

Act Number	Session	Bill Number	Total Number of Committee Pages	Total Number of House Pages	Total Number of Senate Pages
PA 71-308		5389	2	6	3
<u>Committee Pages:</u> <ul style="list-style-type: none"> <i>Judiciary 41-42</i> 				<u>House Pages:</u> <ul style="list-style-type: none"> 2005-2007 2804-2806 	<u>Senate Pages:</u> <ul style="list-style-type: none"> 1698-1700

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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

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

Monday, May 3, 1971

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MR. PROVENZANO: (127th)

Mr. Speaker, just briefly I would like to comment on the bill because I happen to be the introducer of it and so very happy that it came out of Committee. The bill provides nothing more than what existed in the previous statute except for the penalty. And what is a flag but nothing more than what we represent. It stands for what this nation represents and I am very proud of that. I am going to move that when the vote be taken it be taken by a standing vote in respect of that flag.

THE SPEAKER:

The gentleman has moved for a standing vote. Before proceeding with the vote and this is called for under our rules, will you remark further on the bill. If not, all those in favor please stand. The bill is PASSED.

THE CLERK:

Cal. 587, H.B. 5389, AN ACT CONCERNING THE SUPPRESSION OF CRIMINALLY OPERATED BUSINESSES, File 549.

THE SPEAKER:

Representative Carrozzella of the 81st.

MR. CARROZZELLA: (81st)

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

THE SPEAKER:

Question is on acceptance and passage. Will you remark.

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MR. CARROZZELLA: (81st)

Mr. Speaker, this is another bill which is designed to deal a death blow to organized crime in our state. First of all, we have the wire-tap bill and we have broadened witness immunity. The other day we made it a Class B felony for anyone who is guilty of extortion at credit. And now we have the bill that is before us. Mr. Speaker, this is a very strigent bill. It is a very tough bill. But you know, it is about time that we got tough with organized crime. What it does is to allow the Attorney General to institute civil proceedings to forfeit the charter of any corporation organized in this State or to revoke a charter of any foreign corporation, When anyone involved in that corporation who is of substantial stature is involved with organized crime. The bill also provides that the Attorney General can in like manner move against other business entities not of a corporate character including partnerships, associations, joint ventures or sole proprietors where there is organized criminal activity. Mr. Speaker, you know and I know, that at the present time many of the businesses in this very State are infested with organized crime. Under this bill, the Attorney General would be authorized to put such a business out of business. Mr. Speaker, this is a tough bill but it's a good bill. It will help in our war against organized crime. I move for acceptance and passage.

THE SPEAKER:'

Further remarks on the bill. Rep. Collins.

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MR. COLLINS: (165th)

Mr. Speaker, it really does my heart good for the second week in a row to get up and agree with the Chairman of the Judiciary Committee on a bill before us which I think goes a long way toward attacking the problem of organized crime in this State. As he indicated, last week we took up the loan sharking bill, this week we are giving a tool to the Attorney General on the civil side to combat the effect of organized crime in this State. I think, Mr. Speaker, with bills such as this we are changing the climate for organized crime in the State for the better from the standpoint of the public. I strongly support this bill.

THE SPEAKER:

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

THE CLERK:

Cal. 593, H.B. 9225, AN ACT VALIDATING AS TIMELY THE NOTICE GIVEN BY ELSIE GOULD AND TO THAT EXTENT GRANTING HER PERMISSION TO PROSECUTE TO FINAL EFFECT A SUIT AGAINST THE TOWN OF MANCHESTER. File 555.

THE SPEAKER:

The gentleman from the 75th.

MR. GILLIES: (75th)

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

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2503-3010**

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the bracket. In line 13, delete the bracket. In line 14, after the words "Saturday" insert the following words "between 2:00 a.m. and 9:00 a.m." In line 42, delete the bracket. Line 43, delete the bracket. In line 61, delete the bracket. In line 62, delete the bracket. In line 62, after the word "Saturday", insert the following words "between 2:00 a.m. and 9:00 a.m."

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REPRESENTATIVE HANNON:

Mr. Speaker, I think we should pass this matter temporarily, we are all thoroughly confused.

MR. SPEAKER:

The bill will be passed temporarily. The Clerk will return to the call of the calendar.

CLERK:

Page 24, Calendar 587, House Bill 5389 - An Act Concerning the Suppression of Criminally Operated Businesses. (As amended by Senate Amendment Schedule A.) The original bill is in your files of 549. The bill is amended by the Senate which contains Senate Amendment Schedule A as in the files of 970.

MR. SPEAKER:

Gentleman from the 157th.

REPRESENTATIVE BINGHAM:

I move the adoption of Senate Amendment Schedule A.

