

SB 414

PA 764 (Vetoed)

1971

Judiciary

727-729

House

6089-6090

Senate

2921-2922

↳ Veto Session

277-280

**JOINT
STANDING
COMMITTEE
HEARINGS**

JUDICIARY

**PART 3
689-1000**

1971

Mr. Sabia: Thank you, Sir and also the Statement of Purpose in due respect to like to protect the purchaser because I have a purchaser and respect to yours, you would like to protect the

Sen. Rome: I have no Bill.

Mr. Sabia: No, the Bill that I gave to you with my name on it - would like to protect the sub-contractor and therefore, those two should work together rather than - we wouldn't know which one we are opposing, which one we are for and we are all going to be the purchaser at times and we are also going to be a sub-contractor

Sen. Rome: What I am suggesting is you be a part of the parcel of the drafting of a substitute Bill which we can consider in lieu of these two Bills and I think

Mr. Sabia: How do you go about doing that?

Rep. Carrozzella: Through your attorney, through your lobbyist.

Mr. Sabia: Thank you very much for your time.

Sen. Jackson: Anyone else who wishes to speak. Did you sign the sheet?

Mrs. Sherman: Yes, over by the door, the Public Speaker's List.

Sen. Jackson: I am sorry. Ann, would you get the latest Speaker's List.

Mrs. Sherman: I think I am the only name on it. I am Mrs. David Sherman of South Windsor representing the League of Women Voters of Connecticut. We wish to speak in support of S.B. #414

S.B. #414 - AN ACT CONCERNING THE INITIATION OF AN INVESTIGATION BY A TENANTS' REPRESENTATIVE.

This would authorize a single tenant to file a complaint rather than requiring a majority of tenants in the building. We agree that each person should have adequate redress under the law.

We understand that when the Tenant's Representative Act was passed in 1969 there was concern that the Circuit court might be flooded with requests for investigations. We feel that now, after two years, we can see the dimensions of the problem. With the establishment of Housing Divisions in the Circuit Court (H.B. #5085), which we advocate, adequate provision would exist for dealing with the cases.

Enactment of this legislation and H.B. #5085 would demonstrate that there is adequate provision for redress of grievances through the 'established' system. We support this change in the petitioning requirements of Section 19-347k of the 1969 supplement to the General Statutes.

40
BC
TUESDAY

JUDICIARY COMMITTEE

MARCH 9, 1971

Sen. Jackson: Thank you very much. Albert Bordonaro. We didn't have that last sheet.

Mr. Bordanaro: Fine, Thank you. I am Albert Bordanaro from Norwalk Hospital and I would like to speak on H.B. #5370.

H.B. #5370 - AN ACT CONCERNING TAKING LAND TO ENLARGE HOSPITAL.

This deals with taking of land to enlarge hospitals. Hospitals today represent tens of millions of dollars in investment and moving of a hospital is rather a very difficult decision if not in many cases, impossible, with construction costs going up.

It also is impractical to think about moving away from their present sites for most hospitals but to properly make changes as new things develop in medical practice. It is important that hospitals have the ability to expand on its present site and this now is what we are hoping something can be done where a particular piece of property could not stand in the way of either implementing progress or asking such an absurd price that it also would either prevent implementation or cause a hospital to pay a very high rate for a particular piece of property.

In this case of course, it really is the public that suffers in that there is no special basket this comes out of but rather is later reflected in hospital costs which I think most of us would agree on is presently high enough. Thank you very much.

Sen. Jackson: Do you wish to speak, Sir?

Mr. Schielke: Mr. Chairman, Fellow Members, I signed the wrong page out there so that is why I am here. My name is Gordon Schielke. I live in Southbury. I have been in the retail lumber business actively 40 years and I am President of the Lumber Dealer's Association in Connecticut. We would like to go on record as being opposed to H.B. #1049 and H.B. #5095.

We think the present main law is efficient and we cannot see any improvement in the two proposals. What has gone on here today, I am sure the Association is willing to listen to any improvement to either one. Thank you.

Sen. Jackson: If there is no one else that wishes to speak, we will declare the Hearing closed.

League of Women Voters of Connecticut
60 Connolly Parkway, Hamden, Connecticut 06514

9 March 1971

729

TO: Committee on Judiciary
RE: S.B. 414 CONCERNING THE INITIATION OF AN INVESTIGATION BY A TENANTS'
REPRESENTATIVE.

I am Mrs. David Sherman of S. Windsor
representing the League of Women Voters of Connecticut.

We wish to speak in support of S.B. 414 CONCERNING THE INITIATION OF AN INVESTIGATION BY A TENANTS' REPRESENTATIVE. This would authorize a single tenant to file a complaint rather than requiring a majority of tenants in the building. We agree that each person should have adequate redress under the law.

We understand that when the Tenants' Representative Act was passed in 1969 there was concern that the Circuit court might be flooded with requests for investigations. We feel that now, after two years, we can see the dimensions of the problem. With the establishment of Housing Divisions in the Circuit court (HB 5085), which we advocate, adequate provision would exist for dealing with the cases.

Enactment of this legislation and HB 5085 would demonstrate that there is adequate provision for redress of grievances through the "established" system. We support this change in the petitioning requirements of Section 19-347k of the 1969 supplement to the general statutes.

H-120

**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
1971**

**VOL. 14
PART 13
5555-6226**

Wednesday, June 9, 1971 81A.

MR. SPEAKER:

Does the gentleman have a Committee in mind?

PETER W. GILLIES:

I'm amenable to...Banks and Regulations, Mr. Speaker.

MR. SPEAKER:

Motion is to refer this Resolution to the Committee on Banks and Regulated Agencies. Will you remark. Is there objection? Hearing none, so ordered.

FRANCIS J. COLLINS:

Mr. Speaker, would the Clerk read the Resolution? I did not hear it. I'm sorry.

MR. SPEAKER:

Page 11, Calendar No. 1605, S.J.R. No. 106, to create a Committee to provide for the study of the fairness of franchising.

FRANCIS J. COLLINS:

Thank you, Mr. Speaker.

MR. SPEAKER:

Further objections. Hearing none, the Resolution is committed to the Committee on Banks and Regulated Agencies.

PETER W. GILLIES:

Mr. Speaker, could we return to Page 8, Calendar No. 1561.

THE CLERK:

Page 8, Calendar No. 1561, Substitute for S.B. No. 414, an Act concerning the initiation of an investigation by a Tenant Representative.

MR. SPEAKER:

EFH

Wednesday, June 9, 1971 82A.

Is the gentleman prepared to report out the Bill?

PETER W. GILLIES:

I thought Mr. Bingham was.

MR. SPEAKER:

The gentleman yields to the Colonel from the 157th, Representative Bingham, from Stamford.

PETER W. GILLIES:

Mr. Speaker, I can describe briefly what the purpose of the Bill is.

MR. SPEAKER:

Question's on acceptance and passage.

PETER W. GILLIES:

I move acceptance and passage of the Bill.

MR. SPEAKER:

Will you remark.

PETER W. GILLIES:

The Bill simply decreases the number of Tenant Representatives that we presently have in this State. We find, while they are doing an admirable job, there seems to be some question in the need to have as many as we do. It's a good Bill, and I urge its passage.

MR. SPEAKER:

Further remarks on the Bill. If not, all those in favor indicate by saying "aye". Opposed. Bill is passed.

JOHN F. PAPANDREA:

Mr. Speaker, may we then proceed to Page 12, second item from the top, Calendar No. 1614.

S-82
CONNECTICUT
GENERAL ASSEMBLY

SENATE

PROCEEDINGS
1971

VOL. 14
PART 7
2874-3413

June 4, 1971

Page 48

law will simply broaden and bring and allow members of the family, children and parents etc., spelled out in the bill, be included under this protection

I think it's a very fair and reasonable law and urge its passage.

THE CHAIR:

Will you remark further? If not, all those in favor of passage signify by saying, "aye". Opposed, "nay". The no's have it. Bill is defeated.

SENATOR JACKSON:

Mr. President, I question the ruling of the Chair and I ask for a standing vote.

THE CHAIR:

Will you please take your seats? All those in favor of passage of the bill, please rise. 14. Those opposed, please rise. The bill is defeated.

THE CLERK:

CAL. NO. 1114. File 1598. Favorable report of the joint committee on Judiciary. Substitute Senate Bill 414. An Act Concerning the Initiation of an Investigation by a Tenants' Representative.

SENATOR JACKSON:

Mr. President, I move acceptance of the joint committee's favorable report and passage of the bill. This bill amends existing laws to provide that a tenant any tenants' representative in a town of over 100,000 will continue to service the circuit courts in those districts. Any tenants' representative of any town under those 100,000, will be excluded under the provisions of this bill. The purpose for this is the towns under 100,000 do not supply enough work to justify the continuance of the existence of the tenants representatives in those areas and they'll be a saving to the taxpayers of roughly \$15 to 50 thousand dollars.

June 4, 1971

Page 49

THE CHAIR:

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

THE CLERK:

CAI. NO. 911. File 1240. Favorable report of the joint committee on State and Urban Development. Substitute Senate Bill 680. An Act Concerning provision of Open Spaces for Schools in Sub-division Plans.

SENATOR BUCKLEY:

Mr. President, I move acceptance and passage. The bill adds, I believe only two words, to the existing statutes concerning the rights of municipalities to adapt sub-division regulations. It provides the planning commissions may provide, its permissive, open space for schools in addition to parks, playgrounds and so forth. The bill is important in places where large subdivisions are involved in heritage village type situations, where schools, are important part of the whole complex.

THE CHAIR:

Will you remark further?

SENATOR RIMER:

Mr. President, I rise in opposition to this bill. I think that we get back to the problem of ineffect taking property without compensation. The fact of the matter is, that if an area is designated for school purposes, on a sub-division which is approved. In effect, this make the property unmarketable and therefore, in effect, it constitutes taking property without compensation. And merely on that basis, I oppose this bill.

THE CHAIR:

Will you remark further? If not, all those in favor signify by saying,

S-83

**CONNECTICUT
GENERAL ASSEMBLY**

SENATE

**PROCEEDINGS
1971**

VOL. 14

PART 8

1-468

SP.SESS

INDEX

August 2, 1971

THE CHAIR:

The bill is not repassed. The veto is sustained.

THE CLERK:

Page 4, top of the page. File No1598. Public Act 764. Sub. Senate Bill 414. An Act Concerning Initiation of an Investigation by a Tenants Representative.

SENATOR JACKSON:

Mr. President. I move repassage of the bill.

THE CHAIR:

Will you remark?

SENATOR JACKSON:

Mr. President. Last February, we were asked to more or less reexamine some of the departments that were under our control. The Judiciary Committee tried to do just that and even though the Judiciary committee's budget is one of the smallest net cost to taxpayers of Connecticut, we were able to find a provision in the Tenant's Representative Act where the State could save money. The net result of this act is going to save the state immediately \$45,000. I just don't understand just who it was or how it ever came to be that whoever was advising the Governor could read this bill and make such a horrible mistake as he made. He did not bother contacting either the chairman of the House Judiciary Committee, Rep. Carrozzella or myself. I don't really mind that, but I think he should have checked with the ranking committee members of the Judiciary committee in both the House and the Senate. He did not check with Representative Bingham and he did not check with Senator Rome. Let me just explain very briefly.

At the present time we have a set up where you have tenant's

August 2, 1971

60

representatives and they are already in existence and they are being paid. The gross salary to the state of Connecticut is approximately \$85,000. We examined the caseload of each of these tenant's representatives and there are 11 of them and we found that in some instances, in the less populated areas and counties, on a yearly basis these representatives were handling a handful of cases. In instance, I think there was only one case that was referred to the particular tenant's representatives, so if we were being paid a fairly substantial salary they were doing next to nothing. so what we did do, we cut out six of the jobs. The bill as it is presently before us for reconsideration spells out that a tenant's representative will only be allowed in any circuit where there is a population of more than 100,000. This limits it to five. There are five cities in the state of Connecticut that have a population of over 100,000. So this means immediately you are going to lose 6 tenants representatives who are presently being paid a salary of \$45,000. The other five who will remain will then be given assignments throughout the state to cover up whatever slack might be left by the firing of the six. The other change in the bill goes from the majority of the tenants in a particular unit to 25%. The original request was for one tenant to have the right to make the request. However, we felt this was going too far, but for 25% you are going to have an increase perhaps in the number of cases which are presented but you are cutting down drastically the number of tenants representatives, you have an immediate savings of \$45,000 to the taxpayers of the state, and I think you are then going to be giving the remaining representatives somewhat adequate case loads. If they don't receive a caseload which is enough during the next session, we propose to cut out additional tenant representatives. So again, I don't know what

August 2, 1971

61

SENATOR JACKSON:

happened in the Governor's Office, but whoever read the bill did not bother to make a complete investigation and gave an erroneous report to the Governor. So if you really are interested in saving the money, here is a way to save \$45,000 right off the bat.

THE CHAIR:

Question is on repassage. Will you remark further? If not, an immediate roll call is ordered in the Senate on repassage.

The following is the Roll Call on Public Act 764. Sub. Senate Bill 414.

An Act Concerning Initiation of an Investigation by a Tenants Representative.

DIST. 1	Senator Fauliso	Yea	DIST. 18	Senator Crafts	Nay
2	Smith	Absent	19	Murphy	Yea
3	Burke	Yea	20	Cashman	Nay
4	Odegard	Nay	21	Gunther	Nay
5	Jackson	Yea	22	Macauley	Nay
6	Pac	Yea	23	Caldwell	Yea
7	Alfano	Yea	24	Petroni	Nay
8	Rome	Nay	25	Dowd	Absent
9	Eddy	Nay	26	Rimer	Nay
10	Ciarlone	Absent	27	Strada	Yea
11	Lieberman	Yea	28	Rudolf	Nay
12	Hammer	Nay	29	Dupont	Yea
13	Zajac	Absent	30	Power	Nay
14	Prete	Yea	31	Dinielli	Yea
15	Cutillo	Yea	32	Ives	Nay
			33	Mondani	Yea
16	Sullivan	Yea	34	DeNardis	Nay
			35	Houley	Yea
17	Buckley	Yea	36	Finney	Nay

August 2, 1971

162

THE CHAIR:

The following is the Yea and Nay Vote

Whole Number Voting	32
Necessary for Passage	24
Those voting Yea	17
Those voting Nay	15
Those absent and not voting	4

SENATOR JACKSON.

SENATOR JACKSON:

Mr. President. I was wondering if I could just make a remark while the Clerk is tallying. I neglected to point out during my explanation of the last bill, that the \$45,000 saving would have been at the expense of the six Democratic appointments in that Tenant Representatives, and I was wondering if that would persuade anyone to change their mind.

THE CHAIR:

I don't think you could persuade them anyway.

The bill is not repassed. The veto is sustained.

THE CLERK:

Fourth item from the top on Page 4. Public Act 770, File No. 1243. Sub. Senate Bill No. 356. An Act Concerning the Waiver of Tuition Fees of Needy Students at the Regional Community and Technical Colleges.

THE CHAIR:

Senator Mondani.

SENATOR MONDANI:

Mr. President, I move for repassage of the act.