

SB 483

PA 633

1971

Corr, Welfare + Humane Inst. 45, 71, 72-73, 79 (5)

House 5420

(1)

Senate 1152-1153

(2)

**JOINT  
STANDING  
COMMITTEE  
HEARINGS**

**CORRECTIONS,  
WELFARE  
AND  
HUMANE  
INSTITUTIONS**

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Chairman Brown: Proceed Commissioner.

Commissioner White: #7051 — another G. A. bill — again lumped with the rest.

#95 — I believe we spoke to that — reasonable visits — and we're already doing that.

Chairman Brown: You're making reference to S. B. #95 Commissioner?

Commissioner White: Yes, I am.

On #202 and #203 we've spoken.

#387 — we're very strongly in favor of INAUDABLE. We have a statement and we will submit it to the committee. If there are any questions I will certainly be glad to answer them. We are strongly in favor of this bill. We urge its adoption.

Chairman Brown: Members of the committee — I'll subsidize the adoption to the Commissioner???? Proceed.

Commissioner White: S. B. #427 — This was spoken to — It's incentive earnings — we discussed that under H. B. #5260 and we have reference to that — this bill in the statement.

S. B. #480 — basically we're definitely in favor of this bill. We can do what we feel with our present set up but we would urge passage of this bill. We have a statement to that effect.

S. B. #483 — Actually on #483 we have an interpretation from the Attorney General that makes it possible to live with the situation so therefore really we're not submitting a statement. We support the bill.

Chairman Brown: Very well.

Commissioner White: We've referenced this bill — Senator Finney's bill under #5260. (S. B. #523)

S. B. #729 — I'd like to have Mr. Morastica to comment on this. I'm not with it.

Mr. Morastica: Well, we're recommending the rejection of this bill. We have prepared a statement for the committee. We feel essentially that foster parents act as agents for the department providing the day to day care of the child. The department however is the who has the legal responsibility for the child rather than foster parents.

Commissioner White: Okay S. B. #730 is another general assistance bill. We ask that this be lumped with the others.

S. B. #735 — is — I'd like Mr. James Morrison, Director of our Medical Administration to speak to that.

Mrs. Janet Billy (cont'd):

S. B. #483 -- INAUDIBLE --

The myth that welfare mothers divide up or trade children in order to quality for aid for dependent children cannot be documented. What is significant here is that under state law children must be placed in foster parents -- if one relative is unable by housing, energy or a variety of other reasons to take all of the children up for the example a diseased or disabled sister. I remind you there are no Federal matching funds for children in foster care. The two years that we have lived INAUDIBLE

We urge your favorable consideration of #483.

Subsidized adoption bill has been well covered. My comments I believe would be superfluous to the things that have been stated here.

Let me just say as EXECUTIVE Director of Connecticut Child Welfare Association we support subsidized adoption -- #387.

Now, One bill which we testify against -- #729 introduced by Foster Parents for Progress and that's concerning termination of parental rights.

We have not had the full bill before us. We have had only the Statement of Purpose and we testify on -- against it on this basis. The principles that are implied in the bill are sound. Foster parents should be considered as members of the team which make the decisions relating to children about which only the foster parents INAUDIBLE. There are children who have had only minimal contact with the parents for two or more years should be considered for terminating parental rights, however, to make this a law instead of a policy of the Welfare Department confuses the issue. The law clearly the Welfare Commissioner jurisdiction in these matters. If he is not discharging his duties in the best interest of the child there should be an investigation and the policy corrected. The matter of services under termination of parental rights lies firmly within the jurisdiction of the Juvenile Court.

S. B. #729 - confuses and diffuses the law. Thank you.

Chairman Brown: Thank you very much. I see Senator Giarlone has returned. I propose that if we are to act as chairmen as toastmasters we must be experts on up and down.

Senator Ciarlone, Chairman: Thank you very much Representative Brown. Our next speaker is William Harris -- will you step down, identify himself and testify.

Mark Aronson, Attorney for Welfare Recipients are People:

I will briefly summarize our statement for a number of bills that are presently before the committee.

Mark Aronson (cont'd):

First in the area of Welfare Recovery and Fraud. We are opposed to H. B. 5257 and 5684 where substitutes to those bills suggested by Mr. Halsted.

The first section of that bill creates an automatic civil judgment against welfare recipients that are convicted of welfare fraud. This raises serious new questions and also questions of multiple jeopardy. The present Welfare Department interest in civil recovery are adequately provided for under Section 17 -82M of the 1969 Supplement.

