

Act Number	Session	Bill Number	Total Number of Committee Pages	Total Number of House Pages	Total Number of Senate Pages
PA 71-35		5322	10	1	1
<u>Committee Pages:</u> <ul style="list-style-type: none"> • <i>Public Health & Safety 71-76</i> 				<u>House Pages:</u> <ul style="list-style-type: none"> • 694 	<u>Senate Pages:</u> <ul style="list-style-type: none"> • 668

H-109

**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
1971**

**VOL. 14
PART 2
449-973**

Monday, March 15, 1971

8.

ASST. CLERK:

MBS

Business on the Calendar. Turning to page 1 on the Consent Calendar.

BRUCE L. MORRIS, 111th District:

Mr. Speaker, as per House Rule No. 48 I'd like to move consideration of the following items on the Consent Calendar. Calendar No. 71, H.B. 6546 An Act Concerning the Sale of Birds or Quadrupeds. File No. 66.

Calendar No. 72, H. B. No. 5322, file number 59.

Calendar No. 73, H. B. No. 5291, file number 63.

MR. SPEAKER:

You've heard the motion from the gentleman from the 111th, is there objection to any of these items being considered for adoption today on the Consent Calendar. If not, the question is on acceptance of the joint committees favorable report and passage of the bills. All those in favor indicate by saying aye, those opposed. The bills indicated are passed.

BRUCE L. MORRIS, 111th District:

Mr. Speaker, I'd like to move consideration of passing of placing on the Consent Calendar, Calendar No. 84, Sub. for H. B. No. 6706, file number 70.

MR. SPEAKER:

You've heard the motion of the gentleman from the 111th, is there any objection? Hearing none, this item will be placed on the Consent Calendar.

ASST. CLERK:

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**CONNECTICUT
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SENATE

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CAL. NO. 103. FILE NO. 59. Favorable report of the joint standing committee on Public Health and Safety. Substitute for House Bill No. 5322. An Act Concerning Penalties for Violations of Laws Regulating Poisonous Lead-Based Paints.

SENATOR PAC:

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

THE CHAIR:

Will you remark?

SENATOR PAC:

Mr. President, this is another bill dealing with the lead-paint problem. It comes as an outgrowth of our lead-paint task force. It increases the penalty from five from fifty to five hundred dollars for the use of lead-based paint in any interior premises or on the exterior of any porch railings or windows. These standards of course, is set by the American National Standards Institute. Their particular paint standards are high in this case. I think its a good bill and I urge its a passage.

THE CHAIR:

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

THE CLERK:

CAL. NO. 104 FILE NO. 66. Favorable report of the joint standing committee on the Environment. House Bill No. 6546. An Act Concerning the Sale of Birds or Quadrupeds.

SENATOR PAC:

**JOINT
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Children, and as a member of the Legislative Committee of the Association for Retarded Children in greater New Haven: In 1969, our association had a very lengthy discussion about this whole aspect of prevention of mental retardation as a result specifically of lead poisoning. And we approved the resolution at that time encouraging municipalities and all agencies involved with the prevention of mental retardation, to involve themselves in the area of programs for this purpose. We're therefore delighted to see that there are a number of bills before the Assembly now, and we wish to express our very strong support for HB 5104, 5106, 5108, 5109, 5178, and 5322, which we have studied and which have been approved by the 1970 task force on lead poisoning which was appointed by Gov. Dempsey.

I cannot emphasize strongly enough how concerned we are with this whole area of prevention of mental retardation and we'd like to see this committee recommend strongly that these bills be passed, and we urge you to support this program. Thank you very much.

Rep. Cohen: Any questions? Thank you, sir.

Margaret Tedone, Councilman, City of Hartford, representing :myself self personally and also the Honorable Council of the City of Hartford. I have been personally involved with the handicapped for twenty years, having been a charter member of the Hartford Association for Retarded Children, involved in the state association and in the tremendous national movement to aid the handicapped child. The Hartford City Council wishes to be on record as supporting HB 5104, 5106, 5109, and 5178.

I personally support these bills and hope that you will look with great closeness and interest towards anything that will prevent mental retardation. You will be hearing a great deal more today but I can tell you personally, being the parent of a retarded child, the greatest thing in this world would have been to prevent that child from being retarded. Thank you.

