

Act Number	Session	Bill Number	Total Number of Committee Pages	Total Number of House Pages	Total Number of Senate Pages
PA 71-114		5256	3	2	1
<u>Committee Pages:</u> <ul style="list-style-type: none"> <i>Corrections, Welfare & Humane Institutions</i> 34 <i>Corrections, Welfare & Humane Institutions</i> 41 <i>Corrections, Welfare & Humane Institutions</i> 72 				<u>House Pages:</u> <ul style="list-style-type: none"> 1456-1457(Consent) 	<u>Senate Pages:</u> <ul style="list-style-type: none"> 1185

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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
1971**

**VOL. 14
PART 4
1451-1967**

Wednesday, April 14, 1971

6.

THE CLERK:

Favorable Substitute from Public Health and Safety.
Substitute for Senate Bill 389. AN ACT CONCERNING PERSONS
CARED FOR AT THE VETERANS' HOME AND HOSPITAL.

DEPUTY SPEAKER:

Tabled for the Calendar and printing.

THE CLERK:

Favorable from Insurance and Real Estate. House Bill
6995. AN ACT CONCERNING THE CHARTER OF SECURITY CONNECTICUT
LIFE INSURANCE COMPANY.

DEPUTY SPEAKER:

Tabled for the Calendar and printing.

THE CLERK:

BUSINESS ON THE CALENDAR. For Wednesday, April 14,
1971, Page 1 of the Calendar, the Consent Calendar.

DEPUTY SPEAKER:

The gentleman from the 95th.

MR. SARASIN: (95th)

Mr. Speaker, I move acceptance of the Joint Committee's
favorable report and passage of the bills on the Consent
Calendar.

Cal. 299, Sub. H.B. 5256. AN ACT CONCERNING WELFARE REIM-
BURSEMENT. File 248.

Cal. 300, H.B. 5261. AN ACT CONCERNING CHILDREN COMMITTED
TO THE WELFARE COMMISSIONER. File 244.

Wednesday, April 14, 1971

7.

Cal. No. 378, sorry, those two items, Mr. Speaker on the Consent Calendar.

DEPUTY SPEAKER:

Question is on acceptance and passage of the enumerated items on the Consent Calendar. All those in favor will indicate by saying Aye. Those opposed. The bills are PASSED.

The gentleman from the 95th.

MR. SARASIN: (95th)

Mr. Speaker, I move the following bills be placed on the Consent Calendar, pursuant to Rule 48.

Cal. 314, Sub. H.B. 7608, AN ACT CONCERNING CONVEYANCE OF LAND OF THE STATE TO THE TOWN OF EAST LYME AND GRANT OF TWO EASEMENTS TO SAID TOWN. File 268.

Cal. 315, Sub. for H.B. 7440. AN ACT CONCERNING QUALIFICATIONS FOR THE PRACTICE OF PODIATRY. File 262.

Cal. 316, Sub. for H.B. 7598. AN ACT CONCERNING TRANSMISSION OF THE BUDGET DOCUMENT TO THE GENERAL ASSEMBLY. File 261.

Cal. 317, H.B. 5977. AN ACT CONCERNING THE MARINE RESOURCES COUNCIL. File 264.

Cal. 319, H.B. 7741. AN ACT CONCERNING RENAMING HIGH ROCK STATE PARK. File 263.

Cal. 321, H.B. 8139. AN ACT CONCERNING COMMERCIAL FISHING IN THE MARINE DISTRICT. File 266.

Cal. 323, Sub. for H.B. 5237. AN ACT CONCERNING POST-ARREST WARRANTS IN LIQUOR CASES. File 269.

I move these be placed on Consent, Mr. Speaker.

roc

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CONNECTICUT
GENERAL ASSEMBLY**

SENATE

**PROCEEDINGS
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PART 3
957-1456**

April 22, 1971

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... of the bill must be no less than 60 days than existing law. This bill does not adversely affect the right of the owner.

THE CHAIR:

Question is on passage. Will you remark further? If not, all those in favor signify by saying, "aye". Opposed, "nay". The bill is passed.

THE CLERK:

CAL. NO. 296. File No. 248. Favorable report of the joint committee on Corrections, Welfare and Juvenile Institutions. Substitute Senate Bill 296, An Act Concerning Welfare Reimbursement.

SENATOR CIARLONE:

Mr. President, I move the acceptance of the committee's favorable report and passage of the bill. In cases of cause of action, a beneficiary the State shall have a lien against proceeds less legal fees, medical expenses, etc. I urge passage.

THE

Question is on passage, will you remark further? If not, all those in favor signify by saying, "aye". Opposed, "nay". The bill is passed.

THE CLERK:

CAL. NO. 302. File No. 261. Favorable report of the joint committee on Rules. Substitute Senate Bill 302, An Act Concerning Transmission of the Budget Document to the General Assembly.

SENATOR BURKE:

Mr. President, I move the acceptance of the joint committee's favorable report and passage of the bill. This bill, here, is in the order to have the Governor deliver his budget on the first session day of the

First Monday in February. Substitute Senate Bill 302, An Act Concerning Transmission of the Budget Document to the General Assembly.

**JOINT
STANDING
COMMITTEE
HEARINGS**

**CORRECTIONS,
WELFARE
AND
HUMANE
INSTITUTIONS**

1-342

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Ernest Halsted, Attorney General's Office (cont'd): introduced at my request. The first is House Bill #5253, on page 11.

At the present time we have a provision of law under which a Commissioner of Finance Control becomes the representative of the estate of the deceased recipient of child welfare or institutional care and by legal representative I mean under certain circumstances where the estate is under \$5,000 and the funeral, last illness, and the claim of the more than exceed the amount left. In other words where there is nothing that can go to the heirs. The Commissioner of Finance and Control receives an appointment by the appropriate Probate Court as what we call legal representative of the estate for the purpose of settling same. Now, as late as 1967 that amount was Two Thousand Dollars (\$2,000) and it was moved up to the present \$5,000 because of the fact we have a number of estates which would be hit by an awful lot of fees and expenses if they were not so handled. It was brought to my attention by Judge Consuella that under the uniform fee schedule for the Probate Courts it would be possible to have a probate fee required of as much as \$50.00 for that appointment as legal representative and since it does not involve any procedures of the Probate Court such as would be necessary in the handling of an ordinary estate. It was suggested that we attempt to get the legislature to set up a flat fee which, by the way, is the amount being now charged by the Probate Court for such Certificate of Appointment. What happens is that an application to the Court -- the Court issues a certificate and all that's done from there is a report back to the Court as to the disposition of the estate so this would make for a uniform fee for all such estates.

Mr. Chairman, I wonder if I should ask if there are questions with respect to any of these or go down the whole thing and answer questions on all of them.

Chairman Brown: I think that would be preferable.

Mr. Halsted: Thank you. The next bill is House Bill #5256 and that is concerning welfare reimbursement. This is with respect to a provision in the law under which the Welfare Department has a lien against the proceeds of causes of action.... for the repayment of welfare assistance and we have encountered difficulties with respect to causes of action even though the thing says all causes of action with respect to causes of action where there's a claim that other laws they are exempt from being used for repayment of this kind. I would just like to make it completely clear that this covers all causes of action irrespective of any other provision of law. There is no other change incorporated in the provisions of 17-83F of the 1969 supplement which provides for such assignments and that the claim of the state be a lien against the proceeds.

Chairman Brown: What is that number sir?

Mr. Halsted: The number of the section?

Chairman Brown: The number of the bill.

M. B. Bauer. Chief of the Bureau of Business Administration in the State Welfare Department (cont'd): encumbrances and by virtue of this action take over the property at their own gain.

We, therefore, urge the rejection of this Act.

Chairman Brown: Are there any questions by any members of the committee? All right, will you proceed then Mr. White.

Commissioner White: On #5253 we have no statement.