MR. SPEAKER:

Question is on acceptance and passage as amended by Senate Amendment Schedule A.

REPRESENTATIVE BINGHAM:

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As this chamber will recall we passed an act concerning the suppression of criminally operated businesses. The Senate passed this bill with the exception of one technical amendment in the upper chamber deleted that item on line 55 which refers to deviate sexual intercourse. I assume that the upper chamber felt that deviate sexual intercourse has nothing to do with an attack on organized crime and therefore they deleted this item. I move the amendment of Senate Amendment Schedule A.

MR. SPEAKER:

Will you remark further on Senate Amendment Schedule A.
Gentleman from the 122nd.

REPRESENTATIVE STEVENS:

I would rise in opposition to Senate Amendment Schedule A. I think the Judiciary Committee in its wisdom had properly studied the statute to suppress criminally operated businesses having in mind 2 or 3 other states that have adopted legislation such as this, what the Senate has deleted seems to be in line with those other crimes that are set forth in the line above it and I think the House should reject Senate Amendment Schedule A.

REPRESENTATIVE CARROZZELLA:

I rise in support of Senate Amendment Schedule A. I think we can point out that deviate sexual intercourse is not mentioned in the corporation part of the act but is mentioned in the partnership part of the act. I agree with the Senate and I think it should be deleted.

MR. SPEAKER:

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Will you remark further. If not, all those in favor of Senate Amendment Schedule A will indicate by saying Aye. Oppose. The amendment is adopted. Gentleman from the 157th.

REPRESENTATIVE BINGHAM:

I move acceptance and passage of the bill in concurrence with the Senate.

MR. SPEAKER:

Question is on acceptance and passage as amended. Will you remark.

REPRESENTATIVE BINGHAM:

This bill has been debated on the floor of this House. It provides a civil remedy for the Attorney General to remove the charter of a corporation which is dominated by elements of organized crime and as we all know, this is a matter of policy in our combat against organized crime. I urge its passage.

MR. SPEAKER:

Will you remark further on the bill. Questions on acceptance and passage as amended by Senate Amendment Schedule A. All those in favor will indicate by saying Aye. Opposed. The bill is passed.

MR. CLERK:

Matter returned from the Legislative Commissioner - Calendar 689, House Bill 9022 - An Act Concerning the Suspension of an Operator's License after a Fatal Accident (As amended by House Amendment Schedule A). The original bill is file 629. The bill with the amendment is file 978.

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SENATE

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It, further provides for a 2/3 vote of the all classes of outstanding stock of each of the merging institutions. It provides for merger of the bank commissioner and several places clarifies the notice which must be given concerning the merger.

THE CHAIR:

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

THE CLERK:

Cal. 544, File 549 Favorable report of the joint standing committee on Judiciary on H.B. 5389 An Act Concerning the Suppression of Criminally Operated Businesses. The Clerk has an Amend.

THE CHAIR:

Senator Jackson.

SENATOR JACKSON:

Would the Clerk please read the amendment?

THE CLERK:

Senate Amendment A. as offered by Senator Jackson. In line 55 delete "deviate sexual intercourse."

SENATOR JACKSON:

Mr. President I move adoption of the Amendment.

THE CHAIR:

Will you remark?

SENATOR JACKSON:

The amendment is self explanatory.

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THE CHAIR:

The question is on passage of the amendment. Will you remark further? If not all those in favor of passage of the amendment, signify by saying aye. AYE. Opposed nay. The amendment is ruled technical in nature. You may proceed with the bill as amended.

SENATOR JACKSON:

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

THE CHAIR:

Will you remark?

SENATOR JACKSON:

Mr. President, this legislation would authorize the Attorney General to institute civil proceedings to forfeit the charter of any corporation organized in this state or to revoke its certificate of authority of any foreign corporation. When any person of responsible stature in the corporation is engaged in organized criminal activity. Or is involved or indirectly with organizations or syndicates involving organized crime. It would allow the Attorney General to move corporate business entities. When any Director, officer, employee agent or stock holder acting in behalf of the corporation has in conducting corporate affairs purposely engaged in persistent course in gambling, unlawful traffic in narcotics, extortion, embezzlement as outlined in the bill. Mr. President, I feel that this bill

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would give the Attorney General a very powerful tool to use against any corporation or business entity that has been infiltrated by any cartel.

THE CHAIR:

The question is on passage of the bill. 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. No. 555, File 764,500 Favorable report joint standing committee on Public Personnel and Military Affairs Substitute H.B. 6791 An Act Concerning Participation by Housing Authorities in Fund B of the Municipal Employees Retirement Fund.

THE CHAIR:

Senator Burke.

SENATOR BURKE:

Mr. President, the clerk has an amendment.

THE CLERK:

House Amendment A. Senator Burke is already included in File 764.

SENATOR BURKE:

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

THE CHAIR:

Will you remark?

**JOINT
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TUESDAY

JUDICIARY COMMITTEE

JANUARY 26, 1971

Mr. Carey: (cont'd) commission should probably consider or that it should be considered to be charged with is to determine this question that we keep asking ourselves. Somebody always pops up and says, is there organized crime? Somebody says, yes. Somebody says, no. I think that there should be some type of a body that should be able to serve as a clearing house for various information. And I would not like to see it run out to be a body which would go on witch hunts, as Senator Fauliso had stated. But I would like to see a body that would consist of probably the best enterprise the state of Connecticut has represented by: the attorney general's office, the state's attorneys' office, the commissioner of the state police, maybe a supreme court justice and also representation by the state legislature. Now, I am one that believes that there is organized crime in the state of Connecticut. I am one that believes that organized crime has infiltrated legitimate business in Connecticut. And I am very pleased to see this bill H.B.#5389 which would be able to revoke the right of a corporation to do business in the state of Connecticut.

H.B.#5389 - AN ACT CONCERNING THE SUPPRESSION OF CRIMINALLY OPERATED BUSINESS

I have various information and facts which I would like to bring to the attention of the Committee. But because of its nature and the character of that information I would prefer to do it in executive session.

Sen. Jackson: Any questions? If not thank you. Joseph

Sen. Smith: I have a question, Mr. Chairman. Mr. Carey, I've been getting from some of the other speakers that apparently elected officials aren't very well trusted for some reason. And, while at the same time we're being trusted to entrust within the police departments either state or local or both and to judges whom are also, in effect, chosen by the same legislators. This if you don't think this would prejudice you, and if you want to you can answer that in executive session, too. Would you object to elected representatives who have been chosen by the people to represent them, being in on the know of whose wire's going to be tapped?

Mr. Carey: I'm not that familiar with the wiretap legislation and I don't think that I'm actually qualified to answer that question. Because, the duties and responsibilities that I am charged with and handed down by this legislature do not extend into activities of that type. So I wouldn't be able to intelligently answer that question.

Sen. Smith: Are you representing the Commission?

Mr. Carey: The Real Estate Commission, yes.

Sen. Smith: All right, and they have grounds for supporting the wiretap beyond the need of the agent to gain information.

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JUDICIARY COMMITTEE

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Mr. Carey: I don't think that the Real Estate Commission should conduct any wiretapping or to be involved in wiretapping.

Sen. Smith: No, I don't mean being involved in it. I mean, of needing it. Not itself, but of needing the kind of legislation to assist it in carrying out its performance. I think I understand that. What I'd like to know is since the agency is advocating the use of wiretapping, the legalization of wiretap. Is the agency cognizant of the overwhelming questions of the need for judicial reform, the need of additional training for and additional education for local police departments and the like? Do you know whether or not your commission has a position on whether in its opinion, all of our local police departments or our state police departments or our judges of that caliber and of that training and background to entrust them with such a great and in my opinion a grave responsibility?

Mr. Carey: Well, I think that we have to have trust in the state police department. And if I'm correct in assuming that this commission on investigation would have the right to determine whether a wiretapping should be conducted. Is this correct, Gentlemen? I have no comment on the wiretap bill at all. I spile on the need for a commission of investigation and the support of bill H.B.#5389.

H.B.#5389 - AN ACT CONCERNING THE SUPPRESSION OF CRIMINALLY OPERATED BUSINESS

Which would give the right to revoke the corporations right to do business if it was determined that is was criminally operated.

Sen. Smith: Then, it was my mistake, then, it was a mix-up in the hearing.

Sen. Jackson: Thank you very much. Joseph Harvey.

Chief Harvey: Thank you, Mr. Chairman. My name is Joseph W. Harvey. I'm the Chief of Police in West Haven, Connecticut. And I'm going to be repetitious and recommending that the wiretapping bill be heartily endorsed by the Judiciary and the Legislature this year. I have one comment to make on H.B.#5080.

H.B.#5080 - AN ACT CONCERNING WIRETAPPING AND ELECTRONIC SURVEILLANCE

I'm heartily in favor of it, outside of Section 1. part 6. And that has to do with investigative or law enforcement officer, means any officer of the Connecticut State Police. I also think that local police departments should be involved. We in West Haven have a very active organization. We have an intelligence division. We have a GN Squad. We have, at the present time, 18 men attending New Haven College. And I think we are just as learned and as well-educated as the state police. We have arrangements made that if this law goes through that we will have our GN Squad educated for wiretapping. I'd also would like to make one more observation