

HB 6674

PA 678

Transportation 570-571, 587, 588,
618-622

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House 4963

(1)

Senate 3403

(1)

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**JOINT
STANDING
COMMITTEE
HEARINGS**

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Sen. Gunther(continued): in transportation. I expect a representative of Sikorsky Aircraft will be hear to give you a little more detail on the potentials of helicopters. And, I think that if you have any technical questions on that, he could answer anything. Thank you.

Chairman Mondani: Thank you, Senator.

Rep. Costello: Mr. Chairman and Members of the Committee, I am from the 77th District, to speak in favor of H. B. 6674. and in an effort to clarify this bill, I would like to distribute some exhibits for the Committee to examine. Inside of this exhibit is a proposed substitute bill - in drafting this bill originally, I had little, if any, knowledge of airports or general aviation, or their problems. And, I apologize for my lack of expertise in the original draft. We have attempted to work out, with assistance from the Dept. of Transportation and other professionals, some better language for the substitute bill. As you see in the photographs in Exhibit A; these were taken at the Griswold Airport in Madison, is the town in which I live. The Griswold Airport has entered into a 20 year agreement with the town of Madison. The town has established an Aviation Commission and they are working in partnership, to try to build up this General Aviation airport, as an asset to the community. Now the electric transmission lines, which you see, in the photographs; have been there for many years. They constitute a hazard to the aircraft that are in direct line with the north end of the runway. Now, the purpose of this bill is to establish a "clear" zone; following a model set forth in a Maryland statute, which I will present to your Committee. The half mile clear zone, which we propose, would apply to all airports in Connecticut. And I believe this proposition has the support of the state Department of Transportation.

The bill would do two things; it would prevent future construction of overhead transmission lines, within such clear zones as are established by the Department of Transportation. It would also provide a mechanism whereby existing obstructions, such as the one shown in the exhibit, to be removed. Now, the original bill called for an appropriation, but in discussing the matter with the department, and the Legislative Commissioner office; there is in the budget of the Department of Transportation a provision for aid to airports. So, in the revised language, we have attempted to set out an mechanism whereby an immediate appropriation would not be necessary to fund this. We are primarily interested in the concept of this legislation and hopefully in the future, we can also solve our local problem in Madison.

This Sunday I had the opportunity to fly in over those power lines, for the first time. Sherman Griswold, who is the operator of the airport and is here to testify here today - scared me to death - they are just too close. And there are other airports in the state - they are here to testify in conjunction with this problem.

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Rep. Costello(continued): The Connecticut Master Transportation plan for 1971, strongly points up the need for preserving your small, general airports; and of course, the aid to these airports has already been established, in past budgets. What we are trying to do is in our town is to provide for a safe airport. And those people who we would like to attract to use the airport; commercial people who travel around the country in their company planes; are reluctant to bring them into this airport because of this hazard. We have talked to the power company who has this transmission line and they are very sympathetic to the problem, but the cost to relocate these lines is expensive and the private owners of the airport are unable to pay this. We are in hopes that the state would adopt this act, which would permit the Department of Transportation to provide for the relocation of these. I have many exhibits and letters from the Selectman of our town, which I will present. I would be happy to work with your Committee, subsequent to this hearing, and perfect the language of the substitute house bill. I hope that you will listen to those experts, who know much more about general aviation than I, who will follow me. Thank you very much.

Sen. Rome: I have a question, please. I am familiar with the airport, I have flown into it and I appreciate the problem. But in some areas, your transmission lines are going to have to be re-routing underwater and I am wondering if you have discussed this cost-wise, with the department and what their reaction was?

Rep. Costello: Of course, our transmission line does cross the water, but the fire company can move it up to the Post Road, several yards to the north, so in so far as our specific problem is concerned in Madison; it would not require re-routing under water.

Sen. Rome: Has the department looked into it on a general basis, that is my question?

Rep. Costello: As to the specific costs of all airports in the state? I doubt it very much, because this bill has only come before them recently. The way we have drafted the bill; is basically prospective in nature and gives the department discretion, in so far as ordering and paying for relocation of lines. So, that I don't think that they would be compelled to by the adoption of this legislature, to undertake projects far beyond their capacity.