Rep. Cohen: Thank you. Any other proponents?

Dr. Carlos B. Zilveti, Director of the New Haven Department of Health, Maternal and Child Health Bureau: I'm also a pediatrician and trained public health physician with experience for at least eight years in the problem of lead poisoning. Many of the programs that we hear about lead poisoning, we are initiating in New Haven and thru the cooperation we have received many of these legislation was enacted working with ~~Sen~~ Oliver in bills,

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Public Act 533 and (transcript not clear). I have this statement prepared by Dr. John B. Atwater, the Director of Public Health. In principle we support all the bills before - 5104, 5106, 5107, 5108, 5109 and 5178. We have some reservations about the bill 5106. It is easy to predict that some of these legislation will be not enforceable unless we adopt extraordinary measures. The U.S. of Standards Institute requires not only the limitation on the use of lead but also arsenic, antimony, selenium (transcript not clear) and several others which are usually added to paint as substitutes for lead. It should be of no consolation to a mother to know that the child did not die of lead poisoning but was only mercury poisoning. But we are just beginning to learn about some of the problems of selenium and cadmium. Unfortunately there is no technical ability anywhere in the United States to test all things for these poisonous substances. So some of these provisions in the bill will have to be reviewed because they are unenforceable.

There are several concerns that we have about the bill 5178. (Transcript not clear) of all cases of lead poisoning with a level of 0.04 is ideal and this should be done. This is the only way we can have a measure of the extent of the problem and the severity of the situation. But to conduct a (transcript not clear) investigation in each one of these cases, to go after the sources of lead poisoning, is going to be an unenforceable problem. (Transcript not clear). The best attempt made when the level is .05. The difference from .04 is more than triple the cases that will have to be investigated at the expense of the quality and the quantity of the investigations for the other cases.

We have several concerns. We've been acting as a clearing house for legislation introduced here in New Haven and state and working very closely with the federal government. We will be very pleased to work with you at any time and if you have any questions we will be pleased to furnish you with all the necessary information or lead you to the best sources.

Rep. Oliver: Well, you (transcript not clear) task force the .04 standard, didn't you, Doctor?

Dr. Zilveti: I'm a member of the governor's task force.

Rep. Oliver: That's why it's in the bill, that .04 milligrams

Dr. Zilveti: It's important but the conducting of epidemiology investigation (transcript not clear). I can give you statistics to show you that it will be unenforceable to conduct 277 epidemiological investigations just for some of the children with the level of .04 and we don't have the personnel, and I don't think the state health

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& the facility, the equipment, to conduct investigations for more than the 1500 children that we expect just in the city of New Haven to have this level.

Rep. Cohen: Thank you very much. I'd like to apologize for our lack of quarters but this is the only room we have today. I'd like a show of hands on how many people are going to speak for this bill, so we'll get an idea. How many are going to speak in opposition to this bill? Apparently after two, three more speakers, we'll have more room for others that have bills before us. Thank you very much.

Dr. Sherwin Mellins, Chief, Maternal and Child Section, Conn. State Department of Health: I'd like to speak in favor of and lend my support to H. Bills 5104, 5106, 5107, 5108, 5109, 5178, 5322 and Senate Bill 200. In the past ten years fourteen children in the state of Conn. have died from lead poisoning. There are others who survive with resulting mental retardation and children who require repeated hospitalization for treatment whose potential is endangered. This is a serious disease primarily of young children ages one to five, disadvantaged children living in old, dilapidated housing. In 1970 screen tests done identified 423 children with an abnormal amount of lead. This is a preventable disease. If enacted these bills will help eradicate lead poisoning in Conn. Thank you.

Rep. Cohen: Thank you, Doctor. One other - they're two more?

Michael Rossetti, principal sanitarian with the Environmental Health Services Division of the State Department of Health: I'd like to read a statement to the Public Health and Safety Committee concerning the lead poisoning legislation.

The Environmental Health Services Division of the Conn. State Department of Health has been very concerned with the problem of lead poisoning for some time and has cooperated throughout the years with local health departments in their housing code enforcement programs. In 1969 a Governor's Lead Poisoning Task Force was established and special committees formed, including laboratory, medical and environmental health. The Environmental Health Services Division has worked closely with the Governor's Task Force.

