

Act Number	Session	Bill Number	Total Number of Committee Pages	Total Number of House Pages	Total Number of Senate Pages
PA 71-288	vetoed	286	0	10	2
<u>Committee Pages:</u>				<u>House Pages:</u> • 2668-2677	<u>Senate Pages:</u> • 1564-1565

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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
1971**

**VOL. 14
PART 6
2503-3010**

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HERBERT V. CAMP, JR., 163rd District:

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

MR. SPEAKER:

Will you remark?

HERBERT V. CAMP, JR., 163rd District:

Yes, Mr. Speaker, as much as this is another field in which I have absolutely no expertise I'm obligated to the office of Legislative Research. We sense that this bill proposes to insure that the employer of an individual covered under workmen's compensation second injury fund or the insurer of such employer shall fulfill all responsibilities for benefits up to the 100-4-week period and that custodian of the second injury fund will accept liability for payments after the case has been completely documented as to the injuries sustained, and the benefits paid, and the liability of the fund is demonstrated. I move acceptance of the bill. No questions, please.

MR. SPEAKER:

Does anyone care to inquire through the Chair of the gentleman from the 163rd District? If not, all those in favor indicate by saying aye, opposed? The bill is passed.

THE CLERK:

Calendar No. 843, Senate Bill No. 0286. An Act Concerning the Amelia M. Frost Fund of the Board of Education and Services

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for the Blind, file 616.

JAMES F. GAFFNEY, 80th District:

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

MR. SPEAKER:

Will you remark?

JAMES F. GAFFNEY, 80th District:

Mr. Speaker, the purpose of this bill is to restore the fund as an independent fund as it was from 1931 until 1970 including accrued interest for use of the Board of Education in services for the blind. The fund was originated in 1931 with a \$200 bequest from Amelia M. Frost. Since that time private donations have been deposited in this account and used to provide services to blind persons that cannot be provided through regular programs. These programs include camping for children, special awards, radios and emergency needs. The fund is now approximately \$11,000. I urge its passage.

FRANCIS J. COLLINS, 165th District:

Mr. Speaker, I rise in opposition to this bill. The bill before us, while it may appear to be innocuous and serve a laudable purpose seems to be totally unnecessary, and the reason, Mr. Speaker, is that the intent of this bill is already covered by Section 4-31A of the General Statutes which says, as follows, "any gift, contribution, income from trust fund or other aid from any private source or from the federal

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government except for federal aid for highway and bridge purposes or federal funds in control of the board of control of the Connecticut Agriculture Experiment Station, or the Board of Trustees of the University of Connecticut, or any other gift, grant or trust in the possession of either of said boards, shall be entered upon the records of the General Fund, in the manner prescribed by the Commissioner of Finance and Control. When so recorded such amounts shall be deemed to be appropriated to the purposes of such gift, contributions or other aid and shall be allotted in accordance with law."

It is my position, Mr. Speaker, that the bill before us is unnecessary, that the purposes of the bill are already covered by a General Statute and I therefore oppose it.

JOHN D. PRETE, 114th District:

Mr. Speaker, it is my opinion that this bill, or this fund will be properly controlled by the Department of Finance and Control, as this fund has been in the past. I see no defect in the bill. It's good legislation and certainly a worthy cause, there should be no question about that. I move that when the vote be taken it be taken by roll call.

MR. SPEAKER:

Question is on a roll call. All those in favor indicate by saying aye. More than 20% having called for it, a roll call will be ordered.

Will you remark further? If not, I'll announce an

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immediate roll call. Are there announcements or introductions during this period of time while we await the return of our other members?

MORTON J. BLUMENTHAL, 56th District:

Point of personal privilege, Mr. Speaker. I would like to introduce, in the gallery, Mr. Leon Vienz, while he's not a constituent of mine, he was a former Town Clerk for many years in Killingly and also President of the Brooklyn Savings Bank. I wish he just lived over the line a little bit in Killingly and I'm sure, if he'll rise, we'll give him our usual welcome.

ROLLIN W. METTLER, 96th District:

Mr. Speaker, I would like to announce for the members of Joint Committee on State Development that the meeting scheduled for tomorrow at the Department of Community Affairs, originally scheduled for 1:30 P.M. has been changed to 10:30 A.M. in the Commissioner's office.

