAKER:

The Chair recognizes the gentleman from Guilford.

REPRESENTATIVE FROM GUILFORD:

Mr. Speaker, I move for acceptance of the committee's favorable report and passage of the bill.

THE SPEAKER:

Question is on the acceptance of the committee's favorable report and passage of the bill. Will you remark?

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THE SPEAKER:

The Chair recognizes the gentleman from Guilford.

REPRESENTATIVE FROM GUILFORD:

Mr. Speaker, I move for acceptance of the committee's favorable report and passage of the bill.

THE SPEAKER:

Question is on the acceptance of the committee's favorable report and passage of the bill. Will you remark?

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in the town of Windsor which have become Trunk Line roads.
I urge passage of the bill.

THE SPEAKER:

Remark further? If not, question is on acceptance and passage of the bill? The 'ayes' have it. Bill is passed.

THE CLERK:

Cal. 1661. ~~File~~ 1314(omit)

H.B. 2759. (Omit)

Cal. 1662. File 1313.

Sub. for H.B. 3889. Validating certain adoptions in the Probate Court for the District of Hamden.

Committee on Judiciary and Governmental Functions.

MR. GOOGEL: (New Britain)

I move the acceptance and passage of the bill.

Mr. Speaker: This bill would remove a question concerning the jurisdiction of the Probate Court in question. Committee felt this bill should be passed to remove any question of doubt to certain adoptions. I urge its passage.

THE SPEAKER:

Will you remark further? If not, question is on acceptance and passage of the bill? The 'ayes' have it. Bill is passed.

THE CLERK:

Cal. 1533. File 1172

H.B. 2298. Concerning substitution of Special Acts.

Committee on Cities and Boroughs.

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THE CLERK:

I have an amendment.

Insert the following after sec. 6: Sec. 7. Sec. 2-14 of the General Statutes is repealed and the following is substituted in lieu thereof: The General Assembly shall enact no special legislation relative to the powers, organization and form of government of any town, city, borough or any other unit of local government unless requested by a town, city, borough or other unit of a local government in a manner hereinafter prescribed to enact such special legislation. A resolution requesting the General Assembly to enact such legislation and specifying the purpose of such legislation shall be adopted (a) by a 2/3 vote of the council or board of directors in any town having such a body of the Bd. of Aldermen, Council or body charged with the duty of making annual appropriation in any city or consolidated town and city of the Bd. of Burgesses in any borough or consolidated town and borough or of the Bd. of Directors of District Committee in any district, or (b) by the Bd. of Selectmen or by a majority vote of the town meetings or representative town meetings in any town not having a council or Bd. of Directors. A request for the enactment of such legislation by the General Assembly may also be initiated by a petition specifying the purpose of such legislation and signed by not less than 10% of the electors of the town, city, borough or other units of local government as determined by the last

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completed registry list and filed with the clerks of said towns, cities, borough or other unit of local government. Upon the filing of such petition said clerks shall ~~proceed~~ ^{proceed} forthwith to determine its efficiency by comparing the names thereon with those contained in such registry list and shall certify its ~~efficiency~~ or insufficiency. Such clerks ~~shall~~ file with the Sec. of State, not later than 10 days prior to the convening of any session of the General Assembly in which such proposed legislation is to be introduced a certified copy of the resolution as adopted or the text of the petition as signed, and an affidavit signed by the Chief Executive officer of such town, city or borough setting forth information that raises a reasonable doubt as to whether such town, city or borough could accomplish the purpose of the proposed legislation by local act provided that such resolution or text of a petition and such affidavit may be filed at any time during the session of the General Assembly if the necessity of the proposed legislation arose after 10 days prior to the convening of such session.

Change sec. 7 to sec. 8.

MR. PADULA: (Norwalk)

This is too long an amendment for anyone to digest at this time, and since we are operating under an agreement this morning, I feel that this bill should be passed retaining!!

MR. GOOGEL: (New Britain)

Might I suggest that the amendment be printed in the files

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or in the Journal so we could have an opportunity to look at it?

THE SPEAKER:

If there is no objection, the amendment will be ordered printed in the file.

THE CLERK:

Cal. 1663. File 895

S.B. 173. Concerning retirement allowances of Teachers retired prior to October 1, 1943.

Committee on Public Personnel.

MR. WHITE: (East Hampton)

This bill increases the retirement for teachers who retired before 1943 by a sum of \$75. They are operating on very low retirement payments. This is a good bill and I move for its acceptance and passage.

THE SPEAKER:

Will you remark further. If not, question is on acceptance and passage of the bill? The 'ayes' have it.

Bill is passed.

THE CLERK:

Cal. 1664. File 896

S.B. 174. Concerning retirement allowance of teachers retired subsequent to Oct. 1, 1943.

Committee on Public Personnel.

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CONNECTICUT
GEN. ASSEMBLY
HOUSE

PROCEEDINGS
1959

VOL. 8
PART 12
5073-5564

MONDAY - JUNE 1, 1959

THURSDAY - MAY 28, 1959

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MR. GOGGEL: (New Britain)

May Cal. 1772 be made the order of the day for tomorrow at 1 P.M?