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One of the prime factors in the cause of lead poisoning is due to lead-based paint in the home environment. However, we have not had a sufficient staff to carry on an adequate program nor do we have available special field equipment for detecting the presence of lead. The legislative committee of the Governor's Lead Poisoning Task Force has proposed a number of bills which are under consideration by this legislative committee. The Environmental Health Services Division supports S.B. 200 and H.B. 5104, 5106, 5107, 5108, 5109, 5178, 5322, which will help considerably to correct the lead poisoning problems.

Now in addition, I've been asked by the Chairman of the Conn. Public Health Association Legislative Committee to present their statement to this committee which also favors these proposed bills.

From Sarah S. Hirkakis, M.P.H., Chairman Legislative Committee, CPHA: The Legislative Committee of the Conn. Public Health Association would like to go on record as supporting and endorsing the bills concerning lead paint:

SB 200 AN ACT CONCERNING THE ELIMINATION OF LEAD-BASED PAINT IN HOUSING ACCOMODATIONS.

HB 5104 AN ACT TO ENCOURAGE MUNICIPALITIES TO DEVELOP INTENSIVE LOCAL PROGRAMS TO ELIMINATE THE HEALTH HAZARDS OF LEAD-BASED PAINT POISONING.

HB 5106 AN ACT TO ENFORCE THE ELIMINATION OF LEAD-BASED PAINT IN HOUSING ACCOMODATIONS.

HB 5107 AN ACT CREATING A CITIZENS' ADVISORY COMMITTEE ON LEAD POISONING.

HB 5108 AN ACT CONCERNING A REQUIREMENT OF CERTIFICATES OF OCCUPANCY IN TENEMENT HOUSES.

HB 5109 AN ACT MAKING AN APPROPRIATION FOR LEAD LEVEL TESTING AND DETECTION PROGRAM.

HB 5178 AN ACT CONCERNING THE REPORTING OF LEAD POISONING.

HB 5322 AN ACT CONCERNING PENALTIES FOR VIOLATIONS OF CONNECTICUT'S LAWS REGULATING POISONOUS LEAD-BASED PAINTS.

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It has been shown that lead paint poisoning is present in our Connecticut communities and these bills will help to eliminate and bring about the end of the problem.

Rep. Cohen: There's another speaker for the bill? Sit right down, sir, identify yourself, then go right ahead.

Manuel Rodeges: I support and other people on the project (transcript not clear). I support any kind of money for the support the retarded children. This is my point.

Rep. Cohen: Thank you very much.

Thomas McNeil, Director of Project Star: I have been involved in mental retardation projects for the past twelve to fifteen years, am also involved in working with low income, disadvantaged families within the inner city in the last six years.

Project Star and the parent council project star has cooperated with the University of Conn. in conducting several surveys of the population which we're serving. We have found that there is a much higher incidence of lead poisoning among retarded siblings of the families which we work with. And also we know that the families that are affected are very concerned about the health of their children. So therefore I would like to also on behalf of the advisory committee of the project Greater Hartford Urban League, also to extend our support for the bill on lead poisoning now before this committee.

Rep. Cohen: Thank you very much.

Steven Darley, Greater New Haven Human Relations Council, Attorney with New Haven Legal Assistance Association: As such I get involved with numerous clients that have problems with lead based paint in their dwelling. I would like to say that the Greater New Haven Human Relations Council wholeheartedly supports the bills before this committee on lead paint poisoning.

I'd also like to mention another area that the bills don't deal with, which we think is important and that is, nobody has really found a solution to what to do when you find lead paint in a dwelling, how do you physically get rid of it. For instance, if there's lead paint on the window sills, if you paint over it, it's

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still possible for the child to eat through the outer covering. I would like to suggest that this committee if it's at all possible, set up some sort of commission or group to study what can be done about this aspect of the problem of lead paint poisoning in multiple family dwellings. Thank you.

Rep. Cohen: Thank you. Any opposition to the bill? Hearing none we will consider all the bills on lead poisoning closed. I will now turn the hearing over to Senator Pac, who will continue it.

Sen. Pac: The next bill we'll hear is House Bill 5108 AN ACT concerning a requirement of certificates of occupancy in tenement houses. Anyone wishing to speak in favor of this bill?