We also are opposed to the increase in the criminal penalties for welfare fraud. The revisions suggested in these bills would raise the penalties those for larceny which means a welfare recipients could spend up to five years in prison. This is extremely disruptive of in particular the AFDC homes and places an extra burden upon the state to give special financial and maintenance attention to the children of the welfare recipients for the relative who has been placed in prison. The present sanction of six months is more than adequate to serve as a deterrent and as a punishment for welfare fraud. We support instead the principle embodied in #5003 which makes welfare fraud like any other criminal offense punishable only once.

We also are opposed to H. B. 5256 - which makes all causes of action assignable. This bill will work to the detriment particularly of the working exwelfare recipient for it would make workman's compensation plans assignable. This would mean that the worker who's been injured on the job and was a welfare recipient would be put in the position of losing his job and also would not have the monetary worth that might come out of his Workmans Compensation upon to -- upon which to live. This would mean that he would be thrust on the state again to taken care by some kind of assistance program.

We support H. B. #5007 -- which repeals the present lien provision. At present the administration of this program is extremely cumbersome and also costly. For most situations of categorical assistance benefits are really quite minimal. The present lien provision in particular jeopardizes the effective functioning of Section 235 of the Federal Housing Urban and Development Act which allows low income and recipient families to purchase homes on a one per cent mortgage interest basis. We therefore favor this bill and hope the committee would act in that regard.

We also are in favor of H. B. 6680 which calls for the reenactment of proper standards. This is a Statement of Purpose Bill. If I might just give a brief example. Present Welfare Department Standards only allow ninety three dollars per year for clothing allowance for an adult. This is the total amount allowed for both new and replacement clothing items and is totally inadequate.

We also support S. B. #483 which permits sisters and brothers of the same family to be placed the home of more than one relative. This is often necessary to insure healthy and decent living conditions

Mark Aronson (cont'd):

for the children of a large family. It also would bring Connecticut more into conformity with Federal law and regulations.

We are also supporting H. B. #6951 and S. B. #95 - to provide for reasonable visits -- visits only at reasonable times for members of the Welfare Department to recipient households. This apparently is the present state policy. The present statute also raises some question as to constitutionality under the recent James B. Wyman Decision that you are **INAUDIBLE** which does not permits visits at any time but only at reasonable times.

I'd like to quote that these are our positions on a number of bills. We also are going to be supporting the positions that will be shortly submitting to the committee by the attorneys of the welfare moms of New Haven and the attorneys for Meriden welfare rights. Thank you..

BEGINNING OF THIS TAPE #12 **INAUDIBLE**

UNIDENTIFIED SPEAKER:

The hospitals of the State of Connecticut support in principle the concept of transferred general assistance from state welfare departments to the State of Connecticut. This is not an area of prime concern to the hospitals but they do support it in principle on the theory that it will reduce the burdens to the town and cities in which many hospitals are located.

As a part of that and reviewing the bill before the committee, I think it's consistent for a hospital to take an opposing view to S. B. #737, which seems to take the contrary position to the concept of general assistance which we support.

Now, in particular in my review of the bills which are before you, I draw your attention to H. B. #7050 which seems in our judgment to probably do the best job of the bills which are before you, in that it not only deals with questions of fiscal response by the state on the one hundred per cent basis, but also seems to deal with the transfer of administrative responsibility which I think in our judgment is important. Thank you very much.

Chairman Ciarlone: We will now hear from Mr. William Clendennon, Attorney for the Moms Organization.

Mr. William Clendennon, New Haven Moms **INAUDIBLE**:

S. B. #427 is the work incentive program of Connecticut. This is the only bill which would allow Connecticut to cover the conformity with the Federal Law. If the recent conformity hearing **INAUDIBLE** -- In support.

We would also like to support S. B. #202, 203 and H. B. 5006 and 523. We submit also that these bills will save Connecticut money. What happened in 1969 was that the towns had to bear the burden that the state was bearing on the 19-20 years old children on the unemployed parents. By function -- returning these functions to the State Welfare Department we will be able to get the fifty percent matching money from

Robert Millander (cont'd):

Quite frankly, as the parent of a disturbed child, I couldn't afford to have him in High Meadows. I think I make a reasonably good income but I could not possibly support these monthly payments. I tried it but it doesn't work.

The bill as written -- ties a -- suggests that the fees be tied to the Humane Institutions or the State Hospital fee schedule. In looking over the situation since that time -- the time the bill was drafted -- I find that this still leaves a rather heavy load on the low and low middle income family so we would like to suggest and I would like to have the facts and figures and the substitute bill to present to you,, however, it isn't completed as yet and by your leave I would offer them within the coming week that we modify 6814 somewhat to utilize the fee schedule set up for the institutions for the retarded. This schedule which was very carefully drawn up seems to be the most equitable or most carefully planned and to have the least impact on the -- those who are least able to absorb the long term costs so with that I would thank you for your listening. I do have a fee schedule a part of it -- which I'll leave some copies and these will be included in the full package but it would give you an advance -- some sort of an appreciation of just what these run -- I'll quote one. Let's say -- at an \$15,000 level a four family -- four people in the family -- two parents and two children High Meadows would be now asking \$337.50 a month support and this is actually being paid by those who can't -- so it has excluded this particular state institution -- which is very good -- very comparable to the best in the country from all of those who are poor and cannot afford anything and the very rich who can afford the extra. Thank you.