THE SPEAKER:

Shall
~~So~~ be so named.

THE CLERK:

Cal. 860. File 696

H.B. 2831. Concerning elimination of refunds by the Water Department of the city of Bristol.

Committee on Cities and Boroughs.

MR. CALDWELL: (Derby)

I move for acceptance and passage of this bill.

This act concerns the elimination of refunds by the Water Dept. of Bristol. It's a good bill and should pass.

THE SPEAKER: (Mr. Marsters still in the Chair)

Will you remark further. Gentleman from Middletown.

MR. CACCIDLA:

Can this bill be continued retaining temporarily.

There's a gentleman who is interested and isn't here yet.

THE SPEAKER:

If there is no objection the bill will be continued retaining.

THE CLERK:

Cal. 1533 File 1172 and 1114

H.B. 2298. Concerning local substitution of Special Acts.

Committee on Cities and Boroughs.

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MR. PADUAL: (Norwalk)

I move for the acceptance and the passage of the bill.

This is one of the Legislative Council bills, and in March of 1958 special session the General Assembly directed the Legislative Council to study the subject matter of H.B.67. This the fruit of their labor and I commend it to the House as being one which will allow municipalities to amend their special acts as we now amend them under the Home Rule Act, on the charter.

THE SPEAKER:

Will you remark further. If not, all those in favor say 'aye'; opposed 'nay'.

THE CLERK:

May I ask if you are aware there is an amendment in the file? Has that been covered?

MR. PADULA:

I believe we should pass the amend. first.

Will the clerk read the amendment.

THE CLERK:

House Amend. Sched. "A".

Insert the following after sec.6: Sec.7. Sec.2-14 of the General Statutes is repealed and the following is substituted in lieu thereof: The General Assembly shall enact no special legislation relative to the powers, organization and form of government of any town, city, borough or any other unit of local government unless requested by a town, city, borough or other

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DBK
A-5

unit of local government in the manner hereinafter prescribed for an act of special legislation. A resolution requesting the General Assembly to enact special legislation and specifying the purposes for such legislation shall be adopted caused (a) by 2/3 vote of the council or board of directors in any town having such a body of Bd. of Aldermen, Council or Body charged with the duty of making annual appropriations in any city or consolidated town and cities; of the Bd. of Burgesses in any town or borough or consolidated town and borough or of the Bd. of Directors or District Committee in any city; or (b) by the Bd. of Selectmen^{or} by a majority vote of the town meeting, or representative town meeting in any town not having a council or bd. of directors.

A request for the enactment of special legislation by the General Assembly may also be initiated by a petition specifying the ~~purpose~~ purpose of this legislation and signed by not less than 10% of the electors of the town, city, borough or any other unit of local government as determined by the last completed registry list and filed with the clerks of such towns, cities, boroughs or other unit of local government.

Upon the filing of such petition the clerk shall proceed forthwith to determine its sufficiency by comparing the names thereon with those contained in such registry list and shall certify its sufficiency and insufficiency. Such clerks shall file with the sec. of state, not later than 10 days prior to the convening of any session of the General Assembly in which

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such proposed legislation is to be introduced a certified copy of the resolution as adopted or the text of the petition as signed, and an affidavit signed by the Chief Executive Officer of such town, city or borough, setting forth information that raises a reasonable doubt as to whether such towns, cities or boroughs could accomplish the purpose of the proposed legislation by local action provided that such resolution or text of petition and such affidavit may be filed at any time during the session of the General Assembly if the necessity for the proposed legislation arose after the 10 days prior to the convening of such session, and change sec. 7 to sec. 8.

THE SPEAKER:

Motion is on the adoption of House Amend. Sched. A.

Will you remark.

MR. PADULA:

It's a good amendment and I urge its passage.

MR. GOOGEL: (New Britain)

Does this bill deal with the Home Rule Act? I've been out of the room and don't know.

May that be held up for the time being? I think I have a resolution here that will perhaps refer that whole matter to the Legislative Council for study.

THE SPEAKER:

So ordered!

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CONNECTICUT
GEN. ASSEMBLY
HOUSE

PROCEEDINGS
1959

VOL. 8
PART 13
5565-6111

WEDNESDAY - JUNE 3, 1959

Is the printing of this amend. waived? The matter is now referred to the Legislative Commissioner's office.

THE CLERK:

Cal. 1533 File 1172 1414

H.B. 2298. Concerning local substitution of special acts.

Committee on Cities and Boroughs.

MR. TAYLOR: (Shelton)

I move acceptance and passage of the bill.

This bill permits local towns who do not have charters to make provisions for the Home Rule Act so that special acts can be enacted by those towns. It's a good bill!

MR. PADULA: (Norwalk)

This is a Legislative Council bill and it is one that really commends itself for passage!!

THE CLERK:

It is necessary to adopt the amendment first.

MR. GOOGEL: (New Britain)

I understand that the amend. is to be withdrawn.

MRS. MILLS: (Stamford)

I introduced the amend. and I now withdraw it.

THE SPEAKER:

The amend. is withdrawn.

THE SPEAKER:

Question is on acceptance and passage of the bill?

The 'ayes' have it. Bill is passed!!