Rep. Bigos: I am from the 45th District. I wish to speak in opposition to any bill which would enlarge the powers of condemnation of any Commissioner or any Commission in connection with airports. I have in mind particularly, H. B. 5681 and 8291. I deplore the purpose of these bills and I dread to think what the future holds for us, when we grant such great powers to our Commissioners. Every time we turn around, there is an increase in power to the state; and a diminishing of power and to the town. Right now, the condemnation proceedings invested in the PUC Committees; the school districts; park and forest; recreation; state institutions;

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Mr. Young(continued): of the schools. There never was any complaint from Hamilton Standard about the airplanes coming in or out or the other factories. There probably will be references made to the disturbance of the flight pattern coming over the high school, but never once has the people in the high school voiced an opinion the location of the gun club, which I say shoots, seven days a week, from nine in the morning until nine at nite. So, the noise element or factor should be very minimal here. And, we have high hopes - and I am not going to get into the technical aspects of development of the field - other than we know that it will be good for our particular community. And the last election that we had, the expansion of Bradley Field was a main issue and the supporters of Bradley Field barely missed out, and in putting their choice of a selectman in East Granby. (in answer to someone in audience) Well, that's not my concluding remark other than we are in favor of the bill 5681. Thank You.

Chairman Mondani: Anyone else wishing to apeak in favor of any of these bills? Are you going to speak in favor, Commissioner?

Mr. H. B. Wetherell: Mr. Chairman, Ladies and Gentlemen; I am Deputy Commissioner, Dept. of Transportation; Bureau of Aeronautics. I would like to register the Department's position on bill 1389, 5681, 6674 and 6935; of which I have a brief prepared statement. On H. B. 7185 and 8365, the Department has not taken a specific position on these two bills at this time. Commissioner Wood asked me to seek your permission to submit a letter at a later date as to his position on these two bills. As you are aware, in reference to these two bills are in reference of the state take over of the municipal airports. Under the present legislation, we do have the enabling legislation to do it, however, the financial condition as it is, its a bit of a problem as to how this might be consumated in this next year.

To go back to bill 1389; speaking in favor of this bill. It is just to eliminate the Bolton-Coventry site of of Section 2 of Public Act 294, the special Act of the 1969 Session. We held a hearing out there and the oppositon was ver heavy and we have asked this to be deleted from the present special act. And in the future, if we could, just leave this money for airports available, we are having considerable trouble all around in opposition as to acquiring additonal airports, and when they are by name it becomes somewhat of a problem to accomplish in the off-Session period. We would like register in favor of 1389.

5681, which is a very controversial bill, but, rather than read the statement, I will furnish the Committee with a statement, after its been made and save some time. But, I think that there is a great misunderstanding from what I have heard today, and what I have seen in the press recently, and what we are trying to do with 5681. As you are aware, the present statute requires that to hold public hearings; take in consideration around the whole country and impact and ecological effects that an airport would

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Mr. Wetherell(continued): have and the Federal Government has very strongly come out, in their 1970 Federal Aviation Act, and we also have to satisfy the Secretary of the Dept. of Transportation that the impact on ecology and environment will not be critical, before we can get Federal funds. Under the trust funds now set up by the Department of Transportation, Federal; I think any project would involve Federal funds, today; particularly in our present state. We would still request that you give serious consideration to this. The only thing that it eliminates from the present statute is the one fact of going to court, if the town is opposed to it. I don't know of any state in the union that has similar legislation. There is no other agency or department in the state that has similar legislation and it is very difficult to operate under. We charge the Commissioner of Transportation with maintaining a adequate transportation system; turn around and put in legislation like this, that ties him up so that he can not perform his duties. And I think that it should be given a lot of consideration. I can assure you that the Commissioner Wood and former Commissioner Conklin, were very much concerned about the environmental impact, and it certainly taken into consideration. I think that you will find that all we are seeking is the same laws that the Highway Department has, and there certainly has been plenty of public opposition to highways. I think that everybody has a good chance to be heard and all I ask is re-consideration of this bill.

6674 is a bill that has already been spoken favorably on here, in reference to high-tension lines. We certainly agree that there should be some "beef" put into the present state statute so that we could have better control over construction off the ends of the runways. And, although we can't see where the money is going to come from, this Session, I think that if we get the enabling legislation on the books; it would be awfully good legislation.

6935 is just a matter of correcting an error in citing the two statutes - it should be 276 that was cited in Special Act 267 in 1967 Special Session. That is all I have for the Committee-----

Chairman Mondani: Just one question, Sir? Back on 5681, the part that is being removed is also the part that would grant municipalities to "approve" runway expansion. So, if the case were adequately prepared it is conceivable that a municipality would approve such a lane acquisition. So, in the absence of this, you go to court. It doesn't tie your hands, it really says that it must be proven that it is a necessity.