Steven F. Darley, Attorney for New Haven Legal Assistance Association: I'm speaking on behalf of the greater New Haven Human Relations Council and also the Fair Haven Neighborhood Corporation. I'd like to say that we support the concept and the changes in the existing law that this bill takes care of. Now I would also like to indicate that we would like to see it go one step further, and that is to have periodic inspections rather than, as the bill calls for, and as would be true with the amendments as proposed by the bill before this committee, that inspections take place only when the families move out. We would like to see it done biannually or when the move of the family takes place, whichever comes sooner. But otherwise we support the principles in this bill. I'd like to say that the bill as it is now without the amendments is really unworkable because it only applies to dwelling units that have six or more units in them and in a town like New Haven, that is a real problem because a lot of the sub-standard dwelling units in New Haven are two and three family and four and five family dwelling units. So it - that's caused a problem. Also, the last section of the present act which talked about fifteen years is very confusing and this bill calls for the elimination of that section. We favor that because there's no reason to set a fifteen year limit on it because it's possible that there are housing code violations in any dwelling unit no matter how new or how old it is. So we support this bill with the changes I've suggested. Thank you.

Sen. Pac: The next bill is H.B. 5551 AN ACT CONCERNING PAYMENTS AND APPOINTMENTS TO THE BOARD OF DIRECTORS NEWINGTON CHILDREN' HOSPITAL. Anyone here so to speak in favor of this bill? Anyone here to speak against the bill?

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this point. I think they're within their rights if the law is passed to do what they want with their particular facility. All I know is the parents of the children would be quite concerned if they knew that this relationship was developing after a beautiful four or five year relationship.

Sen. Pac: Thank you. Anyone else wishing to be heard on Newington Childrens Home? If not the matter is closed now. Anyone else wishing to be heard on the lead paint bills?

Roger Higgins, paint chemist: I represent the New York Paint, Varnish and Lacquer Association, and also the National Paint, Varnish and Lacquer Association. I've worked with Rep. Oliver for a number of years, I think it's since 1967, on his bills trying to help him out in any way I could and when I saw the bills that were coming up this year while we found nothing objectionable in the bills, I did find some things which needed to be corrected to strengthen the bills. So I wrote to Mr. Oliver to that effect and he knows the minor change that should be made to correct the name of the institute he refers to. And I also want to emphasize that in addition to removal of the paint, that covering up the surfaces is a better alternative sometimes, covering it up with wallboard or other hard material which will prevent anybody getting to the lead paint. I'll answer any questions anybody has.

Sen. Pac: Any questions? Anyone else wishing to be heard?

Lyddy
Raymond Lyddy, representing the Conn. State Medical Society: who want to go on record as being in favor of any practical suggestion toward the safety and use of lead based paints to protect children of course who are the ones we would want to protect. And I know there are several bills here. I don't want to direct my attention to any one in particular, but we did want to go on record in favor of any safety features which may be incorporated. Thank you.

Sen. Pac: Thank you. Anyone else?

Raymond Mersen: Mr. Chairman, I'm a poverty lawyer. My wife is a pediatrician. We've both dealt with the lead based paint problem in children.

Sen. Pac: Can we have quiet here? And will somebody please close the door there in the back. Sir.

Raymond Mersen: Both my wife and I have dealt with the lead based paint problem in children on both our professional levels.

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A year or so ago I would, was privileged to have been appointed a member of Governor Demsey's Task Force on Lead Based Paint problems. The task force I'm sure you've heard from. I won't go into it. It was some thirty odd distinguished citizens from around the state, lawyers, doctors, public health officials, under the chairmanship of Dr. Foote. The bills that they recommend were prepared under the chairmanship of your own representative Oliver of New Haven. They're all good bills so I'd would just like to go on favor as supporting H.B. 5104, 5106, 5107, 5108, 5109 and 5178.

Sen. Pac: Thank you. Anyone else wishing to speak on the lead paint?

Dr. Kovak, Director of the Hill Health Center in New Haven: One of the things that we feel very strongly about is the problem of lead poisoning in children, and something that we have had to contend with for a period of almost three years now. I think it's important to call the attention of the committee that in the work that we have done, we have been screening children for lead poisoning since the opening of the health center in December of '68. That is, each child under six years of age that comes into the health center, we attempt to get a blood test for lead levels in the blood. The information we have on the basis of this, is that in the hill neighborhood of New Haven, which is one of the inner city neighborhoods, approximately 40% of the children who we see have evidence of increased lead levels in their blood. This does not mean that the levels are necessarily at a level at which they would be having symptoms. Nor does it mean that these levels indicate they will have long term effects. We do not know at what level lead will produce long term effects, but it does mean 40% of the children have evidence that they are ingesting abnormal amounts of lead..

We looked at the information and we tried to make some determinations about what was the problem. We thought perhaps that the children that we were seeing that had increased levels of lead might be children who were just coming in to us because the parents thought they had problems. We looked at our information and lo and behold we found that those children who were coming in just for examinations, without any real question as to having had lead poisoning, also had increased levels. The problem in our inner cities is an immense problem. It is a problem that is related to many years of not recognizing that lead based paints and leaded plaster, which was used

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prior to 1940, would in some instances be detrimental or toxic to the children in our communities.

We also looked to see whether the mothers of these children were working or not working. And we found that there seemed to be evidence that those mothers who were working, the children of mothers who were working, seemed to be at an increased vulnerability to lead poison. I think it's important to recognize that these bills are very important, and our first step towards eliminating a very significant health problem in our communities. I would venture to say that if there were any other condition which would provide for 40% of its children being at risk, we would be doing as much as we possibly could to eliminate that problem.

The only other instance where the prevalence was as high was in Australia where they had a peculiar situation and Australia took them twenty years to eliminate that problem and they finally did. And I think that we were in the United States have an even greater problem, the problem of course is, the primary problem is one of housing, and we cannot negate the fact that the eventual solution of this problem is creating as lead free an environment as we possibly can. The reason that we find it in our inner cities at this point in time is because the houses are old and children are children. They will put things to their mouth. The houses are going to be more difficult to keep up, and we have to recognize that this in essence is the basic part of the problem.

One of the areas that we have felt very strongly about is the whole issue of certificate of occupation, because if we allow families with young children to move into houses or apartments where there is significant hazard to these children, and if the information that we have indicates that about 40% of the children will develop this if they move into this housing, then I think that the certificate of occupation will become an instrumental tool in beginning to alleviate some of the problems that we have.

I think that there is nothing more important than the health of our children. They are our most important resource, and we must begin to recognize that if we don't do something about preventing a serious illness in our children, we are going to find these problems are going to come up and haunt us fifteen years later when these children grow up to be adults.

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I speak in support of the bills. I do hope these are just the first steps towards eliminating a really serious problem in our communities.

I might add that there is no place where the issue of lead poisoning has arisen, where people have been able to correct it, that I think the important thing is that we recognize that it is a problem and begin to do something about it.

Sen. Pac: Thank you. We'll move on to H.B. 5888. AN ACT CONCERNING THE FURNISHING OF MEDICINE AT REDUCED COST TO PERSONS SIXTY-FIVE YEARS OF AGE OR OLDER.

Douglas Beales, Legislative Chairman for the Conn. Society of Gerontology: I speak in favor of this bill because of our breadth of knowledge in the field of aging. I also happen to be chairman of the coordinating council which collectively represents about a 130,000 of the 280,000 senior citizens in the state of Connecticut.

While I can't speak for those organizations that belong as an individual there is one gentleman who will follow me who will speak on this.

As you people probably realize, this is a bill which was presented in the 1969 legislative session. I think Rep. Webber, several of us were instrumental in asking Rep. Webber to submit this bill.

Two years ago January, we met with Rep. Webber and representatives from the pharmaceutical association including their lobbyist and others at Rep. Webber's home. At that time we had definite assurance from a pharmaceutical representatives and from their lobbyist that they would make a very concerted effort within the next two year period of bring the costs of drugs to elderly people to a practical level for them to purchase. With that in mind we backed off of the bill at that time, because we had their solemn promise. They have not accomplished this in the last two years, and with that point in mind, I very strongly urge that you people make some plan or provision whereby these drugs can be dispensed at slightly above cost to the elderly. I think you are well aware of the fact that this is one of the biggest problems elderly people have. Cufrently there are about 50,000 members of the AARP, The American Association of Retired Persons, in Connecticut, who belong solely for the reason of the practical application of subscribing to medicine by, prescription drugs by