

HB 5108

PA 570

1971

Appropriations 440

House 1718 - 1723

Senate 1529, 2959

**JOINT
STANDING
COMMITTEE
HEARINGS**

APPROPRIATIONS

**PART 2
374-786**

1971

Dr. Carlos B. Silveti: (continued): since we have actively cooperated at the National level in efforts to enact such legislation. The success of the House Bills 5106, 5107, 5108, 5109, 5178, 5322, and Senate Bill 200 depend on this basic legislation. We urge the passage of House Bill No. 5104 which provides a sound basis for the establishment of appropriate responsibility of State and local health agencies in the area of lead poisoning prevention and control. The modest appropriation for conducting such control efforts are needed to qualify as matching funds to Public Law 91-965. The health and safety of the children and the community in which they reside may be effected, in part, by the passage of this most needed legislation. We urge you to secure its passage unmodified and unamended.
- - - - - (inaudible)

Chairman Cohen: Thank you. Would you leave your statement with our secretary.

Rosalind Fishman: Gentlemen, my name is Rosalind Fishman. I spoke at the beginning of your hearing. Three members of the Board of Directors of the organization of which I am the Executive, that is South Central Comprehensive Health Planning, have spoken before you and have talked about the funds for Comprehensive Health Planning. I am not here to talk about that, I am here to represent the first operational Comprehensive Health Planning Agency in the State, the Board and the Executive Committee, about this Health Department Budget. I find myself in a very strange position of asking you to restore all the cuts that have been made, which the Commissioner has not asked you to restore. And, it is a very strange position to be in, but nevertheless, this is the position that our 86 member board of Directors and our 26 member Executive Committee had instructed me to appear here and talk to you about. I will not repeat our position on all of the many things you heard, I will emphasize some of the things you haven't heard. I will just say that our agency is a combination of consumers, providers and local government interest. We have representatives on our Board of the 20 cities and towns in south central Connecticut. And, I appear here representing those 3 different interest in south central Connecticut.

Chairman Cohen: I want to assure you that our sub-committee will go over this budget in fine detail.

H-111

**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
1971**

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

Tuesday, April 27, 1971

14

ad

precedent here on any matter of controversy or where there has been any indication that there would be any controversy on any resolution, it has been the policy of this General Assembly since January to make references to specific committees and this motion is made in that same intent and in that same spirit.

MR. SPEAKER:

Further remarks on the motion. Gentleman from the 118th.

REPRESENTATIVE AJELLO:

Mr. Speaker, I quite agree with the gentleman and I was aware that he intended to make this motion and I do support it and for the very reasons he stated and we are being perfectly consistent and I think logically consistent with our previous practice in referring all matters of substance to an appropriate committee for their consideration.

MR. SPEAKER:

Further remarks on the motion to refer. If not, all those in favor of referring this resolution to the Committee on Government Administration and Policy indicate by saying "Aye". Opposed. Resolution is referred.

CLERK:

Page 2 of the Calendar.

Calendar 75, Substitute for House Bill 5108 - An Act Concerning a Requirement of Certificates of Occupancy in Tenement Houses, File 64.

MR. SPEAKER:

Gentleman from the 104th.

Tuesday, April 27, 1971

15

ad

REPRESENTATIVE OLIVER:

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

MR. SPEAKER:

Question is on acceptance and passage. Would you remark.

REPRESENTATIVE OLIVER:

Clerk has an amendment.

MR. SPEAKER:

Clerk call House Amendment Schedule "A".

CLERK:

House Amendment Schedule "A", offered by Mr. Oliver of the 104th and Mr. Papandrea.

MR. SPEAKER:

In view of the length, does the gentleman wish to outline the amendment.

REPRESENTATIVE OLIVER:

This is a very short one.

MR. SPEAKER:

The Clerk will then read the amendment.

CLERK:

House Amendment Schedule "A", offered by Mr. Oliver of the 104th and Mr. Papandrea of the 78th.

In line 4, delete the brackets around the word "apartment", delete the word "TENEMENT", delete the bracket before the word "containing" and delete the word "six" and insert in lieu thereof the word "four".

Tuesday, April 27, 1971

16

ad

In line 5, delete the bracket after the word "units" and delete the words "AS DEFINED IN SECTION 19-342".

In line 15, delete the words "AND CONTAINS NO PAINT ON ACCESSIBLE".

Delete lines 16 and 17.

In line 18, delete the word "INSTITUTE".

In line 24, delete the brackets around the word "apartment".

In line 25, delete the word "TENEMENT".

In line 27, delete the brackets around the word "apartment".

In line 28, delete the word "TENEMENT".

In line 31, delete the bracket before "(C)".

In line 35, delete the word "succeeding" and insert in lieu thereof the word "preceding".

In line 37, delete the bracket.

That is the end of the short amendment.

MR. SPEAKER:

Question is on adoption of House Amendment Schedule "A".
Will you remark.

REPRESENTATIVE OLIVER:

I move adoption.

MR. SPEAKER:

Will you remark on adoption.

REPRESENTATIVE OLIVER:

Mr. Speaker, this amendment, will make certain technical changes to the existing law in the certificate of occupancy act we passed in the last session. As the bill was originally

Tuesday, April 27, 1971

17

ad

before you, it would have gone to apply to a tenement house which is defined as three or more units and would have specifically put in language, warning language about the dangers of lead base paint, would also have deleted subsection C of the bill before you which referred to prior construction, in a period of fifteen years. What we have done in this amendment, I think basically it is a good amendment and I can support this amendment, is to have a tenement house act, I beg your pardon, the certificate of occupancy act, referred to four or more units in any apartment house. Take out the specific reference to lead base paints and the changes thereof and I will explain why that is not a problem later on and keep Section C but change the word succeeding to the word preceding so that a technical problem in the last law was corrected. What we have then is a statute that enables localities through the local governing bodies to adopt the certificate of occupancy ordinance if they see fit, it is not mandatory but it is clear that if they choose to adopt it they are bound by the provisions of this act. There is no question that they can do any more than we give them authority to do, it is impossible. But, what it does allow them to do, is to adopt these local certificates so that when there is a change in occupancy, basically collection of rent, would be that the apartment did not need the existing housing code and this chapter. And this is why the word this chapter is why we don't really need the specific reference to paint. This chapter is the chapter on the tenement house act and the other housing codes of our

ad

statute, in our statutes, and it encompasses more than just the dangers of paint. This bill is recommended by the Governor's task force which I was pleased to serve on, basically it corrects technical defect which has barred any town from adopting one of these as it now read, as we passed it in error in the last session, I must say, we didn't apply to any apartment in which the owner said that he was going to fix it up within the next fifteen years, so of course it didn't apply to anything. Now if it was built within the last fifteen years it is not within the purview of this act now, but obviously the perspective application which emasculated the bill to use a phrase that was used in debate awhile back, has been changed. It is one of those things like the Chaplain says that I think help each and every one of us to help our little land called Connecticut to be a better place particularly in the urban areas. I certainly move adoption of the amendment.

MR. SPEAKER:

Further remarks on this brief amendment. If not, all those in favor indicate by saying "Aye". Opposed. The amendment is adopted, ruled technical. We may proceed with the bill as amended.

REPRESENTATIVE OLIVER:

Thank you, Mr. Speaker. That brief technical amendment having made thus disposed of, I explained the bill, I move adoption of the bill as amended.

MR. SPEAKER:

Tuesday, April 27, 1971

19

ad

Questions on acceptance and passage as amended by House Amendment Schedule "A". Will you remark further. If not, all those in favor indicate by saying "Aye". Those opposed. The bill as amended is passed.

CLERK:

Calendar 224, Substitute for House Bill 5106 - An Act to Enforce the Elimination of Lead-Based Paint in Housing Accommodations, File 185.

REPRESENTATIVE AJELLO:

Mr. Speaker, may this item be passed temporarily.

MR. SPEAKER:

So ordered.

CLERK:

Calendar 341, House Bill 8377 - An Act Validating a Notice by Ruby Roach to the City of Norwalk, File 389.

REPRESENTATIVE HANNON:

Mr. Speaker.

MR. SPEAKER:

Gentleman from the 16th.

REPRESENTATIVE HANNON:

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

MR. SPEAKER:

Questions on acceptance and passage. Will you remark.

REPRESENTATIVE HANNON:

Mr. Clerk has an amendment.

S-79

**CONNECTICUT
GENERAL ASSEMBLY**

SENATE

**PROCEEDINGS
1971**

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

May 5, 1971

Page 10

CAL. NO. 437. File No. 623. Favorable Report of the joint committee on Public Health and Safety. Substitute House Bill 5108. An Act Requirement of Certificates of Occupancy in Tenement Houses.

SENATOR PAC:

Mr. President, I move the acceptance of the joint committees favorable report and passage of the bill, as amended by House Amendment A.

This bill would revise the statutes pertaining to certificates of occupancy. It only affects those communities that have adopted this section. And it would widen the scope to include four family dwellings from six previously. Any community that had adopted this plan would require that any four family home, or larger would be forced to comply to the Housing Ordinances of the City before a certificate of occupancy could be issued. On the second page of the file, there's a technical change, the word preceding it replaces the succeeding. This is the larger change, this exclusion for all dwellings that have been built within 15 years is useless without this change.

THE CHAIR:

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

THE CLERK:

CAL. NO. 450. File No. 608. Favorable report of the joint committee on Insurance and Real Estate. Substitute Senate Bill 303. An Act Concerning Insurance Consultants.

SENATOR DINIELLI:

Mr. President, I move for acceptance of the joint committee's favorable

S-82
CONNECTICUT
GENERAL ASSEMBLY

SENATE

PROCEEDINGS
1971

VOL. 14
PART 7
2874-3413

June 4, 1971

Page 86

THE CHAIR:

It is not necessary after the second of June, under the rules.

THE CLERK:

Page 25, under the heading, Reconsideration.

CAL. NO. 437. File 623. Favorable report of the joint committee on Public Health and Safety. Substitute House Bill 5108. An Act Concerning A Requirement of Certificates of Occupancy in Tenement Houses. As amended by House Amendment Schedule A.

SENATOR PAC:

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

This bill passed this Chamber, previously and is back under reconsideration. It would require that any tenement composed of four or more apartment units, be required to conform to the Housing Codes of a Municipality, before they issue a certificate of occupancy. It would have an exclusion for any home built in the last 15 years. This of course is permissive. It only applies to the community that have adopted this statute.

THE CHAIR:

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

THE CLERK:

CAL. NO. 334. File 457. Favorable report of the joint committee on Banks and Regulated Activities. Substitute Senate Bill 367. An Act Clarifying the Organization and Procedures of the Southeastern Connecticut Water Authority.