Mr. Wetherell: Well, I only refer to the present law of the Highway Department. What's happening here - you have a facility that has a great effect on the whole of Connecticut and all of western Massachusetts - and can or should belong to the people to prevent a reasonable expansion after your environmental and ecological effects have been taken into consideration; have been passed on by many agencies, that are organized or being organized; to protect us against unreasonable encroachment.

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Mr. Lawrence(continued): should have the benefit of guidance such as bill 1481 would provide, because these designers will not necessarily have access to manufacturers of specific organizations. As a further point; while we say that helicopters are compatible to the urban environment, generally, we are certainly mindful that there are some places that any airport facility would be out of place. And as aircraft manufacturers, who are sensitive to public opinion, we are concerned the facility planning coincide with public interest, first, and then with private purposes. Secondly, we would hope that the study specified in bill 1481 would establish appropriate guidelines.

For these reasons, particularly, we support bill 1481, and we would be pleased to cooperate with the Commissioner of Transportation in pursuit of its objectives. I should bring up a further point; Commissioner Wetherell mentioned that feasibility studies have been conducted in the state, and specifically mentioned the Harris Report. But I am quite certain that the intent of 1481 is to conduct a feasibility study in enough detail, to provide guidelines for future operators and builders of heliports, that they don't conflict with public interest, as defined by the state, and so that they do service the people; in a way that is satisfactory to the state. The previous studies were at best "glancing blows" - that mentioned that heliports would develop. The 8 heliports that the Commissioner referred to are essentially private heliports, with one exception, I think. And most of these are corners of parking lots - they couldn't possible service the public in general. So, on that basis, we would be anxious to see 1481 go through so that a more definitive study conducted. Thank you.

Chairman O'Dea: Mr. Lawrence, would you leave a copy of your testimony with the secretary, please? Anyone else in favor of this bill? Any opposition to the bill? The hearing is closed on 1481.

The next is H. B. 6674 AN ACT CONCERNING THE MAINTENANCE AND/OR CONSTRUCTION OF OVERHEAD TRANSMISSION LINES IN LINE WITH AND WITHIN ONE-HALF MILE OF EITHER END OF ANY PUBLIC AIRPORT RUNWAY. We have had a lot of testimony on this, is there anyone else who cares to speak on the bill?

Mr. Preston Lowrey: Mr. Chairman and Members of the Committee; I am Chairman of the Madison Airport Commission. I would like to speak on bill 6674, relative to the 27.5 KV CL&P transmission line at the north end of our runway. There are several points that the Commission feels would be brought out in this testimony for this regional airport in the area of the Clinton-Madison town line, near the shore; the Griswold Airport. The present glide path ration, while technically barely within the 20 to 1 VFR limitations, set by law, is not considered adequate, for night visual flying; unless one is extremely well checked out in this. The Madison Aeronautics Commission and the manger of the airport is presently working with the Federal Aviation Administration to establish a I. F. R. flight path for the Griswold runway to meet business-pilot

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Mr. Lowrey (continued): requests. Of course, this power line situation will not be desirable from that stand point, and I. F. R. rules require 40 to 1, glide ratios, in such conditions. I was very pleased by the endorsement by the Dept of Transportation on this bill; we have worked with them; met them several times, and they are concerned with the survival of small, general aviation airports. And are interested in encouraging their survival. The original area, near Griswold Airport has expressed an interest in maintaining the airport, for the transportation and business encouragement advantages derived from this facility. Many businesses in Saybrook, Clinton, Guildford, and Madison use the airport for air-freight and air-taxi work. The eastern end of Long Island is a typical type of air travel situation that we get into, whereby freight or business travel is only 12 minutes away by air; versus quite a few hours to drive all around. The enhancement of the airport has improved the area tax situation from a very marginal state to a fairly gratifying one now, and we hope to increase it more. This is based strictly on taxed aircraft; since we have been able to pave the runway, we have been able to bring up the quality of aircraft. However, this, plus the growing willingness of businesses to locate near the airport - businesses that use small aircraft, we have run into a stumbling block by not being able to accelerate as fast as we desire for the industrial development because of the power line problem. This was expressed to me by one pilot; in turning down the location of his business in the region is a "psychological" one. Psychological, or not, coming into a landing at night, even with the red lights on the wires, is asking too much of a businessman-pilot. When the wires don't have to be there. Lastly, I would like to point out Civil Defense comments relative to the Griswold Airport which refer, for example, back to the 1938 hurricane, where the only communications to the outside world were through the Regional Griswold Airport. I believe that the testimony regarding the local businesses and all, Mr. Costello has filed with his brief.

Chairman O'Dea: Thank you, Mr. Lowrey. Anyone else in favor of this?

Mr. Robert Hartigan: Mr. Chairman and Members of the Committee; I am appearing for Northeast Utilities and its affiliate companies, Hartford Electric Light and Connecticut Light and Power Company. I would like to comment briefly on 6674. It appears, from the testimony that I have heard, that this bill is directed to correct a situation that exists at the Griswold Airport in Madison. Judging also from the appropriation of \$100,000, it seems to me that it is rather restrictive in its application, because my guess is, a fund, such as this, could hardly take care of all electric transmission lines that are close to public airports, now; or will be in the future - due to the expansion of airports. Specifically, I want to call your attention to Section 2, which uses the phrase; "where overhead transmission lines already exist". I suspect that what is meant is "where they exist in terms of the point in time of the existence of the airport". But, there is a possible interpretation that where they exist as of the effective date of this

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Mr. Hartigan(continued): bill. And, I hope that you can appreciate the problem this might create for us. If, it becomes necessary to re-locate or place underground transmission lines because a airport moves into the area; within a half mile of a transmission line; I respectfully suggest that this cost should not be borne by the utility rate payers but by the people served by the airport.

Chairman O'Dea: Thank you, sir. Anyone else wish to comment on the bill?

Rep. Costello: Mr. Chairman, could I briefly? I am the sponsor of this bill, and during my remarks, which I don't believe that this gentleman heard, earlier this morning; I referred the Committee to suggested language for a substitute bill, which I would like to give him a copy of - which corrects some of the problems that he is concerned with, and about. I would also like to recall the attention of the Committee to this; that I stated that the original text of the bill, was wholly inadequate and that we had worked out attempts to improve the language with the Dept. of Transportation. And, I think that we have solved some of the problems that he is concerned about with his company.

Chairman O'Dea: Very good, Representative.

Mr. Stanford Robertson: I have the airport in Plainville. Many states have laws which control the erection of transmission lines in the approaches to runways at airports; that are open to the public. I once paid to have a power line relocated; only to have another power company erect it again. It took me 20 years to get it down the second time, because each power company blamed the other; and neither was willing to do anything about it. Privately owned airports are considered part of the state airport system, and receive no benefits from the Dept. of Aeronautics, in spite of the fact that they pay several kinds of aviation taxes to the state. The time is long over due that some of the money that we have been paying for taxes, should come back and be of some benefit from which it came. I am in support of bill 6674. Thank you.

Chairman O'Dea: Thank you, Mr. Robertson. Next in favor?

Mr. Sherman Griswold: I am Manager of Griswold Airport in Madison, and in relative to bill 6674, I would naturally like to go on record, as agreeing with Rep. Costello and the Madison Airport Commission Chairman, Preston Lowrey. Also, I would like to add, in flying over the wires on departure, or approach to Griswold Airport, for the last 26 years. And almost daily for the last 12, I am still very conscious of their height and position to the runway. With over 5000 flying hours behind me, I still worry about hanging in them. As Manager of Griswold Airport, I have had to occasionally close the airport to transit aircraft, due to cross-wind conditions. This is done as a preventive measure, so as a stranger will not tangle with the wires. This is a problem with several airports in Connecticut and any assistance that you can render in

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Mr. Griswold(continued): this matter would be appreciated. There have been several accidents directly related to interference from power lines and I would hate to hear from any more or of any loss of life because of them. In fact, in the United States in 1968 there were 158 airplane accidents involving power lines, with 39 lives lost.

Chairman O'Dea: Thank you, Mr. Griswold. Anyone else wish to comment of the bill?

Manager of New London-Waterford Airport: The New London-Waterford Airport has been operated consistently as a privately owned commercial, public facility - to be used by the public at no charge commencing approximately in 1946 and to this day, still operating. It has always, in that 25 year history been responsible for paying taxes. It has been maintained at a operating loss. It has been a benefit to the community as are 17 or 18 privately owned airports that are in the 1971 Connecticut Master Transportation Plan. The bill we have before us, 6674, focuses upon the problems of the private airports, with regard to high-tension lines or over-head transmission lines, in close proximity. Let me state that the real problem is not the lines that exist; it is the fact that these privately owned, public facilities - open to the public-- are not recognized as being of any benefit to their particular communities. I cite this, because, in my own experience, was that during the construction of I-95, which is adjacent to the Waterford Airport; certain over-heard transmission lines had to be moved in order to conform with the Federal Highway standards. The moving of those transmission lines put them right in the approach path to one of the runways. I went to the Hartford Electric Light Co., and I was able to get them to compromise somewhat in the height; and they cheat a little bit on the Federal Highway standards, but not enough. I have here in this envelope some pieces of guy wire that were taken down by an airplane on the night of April 9, 1968. Luckily, there was no one hurt. The airplane was damaged, the power line came down and had to be re-erected. And it was all right; it could have easily resulted in a fatality to four people.

