

| Act Number | Session | Bill Number | Total Number of Committee Pages | Total Number of House Pages | Total Number of Senate Pages |
|---|----------------|--------------------|--|--|--|
| PA 71-265 | | 8078 | 2 | 1 | 2 |
| <u>Committee Pages:</u> <ul style="list-style-type: none"> <i>Corrections, Welfare & Humane Institutions</i> 326-327 | | | | <u>House Pages:</u> <ul style="list-style-type: none"> 2081 | <u>Senate Pages:</u> <ul style="list-style-type: none"> 1708-1709 |

H-112

**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
1971**

**VOL. 14
PART 5
1968-2502**

Tuesday, May 4, 1971

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THE CLERK:

Calendar No. 619, Substitute for H.B. No. 5694, An Act Concerning Professional Communication Between a Teacher and a Student.

THE SPEAKER:

Does the gentleman from the 9th wish this passed temporarily? So ordered.

THE CLERK:

Top of page 7, Calendar No. 622, H.B. No. 8078, An Act Concerning Voluntary Admission to the Department of Children and Youth Services.

MR. CHAGNON (97th):

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

THE SPEAKER:

Will you remark?

MR. CHAGNON (97th):

Mr. Speaker, this bill concerns the voluntary admission of children to the Department of Children and Youth Services to avail themselves of the benefits that this unit may have to offer. Of particular interest in this change in this bill is that a youngster, fourteen years or older, may make petition on his own to avail himself of the facilities, if they feel it is good. I move that this bill be passed.

THE SPEAKER:

Further remarks on the bill? If not, all those in favor indicate by saying aye. Opposed? The bill is PASSED.

THE CLERK:

I have been requested to return to the bottom of page 6, Calendar No. 619, Substitute for H.B. No. 5694, An Act Concerning Professional

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**CONNECTICUT
GENERAL ASSEMBLY**

SENATE

**PROCEEDINGS
1971**

**VOL. 14
PART 4
1457-1920**

May 11, 1971

22.

from the 10th District. What lay people are conversing with criminal law?

THE CHAIR:

Senator Ciarlone if you wish?

SENATOR CIARLONE:

I have spent three terms here in the General Assembly I consider myself a lay person. And spending so much time with the legal people here in this circle, I consider myself conversed in legal law.

THE CHAIR:

The question is on passage. Will you remark further? If not all those in favor of passage signify by saying aye. AYE. Opposed nay? The ayes have it. The bill is passed.

THE CLERK:

Cal. 582, File 570, Favorable report joint standing committee on Corrections, Welfare and Humane Institutions on H.B. 8098 An Act Concerning Voluntary Admission to the Department of Children and Youth Services.

THE CHAIR:

Senator Ciarlone.

SENATOR CIARLONE:

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

THE CHAIR:

Will you remark?

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SENATOR CIARLONE:

Mr. President, this bill may move the commission of Children and Youth Services to admit to the department on a voluntary basis any child that he feels would benefit by the residential facilities. Application must be made in writing by the parent or the guardian or by the individual if he is 14-years older. We feel it is a deterrent. We urge its acceptance.

THE CHAIR:

The question is on passage. Will you remark further? If not all those in favor of passage indicate by saying aye. AYE. Opposed nay? The ayes have it. The bill is passed.

THE CLERK:

Cal. 585, File 793 Favorable report of the joint standing committee on General Law on S.B. 263 An Act Validating as Timely the Notice Given by Juana Matos and to that Extent Granting Her Permission to Prosecute to Final Effect a Suit Against the City of Bristol.

THE CHAIR:

Its my understanding that this and the next case are to be held retaining?

SENATOR CALDWELL:

That is correct Mr. President. This and the next one also.

THE CLERK:

The next item marked as ready is on page 7, third item from the top, Cal. 589, File 806 Favorable report of the joint

**JOINT
STANDING
COMMITTEE
HEARINGS**

**CORRECTIONS,
WELFARE
AND
HUMANE
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MRS. WILCOX (CONT'D): the centers alive by staffing them with volunteer people who pass through from day to day because they will have no funds to pay for services in cutting back for services they are already providing. Using the federal funds would also provide a foundation for them.

CHAIRMAN: INAUDIBLE

MRS. WILCOX: We have twenty five and if you expand that -- Again, I think expansion could be implemented certainly upgrading of service could be implemented if we didn't have to spend so much time seeking funds. If we knew we had some funds on which to go from year to year you can return then if we knew we had some foundation from which to go from year to year you can return then to your time and to teacher training and work with parents and many of the ideal things that the center is supposed to do but the present time many of the directors are spending sixty seventy per cent of their time trying to find funds or speak here on legislation. Thank you very much...for your time and patience.

CHAIRMAN: I had a list of twelve people here to be heard yet. What is your INAUDIBLE or do you want to go right through? John Doyle.

JOHN DOYLE, SPECIAL ASSISTANT TO THE COMMISSIONER OF CHILDREN YOUTH SERVICES: I want to speak briefly on three bills. No. 8572 on the Powers of the Council of Children in Youth Services. Representative Bingham spoke briefly on this so essentially against it. I want to place the Commissioner strongly on record in favor of this bill which was drafted by me and the former Commissioner and by Commissioner Maloney. This bill redefines the powers of the council and it is not designed to destroy the council -- it is designed to make an advisory council as distinct as a policy making council. Now, briefly, I feel very strongly is the Commissioner is given very broad powers and necessarily so in our enabling legislation. With this goes the responsibility for the policy in INAUDIBLE for the policy of the department. Further, INAUDIBLE with the Governor. His policies have to be in harmony essentially with those of the governor to have the council in here as a third policy making force is already proved disruptive on one occasion and we think it is not consistent with our ability to carry out the many responsibilities which we have however on this bill we will go along with Representative Bingham in his requests that we engage in further discussion with members of the council -- some of them, of course, are very much opposed to this -- and the request that we could appear before you later at executive session after we have had further discussion on it.

The next bill is 8078 that provides redefinition of policy of the respective voluntary admissions to the Department of Youth Services. I don't think this is very complicated -- it clarifies the law in that it requires commitment to the the department or voluntary admissions to the department only when residential facilities of the department are involved. For example, we have our multiservice center in Bridgeport which treats children on an outpatient - outcase. This bill I think makes it clear that they don't have to be committed to the department or voluntarily admitted to it. This is simply a service which we perform for them

JOHN DOYLE, SPECIAL ASSISTANT TO THE COMMISSIONER OF CHILDREN YOUTH SERVICES (CONT'D): The other thing it makes it possible for a child fourteen years or older to admit themselves to the department assuming we have the facilities to do something for them. It does not require as does the present — parental consent. This grows out of our experience that often children at that age group and in conflict with their families and parental consent is not available or in many of the cases where the need is greatest.

Finally, very briefly, Bill 8080 — this was an attempt on our part which has nothing directly related to our department but it is a subject with which we have been concerned with. It amends the 8080 amends the penal code which is to become effective next fall. With respect to the provision which provides the privilege with the use of force on minors incompetent. We feel the bill that is presently drafted leaves much too much platitude for an individual particularly an individual in the position of a attendant or teacher or lifeguard for that matter to use force on children. We think it should be restricted appreciably and that is what this amendment is supposed to do. For example, it allows only parents or guardians to use force on children for the purpose of discipline and it limits that force very severely to force that does not cause bodily injury or undue mental distress or something like that. It preserves the right of a custodian of a child to use such reasonable as necessary to restrain the child from doing damage to itself or others. But, that is more restrictive than the present a INAUDIBLE and frankly I am a lawyer and I don't understand how the present code got in its present form. It goes far beyond the common law in permitting excessive force to be used on children and I think it really is an oversight which should be corrected. I think this bill will do it. That's the end of my presentation.

CHAIRMAN: Thank you very much John. Janet INAUDIBLE.

JEANETTE DILLY, EXECUTIVE DIRECTOR OF THE CONNECTICUT CHILD WELFARE ASSOCIATION: I don't have them in numerical order maybe I should — 1463 is the first bill I want to speak about. We support this bill. It's the one on the Welfare Appropriations. We're 4000 taxpayers make up the Connecticut Welfare Child Association and we feel that we the taxpayers, have the right to know what the net cost to the taxpayer is — the public welfare. The present system obscures the facts — makes public welfare one of the most vulnerable departments to be chosen as a political football and we urge you to report this bill favorably because we feel that we have a right to know. Now, there's another part to that bill and it was mentioned before by a young lady, Mrs. Wilcox, I believe talking about the fact that the State of Connecticut does not take and make appropriate use of the Title 4A or Federal Funds available to it. As long as the State Welfare Department budgets and recoveries must become part for the General Fund we cannot take — The State Welfare Department cannot take full advantage of Title 4A. I suggest you turn to Rhode Island and examine in certain ways in which they got seven dollars back for one put in because they had a law that permitted them to put private money as part of the beginning matching money and then the State money, but, we're not able to do this because our money in our current statute