MR. SPEAKER:

Are there further announcements or introductions? If not, will the House please return to order. Members be seated and will the aisles be cleared. Will the staff members please come to the well of the House. For the benefit of the members who have just returned to the House, we are on page 11, Calendar 843, third item from the bottom, acceptance of the joint committee's favorable report and passage of the bill

was moved by Rep. Gaffney of the 80th and for dialogue Rep. Collins and Rep. Prete at which time a roll call was ordered. Will you remark further on the bill?

GERALD F. STEVENS, 122nd District:

Mr. Speaker, the reason for opposition to this bill is one which has no political overtone but is opposition which is grounded in the belief that we should make the finances of this state as smoothly controlled as possible. Now the purpose of this statute, that is before us, is excellent. It is to provide that the proceeds from the Amelia M. Frost Fund for the Board of Education goes towards services for the blind. This is the reason the fund was originally established. No body quarrels with that. All we wish to do is point out that we, in 1959, adopted a General Statute, Section 4-31A, in order that we would not have to establish, by statute, individual, separate funds for each purpose, which was laudatory, such as this. Before that statute was adopted in 1959 it was necessary for this House and the Senate to pass special acts in order to have the funds used for a specified purpose. Obviously this type of legislation becomes burdensome so in 1959 we did away with it. This is a step backward to create a special fund for this one purpose. By creating a special fund, you're requiring additional bookkeeping work for the Department of Finance and Control. No special purpose is achieved that cannot be achieved without a special fund.

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Presently, this is being done and will continue to be done, the money will be used for the purpose for which it was originally set up. If we create a new special fund it is going to cost the state more money. I see no need for this bill. It's unnecessary legislation and I would urge its defeat in a spirit of good government.

JAMES F. GAFFNEY, 80th District:

Mr. Speaker, this is not a new special fund as was stated previously. This is a fund that has been in existence since 1931, not through 1959 but through 1970. As was stated, the Comptroller did recommend in 1968 that this fund be transferred to the General Fund. However, interest is lost in the General Fund and the status of this fund is less well defined. As a matter of fact, I believe that this fund, the Amelia M. Frost Fund, could lose its identity in the General Fund and I do not believe that individual contributions would be made to the General Fund. It certainly hasn't been the practice in the past. The 1969 audit recommended that the report be reversed and recommended that this continue to be established as an independent fund. I think it is a good fund. It has certainly been financed by contributions in the past, it will accrue interest as an independent fund and I urge its retention and passage of this bill.

CARL R. AJELLO, 118th District:

I'd like to yield to the distinguished Minority Leader,

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sir.

FRANCIS J. COLLINS, 165th District:

I may yield back, Mr. Speaker.

MR. SPEAKER:

Can you agree on the shape of the table?

FRANCIS J. COLLINS, 165th District:

Mr. Speaker, I do want to clear up a few items I think have been somewhat confused by the last speaker. There's no intent whatsoever to abolish this particular fund which has been in existence for some time. The only question is whether or not this is going to be established as a separate fund, separate and distinct from the provisions of Section 4-31a of the General Statutes as they now exist. The defeat of this bill will not affect this fund, not one iota, except for the one point brought out by the gentleman that the interest would accrue directly to the fund as opposed to payments going into the General Fund. When any donation or gift is made to this fund, it will, in accordance with Section 4-31a continue to be allocated for the purposes of this particular fund. There is no intent to change the way this fund has been operating at all, by defeat of this bill, it is merely a matter of opposing unnecessary legislation. If we do it on this fund, we could do it on a multitude of other funds in this state. It is absolutely not necessary and only represents an additional expense to the state.

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HOWARD KLEBANOFF, 9th District:

Mr. Speaker, it is not the principal of this bill, it is the interest. And I think that summarizes, really, the point. This was always an independent fund until, as was summarized, a change was made. An act is necessary to keep it again as an independent fund and to allow the interest to be used, as it should be, for the general purposes of the fund. There is no rationale which can explain why the interest from this money should go into the General Fund and not be used for the laudatory purposes of this bill.

CARL R. AJELLO, 118th District:

Mr. Speaker, it seems to me that we have here another instance of the exaltation of form over substance. It seems to me the reason for passing the bill are very compelling and very good reasons and very logical. The gentleman says that they don't like to have this kind of approach because it is not treated like all the other funds are. It seems to me that this is sort of a logical extension of across-the-board travel bands and job freezes and other things that don't work very well when they are applied to specific situations. It seems to me that government ought to be flexible enough to realize when this kind of situation occurs and to act to meet it. And that's simply what we are trying to do here today. Why should this fund not have the benefit of interest that it is entitled to simply because we want to put it in the General

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Fund where it "belongs." And the gentleman from Meriden raised another interesting question it seems to me when he said that perhaps this fund would not receive gifts which it otherwise might because the donors of those gifts would be uncertain as to their tax status. The donors of those gifts would not know where to send the money or how to get it. They are not very likely to make a contribution to the General Fund of the State of Connecticut except involuntarily. So it seems to me that we can do great violence to this fund, and for what the purposes are of the fund, by not passing this bill. By passing it, of course, we have the wonderful advantage of absolute, rigid conformity to a principle that has no other function. It seems to me we are chasing our tails when we think like that.

WILLIAM LYONS, JR., 149th District:

Mr. Speaker, those guys have done it again. We're right. They're wrong but when we vote against it, we're voting against the blind.

MR. SPEAKER:

Will you remark further? I'll make one final announcement. Will the members be seated and the aisles cleared. Will the staff please come to the well of the House so we can proceed with the vote. Will the members please be seated. The machine will be opened. Has every member voted? Is your vote recorded in the fashion you wish? Would my good friend

from Newington please come to the well of the House. Thank you, Judge. The machine will be locked and the Clerk will take a tally.

THE CLERK:

Total Number Voting	156
Necessary for Passage	79
Those voting Yea	97
Those voting Nay	59
Absent and Not Voting	21

MR. SPEAKER:

The bill is passed.

THE CLERK:

Calendar No. 844, Senate Bill No. 684, An Act Concerning Arbitration of Town Grievance.

HOWARD A. NEWMAN, 146th District:

Mr. Speaker, on that vote, I voted in the negative but before it was announced my button sprang back automatically and I was not recorded.

MR. SPEAKER:

May I ask the Clerk's office if the gentleman's vote is recorded, Rep. Newman? Would the record be corrected to indicate the gentleman was present and voted and wishes to be recorded in the negative. I urge the members again to check the machine. A technical interpretation of the rules would not allow this type of add-on after the vote was announced. The Clerk will continue with the call of the calendar.

THE CLERK:

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SENATE

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Review.

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. 442. File No. 626. Favorable Report of the joint committee on General Law. Substitute House Bill 7239. An Act Validating Certain Tax Liens in the Town of Stafford.

SENATOR STRADA:

Mr. President, I move for acceptance of the joint committee's favorable report and passage of the bill. This bill validates certain tax liens filed by the Tax Collector in the Town of Stafford, which were otherwise valid, except that they were not filed within the prescribed time.

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. 453. File 616. Favorable report of the joint committee on Education. Senate Bill 286. An Act Concerning the Amelia M. Frost Fund of the Board of Education and Services for the Blind.

SENATOR MONDANI:

Mr. President, I move acceptance of the joint committee's favorable report and passage of the bill. This bill re-creates a fund as an independent fund. And gives the Board of Ed Services for the Blind is able to spend the interest as well as the principle. The fund was independent from its creation in 1931 and then was placed into the general fund. The total amount of

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the fund is \$11, 000 interest is about \$550 a year. By placing it as an independent fund they will be able to do more with it.

THE CHAIR:

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

THE CLERK:

CAL. NO. 456. File No. 612. Favorable report of the joint committee on Appropriations. Substitute Senate Bill 1682. An Act Concerning Certain Construction on Route 1-84 in East Hartford and Manchester.

SENATOR HOULEY:

Mr. President, I move the acceptance of the joint committee's favorable report and passage of the bill. This simply directs the Department of Transportation to construct an additional lane East and additional lane West for a distance of 2.8 miles on the other side of Simmons Road overpass as a temporary solution to a long-standing commuter problem. I urge the passage.

SENATOR IVES:

Mr. President, I rise to oppose this bill. But, it is my understanding that the Department of Transportation is presently constructing this piece of highway, with funds already in their budget. And this bill is totally unneeded and apparently is being put through as a publicity gimmick, because the construction is now under being done. And if the bill isn't needed, I don't think we should be wasting this Senate's time in passing such legislation.

THE CHAIR:

Question is on passage. Will you remark further?