

HB 8093

PA 792

1971

Senate 3402

House 5504-5510

no hearings

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GENERAL ASSEMBLY

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HOUSE**

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Is there objection to transmittal. Hearing none, the items indicated will be transmitted to the Senate. roc

MR. AJELLO: (118th)

As regards on Page 17, Cal. 1460, <sup>HB9194</sup> I would now move that it be Passed by Consent. Is there objection. Hearing none, the question is on acceptance and passage. All those in favor indicate by saying AYE. Opposed. THE BILL IS PASSED.

THE SPEAKER:

Does the gentleman now wish to move suspension for transmittal.

MR. AJELLO: (118th)

I do so move, Mr. Speaker.

THE SPEAKER:

Is there objection to suspension. Hearing none, the rules are suspended. Is there objection to transmittal. Hearing none, this item is transmitted to the Senate.

The House will stand at ease momentarily while the Clerk's office completes the clerical work in connection with these items. The House will come to order.

THE CLERK:

Page 14, Cal. 1416. House Bill 8093. AN ACT CONCERNING SUBSIDIZED ADOPTIONS BY FOSTER PARENTS OF CHILDREN IN THEIR CARE.

THE SPEAKER:

Representative Brown from the 148th.

MR. BROWN: (148th)

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

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favorable report and passage of the bill.

THE SPEAKER:

Would you remark.

MR. BROWN: (148th)

Mr. Speaker, this bill provides that any child who is a guardian of the welfare commissioner after the terms of (?) rights have been secured, the foster parents who have had under the present bill without the amendment the child for three years shall if it is in the best interest of the child and if the family desires be given primary consideration as adoptive parents. Mr. Speaker, the Clerk has an amendment.

THE CLERK:

House Amendment Schedule A offered by Mr. Tudan of the 42nd. In line 13 delete new material Three and add in its place two.

THE SPEAKER:

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

MR. BROWN: (148th)

Mr. Speaker, before making my remarks, I would like to indicate simply that this would shorten the time when the foster parents prove to be good foster parents and in the best interest of the child may be given consideration for adopting the child. I would like to yield to Rep. Tudan who inspired the amendment for remarks.

THE SPEAKER:

Representative Tudan.

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MR. TUDAN: (42nd)

I would merely reiterate what Otha Brown said. If there is family love passing between the child and the parent, it certainly will be passed on in two years and it will be well-established within the two year period rather than waiting the three years. I certainly hope you will adopt the amendment.

THE SPEAKER:

Further remarks on amendment A. rep. Leary from the 43rd.

MR. LEARY: (43rd)

Thank you, Mr. Speaker. I rise to support the amendment. It seems to me that whatever point you might pick out in a particular bill such as this is an arbitrary cutoff period. It would seem to me that the love of an adopted child or adopted parents certainly would raise itself within a two-year period. So I think it is a good amendment and I would like to support it.

THE SPEAKER:

Rep. Genovese of the 18th.

MR. GENOVESE: (18th)

Mr. Speaker, I rise to support this amendment. I think it makes a better bill out of this. I will support the bill.

THE SPEAKER:

Further remarks on Amendment A. Rep. Povinelli.

MR. POVINELLI: (120th)

Mr. Speaker, rising to support the gentleman from Norwalk as I have on past bills. I think it is a very good bill and I urge the adoption.

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THE SPEAKER:

Now that we have remarked on the bill, will you remark on the amendment. Mr. Colucci of the 88th.

MR. COLUCCI: (88th)

I rise to support the amendment and the bill. I would like to say that this bill represents a lot of love and hard work on behalf of the foster parents and I urge its passage.

THE SPEAKER:

Question is on adoption of House Amendment Schedule A. All those in favor will indicate by saying Aye. Opposed. THE AMENDMENT A IS ADOPTED. The gentleman from the 148th.

MR. BROWN: (148th)

Mr. Speaker, I move passage of the bill as amended by Schedule A.

THE SPEAKER:

Further remarks.

MR. BROWN: (148th)

Mr. Speaker, some parents have had foster children for ten years or more and many of them cannot afford to adopt a child. The State in that event does not put the children out for adoption because there probably would not be readily available home space for the child of that age and of course the child is happy and doing well in the foster home. I bring to your attention the fact the State is already paying for their support and the subsidy that the state pays would be under constant review and therefore, Mr. Speaker, it would be in the best interest of the

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child with this amendment that the child be adopted by the foster parents and be given primary consideration. I move passage of the bill.

THE SPEAKER:

Further remarks on the bill as amended. Rep. Lowell.

MR. LOWELL: (38th)

Mr. Speaker, a question to Mr. Brown. The question, as I understand it, or as I read this, eliminates or adds an additional grounds for the adoption and supersedes the question of whether they have the problems of cultural, physical, mental or other conditions in the subsidized adoptions which we passed earlier and now we pick up for a foster child the case that he has been in the home for two years and so he can be adopted and subsidized. Is this the way this bill reads.

MR. BROWN: (148th)

Mr. Speaker, through you, the answer would be in the negative. Actually the child is the guardian of the welfare commissioner and as a result if it is indicated that it is only when it is in the best interest of the child and the family desires to be adoptive parents that they would be given proper consideration. This responsibility would still be in the hands of the commissioner.

MR. LOWELL: (38th)

I'm still not sure that I understand this. This becomes an adopted child in the State Welfare Department and continues to subsidize until he becomes of majority age.

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MR. BROWN: (148th)

Mr. Speaker, I would reiterate that the person that was would be in the negative. The State is already paying for the support. It is the subsidy which would be continually under review. Some of the parents are not able to adopt the child because of financial situations but the child has made the proper emotional adjustment, then the best interest as indicated by the commissioner of welfare with whom the child is the ward, he would have the discretion in this regard.

THE SPEAKER:

Further remarks. Rep. Connery.

MR. CONNERY: (123rd)

I heartily favor this bill, Mr. Speaker. But through you a question to the proponent. Would there be an age limit on the parents after a two or three year trial period which would prohibit them from being allowed to adopt the child.

MR. BROWN: (148th)

Mr. Speaker, through you, the bill does not provide for an age limit as I understand it.

THE SPEAKER:

Further remarks on the bill as amended. Rep. Newman.

MR. NEWMAN: (146th)

Mr. Speaker, I believe that the thrust of this bill is that the welfare commissioner is now paying for the support of the child in a foster home or in a state institution and by this bill it will enable real foster parents who want to adopt a

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child to do so. In other words, the State will be paying the same amount to the foster parents for support of the child as they would be paying for the support of the child now in a home but the child would have the love and affection of the foster parents and would benefit in that way. I'd like to associate myself with Mr. Brown in support of this bill as I think it is a very good bill, Mr. Speaker.

THE SPEAKER:

The gentleman from the 10th.

MR. FRAZIER: (10th)

Mr. Speaker, they have a similar bill as this in existence in New York. It works very well. I'm for it.

THE SPEAKER:

Question is on acceptance and passage as amended. All in favor indicate by saying AYE. Opposed. THE BILL IS PASSED.

THE SPEAKER:

For what purpose does the gentleman rise.

MR. TUDAN: (42nd)

I'd like to move for suspension.

THE SPEAKER:

I suggest that must be done in view of the political realities with the gentleman from the 118th and the gentleman from the 165th. The gentleman from the 42nd has moved for suspension, is there agreement. The gentlemen indicate that there is no objection to suspension. Hearing none, the rules are suspended. Hearing no objection to transmittal, it is so ordered.

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