Chairman Brown: Would you please try to speak a bit louder as the members of our committee are having trouble hearing and perhaps most of the people in our chamber too as -- if you could speak a bit louder.

Commissioner White: On #5256 -- we have no statement. Well, except that we feel that it will clarify the fact -- INAUDIBLE ** of -- or courses of action recipients of welfare assistance to the State of Connecticut are valid and collectable. We will submit this statement to the committee. The passage of this act will clarify the fact that assignment of proceeds of courses of action of recipients of welfare assistance to the State of Connecticut are valid and collectable.

We, therefore, urge the passage of this act.

Chairman Brown: Fine, thank you.

Commissioner White: We have no position of #5257. Mr. Halsted has already discussed this bill in principle we like it. It does not meet the income levels we might propose -- we appreciate the fact that he has asked to have it extended so that we could look at it further.

On #5260 -- I would like Mr. Morastika to speak on this please.

Mr. Morastika: In relation to this bill we have had an assessment by the Federal Government of some of the provisions in the act in the way it's written we would like to submit a letter from the Federal Regional Office of H. E. W. in regard to this bill.

Chairman Brown: Okay, thank you.

Commissioner White: On #5261 - we have a -- no statement. We're in favor of this bill -- #5262 that is -- I will submit a brief statement.

#5262 - An Act Concerning Support - The Department supports the proposal to require that the stepparent assume liability for the support of his step-children to the same extent as a natural parent.

Prior to the Court decision in Solman v Shapiro and the Federal regulations which stated a state could not require support of a stepparent if State law did not require such, the Department did hold stepparents responsible for support. The policy was based upon the premise that it was not socially or morally sound to separate out children of a previous marriage and place them on assistance standards while the other members of the family were entitled to live on as high a level as the stepparent could

Mark Aronson (cont'd):

First in the area of Welfare Recovery and Fraud. We are opposed to H. B. 5257 and 5684 where substitutes to those bills suggested by Mr. Halsted.

The first section of that bill creates an automatic civil judgment against welfare recipients that are convicted of welfare fraud. This raises serious new questions and also questions of multiple jeopardy. The present Welfare Department interest in civil recovery are adequately provided for under Section 17 -82M of the 1969 Supplement.

We also are opposed to the increase in the criminal penalties for welfare fraud. The revisions suggested in these bills would raise the penalties those for larceny which means a welfare recipients could spend up to five years in prison. This is extremely disruptive of in particular the AFDC homes and places an extra burden upon the state to give special financial and maintenance attention to the children of the welfare recipients for the relative who has been placed in prison. The present sanction of six months is more than adequate to serve as a deterrent and as a punishment for welfare fraud. We support instead the principle embodied in #5003 which makes welfare fraud like any other criminal offense punishable only once.

We also are opposed to H. B. 5256 - which makes all causes of action assignable. This bill will work to the detriment particularly of the working exwelfare recipient for it would make workman's compensation plans assignable. This would mean that the worker who's been injured on the job and was a welfare recipient would be put in the position of losing his job and also would not have the monetary worth that might come out of his Workmans Compensation upon to -- upon which to live. This would mean that he would be thrust on the state again to taken care by some kind of assistance program.

We support H. B. #5007 -- which repeals the present lien provision. At present the administration of this program is extremely cumbersome and also costly. For most situations of categorical assistance benefits are really quite minimal. The present lien provision in particular jeopardizes the effective functioning of Section 235 of the Federal Housing Urban and Development Act which allows low income and recipient families to purchase homes on a one per cent mortgage interest basis. We therefore favor this bill and hope the committee would act in that regard.

We also are in favor of H. B. 6680 which calls for the reenactment of proper standards. This is a Statement of Purpose Bill. If I might just give a brief example. Present Welfare Department Standards only allow ninety three dollars per year for clothing allowance for an adult. This is the total amount allowed for both new and replacement clothing items and is totally inadequate.

We also support S. B. #483 which permits sisters and brothers of the same family to be placed the home of more than one relative. This is often necessary to insure healthy and decent living conditions