Also, in proximity to the same airport, is another power line, which passes over private property, which has just been sold. And as soon as it is scheduled for development; the power company will have to move it over to the property line, which will put right it within 300 feet of the approach end of another runway. And, I go to the power company and ask why they don't bury it and they say; "well, we don't have the money". And they said that the owners of property went to them and said "why don't you bury it" and they said; "we don't have the money, if the airport wants to pay for it, it will be buried". But you are talking about an airport that really has no income from being an airport. There are operations there and they do business there, but the actual operation of the airport is incidental from the viewpoint of income. There is no income. And, I think that it is only when the state of Connecticut recognizes that these privately owned, public facilities should get some consideration - can they really be meaningful as being

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Manager of Waterford Airport(continued): part of the state airport plan. I thank you very much.

Chairman O'Dea: Thank you, sir. Anyone else wish to comment?

Mr. Fred Pasce: I am from the Johnnycake Airport. I would like to speak in favor of bill 6674. I would just like to state that we have the similar situation of powerlines on the north end of our runway and several months ago we had an incident there, whereby a pilot had a mis-approach due to the wires. The airplane crashed in the field and luckily the four passengers walked away with minor bruises. But, if this aircraft had crashed another couple hundred feet in the woods, we would have had four fatalities. I therefore, favor this bill very strongly. Thank you. This is Johnnycake Airport in Burlington, Conn.

Chairman O'Dea: Thank you, sir. Are there any other comments? The hearing is closed on bill 6674. The next bill is H. B. 6802 AN ACT INCREASING COMMUTER PARKING FACILITIES AND TRANSFERS FACILITIES AT INTERCHANGES, RAILWAY STATIONS, BUS TERMINALS AND AIRPORTS. We have had several bills before the committee on this type that have been heard before. Is there anyone who wants to comment on this bill?

Mr. George McLain: Mr. Chairman; Dept. of Transportation, Bureau of Planning and Research. The Department of Transportation has an on-going program to encourage commuter parking at interchanges. In a report that the department made to the General Assembly, entitled "Connecticut Highway Needs Report, 1971", \$100,000 was included in the department's request for the next fiscal year for interchange parking facilities for commuters. The department supports this bill.

Chairman O'Dea: Thank you, sir. Any other comments on bill 6802?

President of Pilgrim Airlines: This is Connecticut's own airline, by the way. I noticed here that it also contains a reference to airports. I might say that in the past year, we have been victimized in respect to Trumbull Airport in Groton. At the same time the State Department of Transportation was building parking along side the turnpike, to encourage people to leave their cars at home, they were also in the process of building a paved parking lot at Trumbull Airport, which is strictly a feeder-airport. To the point that they have destroyed all passenger traffic between Trumbull Airport and Bradley Field, and is incongruous with building parking lots to reduce automobiles on the road. I would like to see written into this bill; a provision so that no airport parking facilities can have parking charges unless the airport boards over a half million passengers a year. I think that all of these out-lying airports, the Bridgeport, the New Haven, the Oxford, the Trumbull; should have free parking, to encourage people to use those airports. One of the curious things about the securing of airport parking contractors is that the proposals put out by the

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Calendar no. 1377 - Substitute for House Bill 5714 - An Act Concerning Fortune Telling and other Fraudulent Practices. File no. 1575

Calendar no. 1378 - House Bill 8272 - An Act Concerning Immunity from Liability for Emergency Medical Assistance or First Aid. File 1566.

Calendar. no. 1384 - Substitute for House Bill 8403 - An Act Concerning the Commission On Claims. File 1572.

Calendar no. 1386 - Substitute for House Bill 6674 - An Act Concerning the Maintenance or Construction of Overhead Transmission Lines in Line with and within One Half Mile of Either End of any Public Airport Runway. File 1586.

Calendar no. 1423 - Substitute for Senate Bill 0259 - An Act Concerning the Restoration and Repair of State Boundary Marks. File 1418.

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Mr. President, I move for the adoption of all those bills, I move for suspension of the rules, first of all, for consideration of those which were not single starred or were not double starred rather.

THE CHAIR:

All those in favor of suspension of the rules indicate by saying, "aye"
All those opposed? Suspension is granted.

SENATOR CALDWELL: