

Act Number	Session	Bill Number	Total Number of Committee Pages	Total Number of House Pages	Total Number of Senate Pages
PA 71-606		9165	2	2	1
<u>Committee Pages:</u> <ul style="list-style-type: none"> • <i>Government Administration & Policy</i> 605 • <i>Government Administration & Policy</i> 628 				<u>House Pages:</u> <ul style="list-style-type: none"> • 4935-4940 	<u>Senate Pages:</u> <ul style="list-style-type: none"> • 3093

H-118

**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
1971**

**VOL. 14
PART 11
4831-5162**

MR. SPEAKER:

EFH

With this unique twist and development on the floor of the House, will you remark further on the Bill as amended. If not in that spirit of brotherly love expressed across the aisle by the gentleman from New Haven, the gentleman from the 95th, all those in favor indicate by saying "aye". Opposed. Bill is passed.

THE CLERK:

At the top of Page 16, Calendar No. 1306, Substitute for H.B. No. 5785, an Act concerning School Boards of Education--teacher negotiations.

GEORGE W. HANNON, JR.:

Mr. Speaker, I move this matter be passed retaining its place on the Calendar.

MR. SPEAKER:

So ordered.

THE CLERK:

Page 19, the middle of the page, Calendar No. 1348, on Page 19, Substitute for H.B. No. 9165, an Act concerning administrative appeal.

RICHARD C. WILLARD:

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

MR. SPEAKER:

Will you remark.

RICHARD C. WILLARD:

Mr. Speaker, the Clerk has an Amendment.

MR. SPEAKER:

Call Amendment Schedule "A".

EFH

THE CLERK:

House Amendment Schedule "A", offered by Mr. Willard, of the 15th. Delete Section 1 in its entirety. In Line 8, delete "Sec. 2."

MR. SPEAKER:

Question's on adoption of Amendment Schedule "A".

RICHARD C. WILLARD:

Mr. Speaker, in analyzing this Bill, it was determined that Section 1 was unnecessary. However, Section 2 provides an answer to a very serious problem concerning service in actions pertaining to wetlands, which is a very important subject to the State of Connecticut. The problem arises by virtue of the fact that the existing ordinances require service upon all parties having an interest adverse to the applicant. We can immediately see that that poses a problem, because there could be a great many people, known and unknown, who would be...who would have an interest adverse to the appellant. The purpose of the Amendment is simply to provide an additional provision in the Bill that would make it possible where it was determined that the service would be impractical or unreasonable because of the number of parties involved, that an application can be made to a Court, the Court hearing the appeal, or a Superior Court judge, if the Court is in recess, and that Judge can designate to whom the notice should be given and to what avenue should be utilized in making the notice. It's the opinion of the Committee that it is a good addition to the Wetland Bill, and I urge its adoption.

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MR. SPEAKER:

Further remarks on Amendment Schedule "A".

ROBERT G. OLIVER:

Mr. Speaker, through you, to the gentleman from the 15th, I believe. I heard the word "Superior Court" mentioned, and I wonder if this is in any way amending any statutes relative to the concern I expressed earlier concerning appeals to the Court of Common Pleas?

MR. SPEAKER:

Does the gentleman from the 15th care to respond?

RICHARD C. WILLARD:

Through you, Mr. Speaker. It is my understanding that the appeals are taken directly to the Superior Court, and that is the Court that is given the authority to make the changes in the requirements for notice...if that answers the gentleman's question.

ROBERT G. OLIVER:

Mr. Speaker, if I may pursue that...is this statute that we are amending in this Bill a statute passed at this Session of the Legislature?

RICHARD C. WILLARD:

To my knowledge...during this Session, you mean?

ROBERT G. OLIVER:

Yes, sir.

RICHARD C. WILLARD:

No. This is...the Act was passed in 1969.

ROBERT G. OLIVER:

In that case, Mr. Speaker, I will support it, because

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the revisers, when we pass the Court Bill in the next couple of days, EF will know that the Legislature, acting together, meant to the subsequent Bill to incorporate both this Amendment and the Amendment allowing appeals to the Court of Common Pleas. Now, we can do it either that way, or we can pass the matter temporarily and have it go to the Court of Common Pleas, but I don't think it's necessary to do that, because I think the revisers will know clearly what our intent is, and I would conclude by asking the question to the speaker, to the gentleman from the 15th, if that is indeed our intent?

MR. SPEAKER:

For the benefit of the State Librarian, would the Representative from East Hartford care to respond?

RICHARD C. WILLARD:

If the Representative could make the question more explicit, then I could...might be able to answer it.

MR. SPEAKER:

Representative Oliver, speaking for Mr. Adams.

ROBERT G. OLIVER:

Mr. Speaker, through you, to the gentleman from the 15th, is it not true that...that's a leading question...is it not true that since we are amending a statute passed at a prior Session of the Legislature and because a Bill will come before this House on a subsequent day which would amend the same Section to provide that the appeal goes to the Court of Common Pleas, is it not true, given that state of affairs, the revisers can safely assume that this Amendment would then apply and the Court of Common Pleas

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would have jurisdiction of appeals and that in the question of service, the question would go to the Judge of the Court of Common Pleas? EFH

RICHARD C. WILLARD:

Through you, Mr. Speaker...yes.

MR. SPEAKER:

Further remarks.

NICHOLAS A. LENGE:

Mr. Speaker, I wonder if through you I may inquire of Mr. Willard?

MR. SPEAKER:

Please proceed.

NICHOLAS A. LENGE:

Representative...we have just adopted an administrative procedure Act. My question is, is this an exception to that, or, in the alternative, why is this Act necessary?

MR. SPEAKER:

Does the gentleman care to respond?

RICHARD C. WILLARD:

Through you, I think, by virtue of the '69 Session, this would be outside of the uniform Act that we just have adopted. This is a particular procedure adopted regarding wetlands, and I think that it would be outside, and therefore I think the adoption is necessary.

NICHOLAS A. LENGE:

Thank you, sir.

MR. SPEAKER:

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Further remarks on Amendment Schedule "A". If not, all those in favor indicate by saying "aye". Opposed. Amendment "A" is adopted. EFH

RICHARD C. WILLARD:

Mr. Speaker, I think I have, in explaining the Amendment, fully explained the Bill, and I would urge adoption of the Bill.

MR. SPEAKER:

Question's on acceptance and passage as amended by Amendment Schedule "A". Will you remark further. If not, all those in favor indicate by saying "aye". Opposed. Bill is passed.

THE CLERK:

The Clerk has no further Calendar business at this time.

WILLIAM A. O'NEILL:

Mr. Speaker, at this time I ask that the following items be removed from the foot of the Calendar and placed passed retaining on the regular Calendar. There are 43 items, Mr. Speaker, so if I may, I would just read the Calendar No., the Bill No., and the File No.

MR. SPEAKER:

Would the gentleman do it slowly for the benefit of the Clerk, the Assistant Clerk, the Speaker, and the Members.

WILLIAM A. O'NEILL:

Very slowly, Mr. Speaker.

MR. SPEAKER:

Laurel Club guests and Rev. Williams.

WILLIAM A. O'NEILL:

Mr. Speaker, on Page 37, foot of the Calendar, Calendar

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CONNECTICUT
GENERAL ASSEMBLY

SENATE

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1252 , File 1478, H.B. 6538, An Act Concerning the Powers of the Commission on Aid to Higher Education.

Page 17, File 1256, File 1485, H.B. 6982 An Act Exempting the State and its Political Subdivisions from the Fair Trade Act.

1259, File 1454, Sub. H.B. 7596 An Act Concerning License Plates on Motorcycles.

Page 18, Cal. 1260, File 1488 Sub. H.B. 7712 An Act Concerning the Federal-Aid Urban System of Highways.

Page 19, Cal. 1268, File 1447, Sub. H.B. 9165 An Act Concerning Administrative Appeals.

Cal. 1270, File 1473, H.B. 9255, An Act Concerning Amending the Charter of Bacon Academy.

Page 21, Cal. 536, File 1195, Sub. S.B. 1679 An Act Concerning Claims Against the State.

Cal. 688, File 1008, Sub.S.B. 429, An Act Concerning the Retirement Salary of Certain Workmen's Compensation Commissioners.

Page 22, Cal. 705, File 1023, S.B. 1405 An Act Concerning the Creation of the Naugatuck Valley Industrial Development Distr.

Cal. 789, File 1122, Sub. S.B. 879 An Act Concerning Investigation of Rates of a Public Service Corporation By the Public Utilities Commission.

Cal. 813, File 1391, Sub. H.B. 6161 An Act Concerning the Establishment of Transit Districts by Vote of the Legislative Bodies of Municipalities Subject to the Approval of the Commissioner of Transportation.

Page 31, Cal. 881, File 1246, Sub. S.B. 0654 An Act Concerning the Authority of the Commissioner of Motor Vehicles to Make Regulations.

I believe thats it. I now move for suspension of the rules for consideration of all items that were not starred, or only single starred.

THE CHAIR:

The question is on suspension of the rules . Is there any objection? No objection. The rules are suspended. All the matters

**JOINT
STANDING
COMMITTEE
HEARINGS**

**GOVERNMENT
ADMINISTRATION
&
POLICY**

**PART 2
334-634**

1971

GOVERNMENT ADMINISTRATION AND POLICY

TUESDAY

APRIL 13, 1971

Rene Sauzedde: already has many give-away programs to other countries while we have strife and starvation in many parts of our own country. These programs are not mandatory by law, but they certainly represent all this country can afford in foreign aid. If the U.S. citizens are compelled to pay additional foreign aid to who-knows-what countries, it will be directly detrimental to our budget as well as putting the power to spend our money into the hands of people we have no control of. We pledge our allegiance to the flag of our country. We would be committing an act of treason by putting the power to spend our money into the hands of people of other countries. Gentlemen, you are in a great position to get the ball rolling on this resolution to keep Conn. from being part of this treasonous act of a U.N. tax on our citizens. Support S.R. 30. Thank you.

Rep. Donnelly: Thank you sir. Are there any questions? If not, we'll move on to HJR, I think, #159. Are there any speakers on HJR 159? H.B. 5469? H.B. 9118. H.B. 9158. H.B. 9165. Senate - I'm sorry - would you give your name and address for the record please?

Francis V. McManus: I'm Francis V. McManus of New Haven, Conn. and a former President of the Police Association of Conn. which represents 6000 policemen throughout the State of Conn. and this Bill 9165 which permits the retirement of the local police after having served 20 years, I won't bore you with a lot of detail why a policeman should be allowed under certain circumstances to retire after 20 years, but we have been requested by the majority of our constituents to have Rep. Bingham draft this bill for us.

Rep. Donnelly: Are there any questions?

Rep. Clarke: Excuse me, yes. I didn't get the Town. What town are you from?

Mr. McManus: I am from New Haven.

Rep. Donnelly: I would like to remark parenthetically for some folks who are late arrivals that we are taking these bills in the order in which they have appeared in the bulletin for today and some 3 or 4 of you have signed up to speak on SB 1673 which we have already passed and in due regard to the folks who are sitting here in the regular order of business, we'll probably have to wait till the termination of the hearing to get back to that. I wanted to warn you on that. SB 1376. SB 1139. SB 1144 - Mr. Sherman Carpenter.

GOVERNMENTAL ADMINISTRATION AND POLICY

THURSDAY

APRIL 22, 1971

Edward Carroll:

I wish I could give you a good answer to the question. I honestly don't know. I'm not from the Dealers and Repairs Division as such and I assume that there is and I'd be glad to furnish that to the Committee but rather than try and conjure up some answer of with which I'm not familiar. I would have to pass on that, but I'd be most happy to furnish it.

Rep. Ryan:

I'd like to ask Mr. Carroll if he might point out the action taken in the Transportation Committee the other day which might help to alleviate some of the problems that this bill is attempting to alleviate with regard to the licensing of manufacturers.

Edward Carroll:

There is a distinction here. We're talking here principally, I think, to the repair and I could have answered the question if he'd talk about the sale of the motor vehicle. We have an order and invoice law which is quite detailed and which the department uses in regard to the sale of a motor vehicle. I'm not as familiar with the practice with regard to repair estimates but in an effort to protect, further protect the public, the Transportation Committee, I believe, gave a favorable report to a bill that would require the licensing of manufacturers by the State of Connecticut. One of the big short-comings, we feel, in the law at the present time, is the fact that there is no leverage that you can put on a manufacturer in the event he fails to meet his warranty commitments with regards to repairs of motor vehicles. The department can put a lot of leverage on a dealer but the manufacturer may say that a vehicle that was sold as new and needs work that would, as we see it, be covered by the warranty. He may escape or argue that it is in fact the abuse of the vehicle that caused it and just refuse to make the necessary repairs. We feel that by licensing the manufacturer, we will get some teeth into the law that we can apply against them.

Sen. Sullivan:

Anyother questions?

Robert Crouse:

Personnel Director for the City of Hartford

I'm here representing the Hartford City Manager and the Connecticut Town and City Managers' Association. We oppose H.B. 9165 which provides permissive legislation for authorizing twenty year retirement for policemen.

We don't think that there is a need for this bill since that type of benefit can and should be negotiated through collective bargaining if it is going to be provided to any municipal employees. And we think the concept of it of a twenty year retirement is bad simply because it is extremely expensive.