Chairman Ciarlone: Thank you Mr. Millander. I would like the person to testify that is Dorothy T. Legais if I pronounce it correctly. Do we have a Dorothy T. Legais who is from Social Workers Organization? If not we will go to the next speaker. The next speaker is Katherine A. Evarts.

Katharine Evarts of Kent: A former legislator and a member of the State Board of the Connecticut Child Welfare Association:

The reason I'm here is because I feel so strongly about these bills. I'm going to cut down what I've written all I can and first speaking in favor of H. B. #483 which eliminates the clause in the present bill saying that only one family can be paid AFDC for children from any one family. I think this is terrible. You ought to have a good home for the children. If they're trying to force them in and crowd them where there isn't room for them you are ruining the life of the family that they are going into as well as not giving them any advantages. After having heard Jan Billy speak about this I leave it with what she has said.... for the rest of it.

I also want to speak for S. B. 523 which is the same as H. B. 202 and 203 and in the interest of the state as well as the interest of the children involved I feel that the passage of this bill amending the

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HOUSE**

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Monday, June 7, 1971

84.

THE CLERK:

Cal. 549, Senate Bill 483. AN ACT CONCERNING AID TO  
DEPENDENT CHILDREN.

DEPUTY SPEAKER:

The gentleman from the 88th.

MR. COLUCCI: (88th)

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

DEPUTY SPEAKER:

Question is on acceptance and passage. Will you remark.

MR. COLUCCI: (88th)

Mr. Speaker, this bill provides aid to a dependent  
child or children whose residence is with a relative that is  
unable to suitably support this child. This type of program  
will provide the dependent child or children with a healthy and  
decent upbringing. Mr. Speaker, I urge passage of the bill.

DEPUTY SPEAKER:

Will you remark further. If not, all those in favor  
will indicate by saying AYE. Opposed. THE BILL IS PASSED.

THE CLERK:

Cal. 580, H.B. 8082. AN ACT CONCERNING CARE AND PRO-  
TECTION OF ADULT UNWED MOTHERS.

DEPUTY SPEAKER:

The gentleman from the 8th.

MR. MORGAN: (8th)

Mr. Speaker, I move acceptance of the Joint Committee's

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THE CHAIR:

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

SENATOR ALFANO:

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

This bill permits a certified copy of the toxicologists report to be emitted in evidence, in a criminal proceeding. And as I already indicated it can only be emitted after, the prosecuting attorney has given notice to the defendant who has filed an appearance pro se or to the defendant's attorney who has filed an appearance of record. The objective of this bill of course, is to eliminate congesting of dockets in the Circuit Court as a result of waiting to bring the toxicologist in, who has to testify personally.

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, as amended is passed.

THE CLERK:

CAL. NO. 225. File No. 249. Favorable report of the joint committee on Corrections, Welfare and Humane Institutions. Senate Bill 183. An Act Concerning Aid to Dependent Children.

SENATOR CIARLONE:

Mr. President, I move acceptance of the committee's favorable report and passage of the bill. This bill allows children of same parentage who are living in different homes, with a supervising relative, to have such

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such supervising relative be given assistance under the ADC program. Our present public act 730 allows only one such supervising relative to be given assistance. It's a good bill and I urge adoption.

THE CHAIR:

Question is on passage. 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 adopted.

THE CLERK:

CAL. NO. 227. File No. 247. Favorable report of the joint committee on Public Health and Safety. Public Act 1982. An Act Concerning Appointment and Certification of Local Fire Marshalls and Deputies.

SENATOR PAC:

Mr. President, I move acceptance of the joint committee's favorable report and passage of the bill. Under the statutes, all the local Fire Marshalls are appointed by the local board of Fire Commissioners or the Counsel or some other local body. They do not set a term of office and because some of the towns have in effect, tried to get rid of their marshalls by setting a term of office, this bill is needed. What it will do is retain all fire marshalls in their offices unless removed for just cause. And there is a provision in our statutes that after a hearing, they can be removed for this cause.

It also provides that, from two years from the date of this act, all fire marshalls will have to pass a test, oral or written exam given by the State Fire Marshall. Or else, they'd have to pass a program approved study conducted by some public agency and approved by the State Fire Marshall.

THE CHAIR: