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House 3529-3550, 3761-3785,
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Senate 1433-1441, 1447

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Law Committee with her four children, Leslie, Martin, Charles, and Malcolm. We gave her an hour or two off today so she could come and watch the proceedings. I would appreciate it if the House would give her, them, a warm welcome. hw

GUEST SPEAKER SULLIVAN:

Gentleman from the 23rd, Mr. Badolato.

REP. BADOLATO: (23rd)

Mr. Speaker, inasmuch as you have a break here, I might just as well make a friend too. We have seated in the gallery the Second Assessor from the City of New Britain, Fred Caracciolo. I'm sure if he stands, the House will give him a welcome.

GUEST SPEAKER SULLIVAN:

Clerk will call the next item.

THE ASS'T. CLERK:

Cal. No. 394, Senate Bill No. 2287, your File No. 255, AN ACT REVISING THE LAWS WITH RESPECT TO ADOPTION.

Favorable report of the Committee on Judiciary.

GUEST SPEAKER SULLIVAN:

Gentleman of the 138th, Mr. Bard.

REP. BARD: (138th)

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

Mr. Speaker, I believe there is an amendment.

GUEST SPEAKER SULLIVAN:

Is this in concurrence with the Senate, Mr. Bard?

REP. BARD: (138th)

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(Tape #9)

Yes, it is in concurrence with the Senate.

hw

GUEST SPEAKER SULLIVAN:

Motion is on acceptance and passage of the Joint Committee's favorable report.

Clerk has Amendment "A", House Amendment Schedule "A".

REP. PEARSON: (121st) Will you read it, if you would.

Mr. Speaker, will the Clerk please read the amendment.

GUEST SPEAKER SULLIVAN: from Stratford. Will you remark.

Lady from Stratford, Rep. Pearson, asks that the amendment be read.

THE ASS'T. CLERK: Mr. Speaker. The present law was passed, I believe,

in House Amendment Schedule "A" offered by Rep. Pearson:

old In section 12, line 463, after "status" insert "or age,"

REP. PEARSON: (121st) years making the average life span of our

Mr. Speaker, I move adoption of the amendment, and I would like to have the amendment printed in the Journal and a roll call on the amendment.

GUEST SPEAKER SULLIVAN: fact and not automatically ban people in

The amendment is ordered printed in the Journal.

The question is on a roll call vote for House Amendment

Schedule "A". All those in favor of a roll call vote indicate

by saying AYE. The necessary 20% having voiced the opinion in favor of a roll call vote, a roll call vote will be ordered on

House Amendment Schedule "A".

REP. PEARSON: (121st) have been qualified by majority age bill.

Thank you Mr. Speaker. May I respond to the amendment.

GUEST SPEAKER SULLIVAN:

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I'm sorry, I could not hear what the gracious lady said.

REP. PEARSON: (121st)

Mr. Speaker, may I comment now on the amendment. I would like to see a bill that would benefit a child who might spend its early years in a residential facility. I would ask first if you'll wait until the Clerk announces a roll call vote on this amendment, if you would. Question is on passage of House Amendment Schedule "A" as introduced by the lady from Stratford. Will you remark.

Lady from Stratford, Rep. Pearson. What I'm considering with this amendment is to state that this should be considered. Thank you Mr. Speaker. The present law was passed, I believe, in another era when the average life span was in the forty-year old age bracket but which today has been increased, I believe, by more than twenty years making the average life span of our people in the sixties, middle sixties. Mr. Speaker.

I think people stay younger today with the increased leisure time and more outside interests. Our Connecticut laws, I feel, should compliment this fact and not automatically ban people in their forties and fifties who are qualified and who are willing to accept the responsibilities as well as the joys of being parents.

We know of young people who are old physically and older people who are younger physically. I think that this amendment is also meant to help those in the ages of eighteen, nineteen, and twenty also who have been qualified by majority age bill. Hopefully the passage of the amendment and not mention

GUEST SPEAKER SULLIVAN: a real problem. Within the past several

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years Please give your attention to the lady from Stratford. hw
 REP. PEARSON: (121st) ents or potential adopting parents were
 denis Hopefully, Mr. Speaker, the passage of this amendment would
 not only benefit the parentless child who might spend its early
 and very important years, I might add, in an institution de-
 prived of love and warmth to which it is entitled, but also to re-
 benefit the older would-be parent who would give the child an
 environment and love which the child so desperately needs. age
 where A granted age is a factor, to be considered. What I'm ve
 merely trying to do with this amendment is to state that this
 should not be an automatic preventive to persons who otherwise ce
 qualify to be parents. ac parents than some of the natural parents.
 Some I think we have before us today a revision of our state
 adoptive laws and I for one feel that this particular amendment
 should be part of this bill. Thank you Mr. Speaker. o undo a
 GUEST SPEAKER SULLIVAN: the last session when the Governor vetoed
 a bill Gentleman from the 109th. d the discussion at that time
 REP. RATCHFORD: (109th) t that the whole field of adoption laws
 should Mr. Speaker, we should not presume to adopt a revision or
 updating of the laws on adoption without including this amend-
 ment. Those of older years are just as entitled and just as cap-
 able I too have an amendment on this subject which can be with-
 drawn at this point since it is identical. ons, and I think we
 owe How can we sit here and say that we're going to eliminate
 various causes of discrimination as far as adoption is concerned,
 mention race, mention color, mention religion, and not mention
 age. This is not an unreal problem. Within the past several

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years a highly publicized case occurred in the Naugatuck Valley in which adopting parents or potential adopting parents were denied by a judge of probate the right to adopt simply because of their age. It's my view along with the view of people much wise Do we say to those Golden Agers who are with us in the gallery today that we welcome you but on the same day that you're here we say that you're not qualified by law to adopt? I, for one, will not say that. I think we're living in a day and age where people are living longer, they're healthier, they have more leisure time, they have longer retirement periods, and certainly many of these based upon my experience in the practice of law would make better parents than some of the natural parents. Some of the parents who don't care for the child; some of the parents who have an unwanted child; some of the parents have a child born out of wedlock. This is an opportunity to undo a wrong that was done in the last session when the Governor vetoed a bill on this very subject and the discussion at that time centered around the fact that the whole field of adoption laws should be reviewed, and we should not approach it on a piecemeal basis. act that it might in some cases harm an older person trying to go Those of older years are just as entitled and just as capable of being qualified, capable, loving parents than the younger members, than the earlier generations, and I think we owe them a vote of confidence and one way we can show that vote of confidence is by approving this amendment today. determin-
GUEST SPEAKER SULLIVAN: pting parent is in all respects qualified Gentleman from the 138th.

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So I would ask you to defeat this amendment.
REP. BARD: (138th)

GUEST SPEAKER SULLIVAN:

Mr. Speaker, I would object to the amendment. I know that
Question is on adoption of House Amendment Schedule "A".
it's presented in all sincerity by both Rep. Pearson and Rep.
Will you remark further. Gentleman from the 147th.
Ratchford. It's my view along with the view of people much

REP. BINGHAM: (147th)

wiser than I and more experienced in these areas that this amend-
ment, No. 1, is not necessary. Under the bill as we have it
very difficult issue. However in the event that the authority
here an age would not be an obstacle to adoption taking into
(inaudible) the adoption should be denied solely because of the
consideration all the other ingredients and making that deter-
mination of age and because of advanced age, I feel that that

adopting authority should have that right.

The Governor has vetoed that concept in the past and I
suspect he would if it were added to this bill. It's a very
with the social trends or the psychiatric or psychological re-
necessary bill and I can't implore you enough to defeat the
amendment. There are many people who will say and many profess-
ionals who will say, yes, we do feel for those people who wish
it would cause considerable problems with the bill as it goes
to adopt but it's traumatic for the child, traumatic for the
through the further process of being passed.

person, and some authority should have the right to deny an
As I said, I know that both Rep. Pearson and Rep. Ratchford
adoption because of age.
are very sincere about this but I've talked to a number of people

I oppose the amendment.
both professionals in the field that would say this would --

GUEST SPEAKER SULLIVAN:

if this were in the bill, it would make it very, very difficult,
Question is on adoption of House Amendment Schedule "A".
the fact that it might in some cases harm an older person trying
Will you remark. Gentleman from West Haven, Rep. Antonetti.
to get to adopt a child.

REP. ANTONETTI: (116th)

I know a little about foster care and I know there are many
Mr. Speaker, I rise in support of this amendment to extend
fine elderly people who are doing foster care. However I be-
the right of adoption to the Golden Agers. Again, supporting
lieve adoption is another matter and I think that each individual
the previous speakers as to statements they have made and giving
case should be left up to those people who make the determin-
those unwanted children an opportunity to have the opportunity
ation as to whether adopting parent is in all respects qual-
to live because there are associations such as the Planned
ified to adopt.

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So I would ask you to defeat this amendment.

hw

GUEST SPEAKER SULLIVAN:

Question is on adoption of House Amendment Schedule "A".
Will you remark further. Gentleman from the 147th.

REP. BINGHAM: (147th)

Mr. Speaker, I rise to oppose the amendment. This is a very difficult issue. However in the event that the authority (inaudible) the adoption should be denied solely because of the reason of age and because of advanced age, I feel that that adopting authority should have that right.

The people who advanced the amendment are not in accord with the social trends or the psychiatric or psychological reports. There are many people who will say and many professionals who will say, yes, we do feel for those people who wish to adopt but it's traumatic for the child, traumatic for the person, and some authority should have the right to deny an adoption because of age.

I oppose the amendment.

GUEST SPEAKER SULLIVAN:

Question is on adoption of House Amendment Schedule "A".
Will you remark. Gentleman from West Haven, Rep. Antonetti.

REP. ANTONETTI: (116th)

Mr. Speaker, I rise in support of this amendment to extend the right of adoption to the Golden Agers. Again, supporting the previous speakers as to statements they have made and giving those unwanted children an opportunity to have the opportunity to live because there are associations such as the Planned

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Parenthood Association making testimony along the lines that there are not enough foster homes or people wanting to adopt children, and currently the social trends in our nation are towards the killing of unwanted children, as I'm sure everybody is aware of in this House as a result of the recent Supreme Court's decision. I believe I was the originator of the bill two terms ago.

I say there a lot of people that want children even the Golden Agers and they should have the right to take these children rather than going around killing them before they have the chance to live. SULLIVAN:

GUEST SPEAKER SULLIVAN: the 109th speaking for the second time.

Will you remark further. Gentleman from the 104th.

REP. AJELLO: (104th) for the second time, I wouldn't be on my feet now.

Mr. Speaker, I support the amendment. I think that clearly no one would presume that the persons who are in charge of making decision about adoption would ignore the factor of the age of the prospective adopting parent or at the same time ---

GUEST SPEAKER SULLIVAN: the new language is in line 402 where it says

Please give your attention to the gentleman from the 104th.

REP. AJELLO: (104th)", and this would add to the category of race,

--- at the same time, this amendment would not require that a person of advanced age be allowed to adopt were he not or she not otherwise qualified in every respect. solely because of age, it

It simply says, that we want to eliminate the possibility of inequities occurring as they have occurred as alluded to here earlier, simply because a person is of advanced age, and I think that the amendment makes eminent sense and should be

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adopted. Without that amendment some probate judges aren't

hw

GUEST SPEAKER SULLIVAN: ... adopting parents in the door.

Gentleman from the 113th, Rep. Connery: ... people. Without
REP. CONNERY: ... (113th) ... ing to refuse adoption.

GUEST Mr. Speaker, I would certainly rise in support of this
amendment. I believe it was the originator of the bill two terms
ago pertaining to the Naugatuck Valley couple. I would associ-
ate myself with the remarks of Reps. Tratchford and Pearson. I
support the amendment. Everyone has to say about it.

GUEST SPEAKER SULLIVAN: ... Mr. Morris.

REP. TRATCHFORD: ... (109th) ... speaking for the second time.

REP. TRATCHFORD: ... (109th) ... Mr. Speaker, I rise to support the
amendment. Speaking for the second time, I wouldn't be on my feet, nor
would I have offered an identical amendment if, there weren't
the necessity of it, a legal necessity. The fact of the matter
is, in Rep. Connery's community within the past three years
a Probate Judge denied adoption solely because of age, and I
would point out the key new language is in line 462 where it
says, "Court of Probate shall not disprove any adoption under
this age solely", and this would add to the category of race,
color, and religion, age. Certainly if the person is infirmed,
certainly if the person is sick, the judge would still have the
opportunity to deny adoption. But solely because of age, if
I approve of this amendment, that probate judge could not rule
out a loving person as a potential adopting parent. The adoptive
parent I think we owe it to those in this category to at least
give them an opportunity to get to first base in a potential

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adoption. Without this amendment some probate judges aren't going to let older potential adopting parents in the door. We need the amendment. We owe it to these people. Without it, some judges are going to refuse adoption. one of the factors
 GUEST SPEAKER SULLIVAN: I would consider, and I don't know any-
 thing. Excuse me. Before the next speaker I would ask you, please, if you're going to have a conference, have it outside in the hall.
 (Tape #10) This is an important question and I think we're entitled to have the opportunity to hear what everyone has to say about it.

Gentleman from New Haven, Mr. Morris. annual Schedule "A".
 REP. MORRIS: (94th) rather. Lady from New Haven.

REP. Thank you Mr. Speaker. Mr. Speaker, I rise to support the amendment. Mr. Speaker, we have eliminated discrimination against all other groups whether they are racial groups, or other ethnic groups, national groups, and I think that we must eliminate age as a discriminatory factor and I'd like to associate my remarks with those of Mr. Ratchford and Rep. Pearson. Thank you.

GUEST SPEAKER SULLIVAN: all the people are able to take on
 you Gentleman from the 101st, Rep. Burnham and age who have per-
 REP. BURNHAM: (101st) and who have stayed with the times and will
 under Mr. Speaker, I rise to oppose the amendment and I speak as
 an ex-probate judge and I've passed on many adoptions. age of this
 amen I think that we're getting the cart before the horse here.
 I think one of the main purposes of course is the welfare of the child, and not the welfare of the older person or the adoptive parent. Admittedly, they may have some rights and I understand feelings and all of those things but I always looked at it and

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primarily for the welfare of the child, and I certainly needn't go into the fact that certainly advanced age or whatever enters into the picture. -- But, there's nothing in this bill that says that you have to consider age but it's just one of the factors that certainly any judge would consider, and I don't know anything about the Naugatuck case but as a probate judge I always look at the benefit for the child and not necessarily that of the prospective adoptive parent. hw

(Tape #10) GUEST SPEAKER SULLIVAN: sis. of the adopting parent.

Question is on adoption of House Amendment Schedule "A". Will you remark further. the problem

REP. GRISWOLD: (98th) result in a number of legal actions being brought. Mr. Speaker, I'm sure that all of us while considering this amendment are thinking of the child and not of the parent, of the prospective parent. But I rise to say that older people can be wiser and can be kinder and can have more time for the child that needs these qualities in a parent. at in some singular towns I don't think that all the people are able to take on should youngsters but there are some in this day and age who have preserved their health and who have stayed with the times and will understand the needs of children and would make very good parents, and I'd hate to see them eliminated. I do urge passage of this amendment. ask you, it's extremely important that this amend-

GUEST SPEAKER SULLIVAN: t again, it's not a necessary amendment, and t Gentleman from the 138th speaking for the second time. ar-

REP. BARD: (138th) use. I know, of individual cases in individual towns Mr. Speaker, again I would -- speaking against the amend-

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ment -- I pointed out before that I don't believe the amendment is necessary because I think when a probate judge makes a determination ---

GUEST SPEAKER SULLIVAN:

Please give your attention to the gentleman from the 138th. REP. BARD (138th) File No. 255. Gentleman from the 136th. REP. --- when a probate judge makes a determination as former probate judge pointed out, it should be in the interests of the child not in the interests of the adopting parent. In another bill I don't think that is what either Rep. Pearson or Rep. Ratchford meant but that could happen. What is the problem here is that it could result in a number of legal actions being brought which would suspend the child's determination of where the child is going to go. If an elderly person were denied his adoption and this age--this amendment had passed, would come in and say, I'm being denied the adoption based on age and therefore I'm going to court. It's unfortunate that in some singular towns this problem has occurred but I don't think that we should endanger the future of prospective adoptive children by passing this amendment and therefore creating a problem where a child is suspended for a period of time. These things can be appealed on (inaudible). SULLIVAN:

I would ask you, it's extremely important that this amendment not pass. I repeat again, it's not a necessary amendment, and those who have argued that it is, I think probably have argued that way because, I know, of individual cases in individual towns. But I think there is more involved in those cases than

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age. I would suspect, if they had looked into those individual cases more in depth from what I understand there was more than age involved. SULLIVAN:

GUEST SPEAKER SULLIVAN: answer?

REP. Question is on adoption of House Amendment Schedule "A", Cal. No. 394, your File No. 255. Gentleman from the 136th.

REP. NEVAS: (136th), as I explained before, was that an action, Mr. Speaker, I rise in opposition to the amendment. I think as I indicated earlier when we were discussing another bill that we have to think in terms of the much broader perspective here. We're talking now about a major revision in the adoption laws of this state, something that hasn't taken place in many years. Many people have given blood, sweat, and tears to this work, have devoted many long hours to the achieving of the many goals that are achieved by this language, and I think we would be doing them a disservice and I think we would be doing a disservice to the people of Connecticut if by the adoption of this amendment, this bill was endangered.

I think it is very, very important that this amendment be defeated and that the bill be adopted as in the files. where
GUEST SPEAKER SULLIVAN: vision put in that, and a lot of people
though Question is on adoption of House Amendment Schedule "A", Gentleman from the 92nd, Mr. Webber, many of them small child-
REP. WEBBER: (92nd) their lives would be held in suspension while Mr. Speaker, through you a question, please, to Rep. Bard.
(MR. SPEAKER: Please proceed) Thank you. If the amendment

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is adopted, Rep. Bard, am I correct in assuming that the judge will still have the authority to reject or accept?

GUEST SPEAKER SULLIVAN: but more than that it's going to cause a Gentleman care to answer? children who are waiting to be

REP. BARD: (138th)

REP. I think he would have the authority to do that but I think what would happen is, as I explained before, was that an action, a cause of action would result I think in many cases where the person who had been turned down would bring an action based on the fact that he was turned down because of age. Maybe he would have been turned down for a lot of other reasons and this would finally be found out some years hence in an appellate court. But during that time this child's future is in suspension, and that's the reason, it's not the age, because as I said it's not necessary, a judge can make a judgement based on that now.

GUEST A judgement is based on a number of ingredients, age perhaps may be one of them. As I point out that if age is made a protective category of this bill, there is going to be many, many causes of action which will drag through the courts.

REP. This is the same reasoning that many people were against the foster care bill, as you may remember last session, where there was an appeal provision put in that, and a lot of people thought the bill looked pretty good, but on further discovery it was pointed out that these children, many of them small children, would mean that their lives would be held in suspension while the final appellate court made its decision as to whether the judge, the probate judge, had been right.

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GUEST: So I understand and I sympathize with those who would support this amendment. But, believe me, it's going to cause a problem to this bill but more than that it's going to cause a problem to a lot of innocent children who are waiting to be adopted.

REP. WEBBER: (92nd)

Thank you Mr. Speaker. I appreciate the answer, but Mr. Speaker, don't ever accuse me of giving long answers as one alone. You know, others do the same thing.

I would point out, Mr. Speaker, that from what Rep. Bard tells me those problems or those decisions or those situations are applicable to any category, not necessarily age, and the judge would continue to have that authority. I can't see where the amendment would be harmful and I shall support the amendment.

GUEST SPEAKER SULLIVAN: the bill as amended by House Amendment Sched Will you remark further. If not, the aisles be cleared, members take their seats, and we'll proceed to the vote.

REP. Gentleman from the 66th.

REP. HARLOW: (66th) I'd like to give a little background of this bill Mr. Speaker, I'm of the impression that a roll call vote was not called for, or am I mistaken? a task force to study

GUEST SPEAKER SULLIVAN: the charges to the committee were these A roll call vote was moved by the lady from Stratford and she obtained the necessary 20%.

REP. HARLOW: (66th) Thank you Mr. Speaker. I stand corrected.

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GUEST SPEAKER SULLIVAN: last session subsidizing adoption
Are you ready to vote? The vote is on House Amendment
Schedule "A", your Cal. No. 394, your File No. 255.

Machine will be open. Has everyone registered their vote
in the manner they wish? Machine will be closed. The Clerk
will take a tally. If I may Mr. Speaker, I was saying the
Will the Journal kindly indicate that I'd like my vote
recorded in the negative.

THE CLERK: that this law does is reflect the State of Connecticut's
Total Number Voting... 144 approve laws which
Necessary for adoption..... 73
Those voting Yea..... 74
For the first time, and I think very importantly, I think
Those voting Nay..... 70
Absent and Not Voting..... 7rs together in one

GUEST SPEAKER SULLIVAN: I wonder if you might rep that thing a
little. The amendment is adopted.

GUEST SPEAKER SULLIVAN: Question is now on the bill as amended by House Amendment
Schedule "A". Will you remark. Chair rules the amendment
technical. (Gentleman from the 138th.

REP. BARD: (138th) For the first time this gathers together in
one place. Mr. Speaker, I'd like to give a little background of this
bill so that all of us know what we're voting on. It's rather
hard. This, Governor Meskill appointed a task force to study
adoption laws in 1971 and the charges to the committee were,
these, to tighten up and up-date the adoption law so that cases
like the Baby Lenore Case which occurred in Long Island could
not happen in Connecticut, and to do a special study on sub-
sidizing adoption. That issue would be ended.

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Now you may recall last session subsidizing adoption passed and the adoption law was not taken into consideration --
 GUEST SPEAKER SULLIVAN: when that stage was completed all issues and kindly give your attention to the gentleman from Norwalk.
 REP. BARD: (138th) would be the adoption.

As I was saying, if I may Mr. Speaker, I was saying the subsidizing adoption was passed last session and there was no action taken on the adoption law. divorce, legal separation, habeas Now what this law does is reflect the State of Connecticut's responsibility to continually reexamining and improve laws which affect its children. at in the future this bill will be added on just For the first time, and I think very importantly, I think lawyers can better understand this, it gathers together in one place -- Mr. Speaker, I wonder if you might rap that thing a little bit -- but I would hope that next session that we

GUEST SPEAKER SULLIVAN: problems that do come out of this amendment Please give your attention to the gentleman from the 138th

REP. BARD: (138th) do away with it. I hope it doesn't happen,

but Mr. Speaker, for the first time this gathers together in one place all of the statutes which bear directly on adoption. Presently they're all over the statute books and it's rather hard to follow. hereon in, there will be no question and no col-

late And it is thought that the absolute finality of adoption, and the law provides three separate stages for adoption proceedings, stage 1, the determination of parental right, and that would be a final stage, but notice parental rights were terminated. That question and that issue would be ended.

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on. The next stage would be the employment of a statutory parent, which statutory parent would then be able to give the child in adoption, and when that stage was completed all issues and questions in that area would be finally terminated. "A".

The third stage would be the adoption.

RE: This bill also avoids conflicting jurisdiction by requiring that declarations that no other court has jurisdiction of custody of the child. This includes divorce, legal separation, habeas corpus action, and paternity suits. The procedure of term-

inal. There are many things in this bill but I think in this bill, I speculate that in the future this bill will be added on just as I mentioned on the child abuse law as we reexamine and we get more experience and learn some things. Their parents in the I would hope and I -- you know sometimes you win and sometimes you lose -- but I would hope that next session that we would, if there's some problems that do come out of this amendment that was presented, I hope that we will be able to take the responsibility to do away with it. I hope it doesn't happen,

but if it does, we'll have to do something about it. As with respect to getting back to the bill, the main concept of the bill is that once the child has been adopted in the State of Connecticut from here on in, there will be no question and no collateral attack on that divorce, excuse me, I mean adoption, and I think that's important. I think that a lot of people think this bill serves a lot wider purpose, and it doesn't. It's fairly narrow in its concept. I think it is a good bill. I think it should pass and I would ask for unanimous support in

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on this bill.

hw

GUEST SPEAKER SULLIVAN: Question is on adoption and passage of the Joint Committee's favorable report as amended by House Amendment Schedule "A".

Gentleman from the 147th.

REP. BINGHAM: (147th)

Mr. Speaker, I rise in support of this bill as amended.

The purpose of the bill is to revise the laws of the State of Connecticut with respect to adoption and the procedure of termination of parental rights.

The bill clarifies the jurisdiction of the probate court, the juvenile court, in passing on applications presented to it, and dealing with the rights of children and their parents in the adoptive process.

The bill further delineates the responsibility of the Welfare Commissioner and other child placing agencies of their role in the adoptive process.

(Tape #11) The bill clearly defines those persons who may give the child in adoption and the effect that the adoption has with respect to the child, his natural parents, and the adopting parents. A careful perusal of the statute will reveal that adoption sections are sprinkled through section 17 and 45 and other sections of the statutes. This bill provides very adequately and very competently for the termination of rights which is so necessary to the protection of the child and further clarifies the law of adoption in the State of Connecticut which is much in

need of clarification. Further, the bill from the 107th. hw

REP. This bill is a major step forward and I urge that this House pass this bill. I would like to urge support of this bill.

GUEST SPEAKER SULLIVAN: My Committee and Rep. Bard for the work that will you remark further. This very much needed revision

REP. BARD: (138th) long adoption.

Mr. Speaker, if I may point this out, I think, you know a lot of times

GUEST SPEAKER SULLIVAN: Further. If not, the aisles will be created, the Just a minute. I believe this is the third time. Gentleman ask for unanimous consent to speak for the third time. side--

REP. BARD: (138th) be open. Will the Journal kindly record my vote Yes, I do, Mr. Speaker. Has everybody cast their vote?

GUEST SPEAKER SULLIVAN: and the Clerk will take a count.

Is there objection to unanimous consent? If not, please proceed. BENG: (93rd)

REP. BARD: (138th) my vote is not recorded on the roll call

board Mr. Speaker, I would like to point out that you know sometimes in this House the lawyers as a body are attacked for various reasons but I'd like to compliment the Judiciary Committee. Now I served on that committee but in a kind of limited fashion but I'd like to compliment them very much. The work they did on this bill and the bill dealing with child abuse. They looked over these bills. They've given an awful lot of time to this bill, and I'd like to thank them for the work they did and I would hope you would support this bill.

GUEST SPEAKER SULLIVAN: Necessary for passage... Those voting Yes... 140 Those voting No...

Will you remark further. The lady from the 102nd.
 REP. CLARK: (102nd) I do extend his thanks to the gentleman
 from Mr. Speaker, I would like to urge support of this bill
 and commend the Judiciary Committee and Rep. Bard for the work
 that they have done to produce this very much needed revision
 of the laws regarding adoption. H.B. No. 8300, AN ACT CON-
 CERNING URGENT SUPPORT OF THE BILL INSTRUCTION OF LIBRARIES, and
 GUEST SPEAKER SULLIVAN: be referred to the Committee on
 Appro Will you remark further. If not, the aisles will be cleared,
 the members take their seats, we'll proceed with the vote.

The Clerk will announce the roll call vote on the outside--
 THE Machine will be open. Will the Journal kindly record my
 vote in the affirmative. Has everybody cast their vote? H. No.
 Machine will be closed and the Clerk will take a count.

Gentleman from the 93rd. Committee on Liquor Control.
 REP. STOLBERG: (93rd)

Mr. Speaker, my vote is not recorded on the roll call
 board. May I please be recorded in the affirmative.

GUEST SPEAKER SULLIVAN: I move acceptance of the Joint Committee's
 favor Gentleman from the 93rd wishes his vote recorded in the
 affirmative. Anyone else? The Clerk will announce the tally.

THE CLERK: ion is on acceptance and passage. Will you remark.

REP. Total Number Voting.....140
 Necessary for Passage..... 71
 Those voting Yea.....140
 Those voting Nay..... 0
 Absent and Not Voting.....11

MR. SPEAKER: sent statute provides for 36% minimum markup at the

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whole. The bill is passed, in bulk in California, and there-
 lies The Chair wishes to extend his thanks to the gentleman
 from the 124th. The wine is shipped directly to the retailer and
 THE ASS'T. CLERK: where by a retailer will go to Europe and
 purchase. Change of reference. Favorable. of The Joint Standing Com-
 mittee on Education has had Sub. H.B. No. 8300, AN ACT CON-
 CERNING STATE GRANTS FOR THE CONSTRUCTION OF LIBRARIES, and
 recommends that the same be referred to the Committee on
 Appropriations. the wine is shipped directly to the retailer and
 MR. SPEAKER: no exchange of cases between the wholesaler and
 retailer. So ordered. Commission suspects that in some cases the whole-
 THE ASS'T. CLERK: sell any remuneration from the retailer other
 than Back to page 5, Cal. No. 308, your File No. 300, H.B. No. 8368,
 AN ACT CONCERNING THE WHOLESALE PRICE OF WINE.

Favorable report of the Committee on Liquor Control. bill
 MR. SPEAKER: the Commission to prevent such illegal tie-in
 sales. Gentleman from the 134th.
 REP. WENZ: (134th) incidentally, are prohibited by Connecticut
 General Statutes. Yes Mr. Speaker. I move acceptance of the Joint Committee's
 favorable report and passage of the bill. on expensive imported
 MR. SPEAKER: wines.

Question is on acceptance and passage. Will you remark, says:
 REP. WENZ: (134th) bottled in this state" will limit the application
 to California. Yes Mr. Speaker. This bill is designed to help the Com-
 mission police the industry and prohibit improper practices in-
 volving the most expensive imported wines.

The present statute provides for 36% minimum markup (at the

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from the 16th to give us the benefit of the reason for adoption of Senate B.
MRS. CONNOLLY (16th): for reconsideration?

MR. STEVENS: Yes, through you Mr. Speaker, the bill says or indicates that the methaqualone under the Connecticut state statute would be on Schedule 3 of controlled substances. Senate Amendment B recommends that it be put on Schedule 2, which is more strict and it is my understanding that word has come from the federal government that they will indeed place it on controlled substance No. 2 and I think we might as well conform from the beginning.

THE SPEAKER: The welfare department making a determination as to the proper parents of Will you remark further on adoption of Senate B? If not, all those in favor of adoption, indicate by saying aye. Those opposed? Senate B is ADOPTED.

As a factor A point of disagreeing action on Senate A, the Chair would appoint a committee of conference consisting of the lady from the 16th, Mrs. Connolly, the lady from the 61st, Mrs. Hanzalek, and the gentleman from the 17th, Dr. Cohen, to the House Committee of Conference.

MR. STEVENS (119th): I think if we wish to have a good adoption law in Connecticut, an Mr. Speaker, I rise for the purpose of making a motion for reconsideration of a bill passed yesterday. Referring to page 10 of yesterday, April 18th's Calendar, I move we reconsider Calendar No. 394, S.B. No. 2287, your File No. 255, An Act Revising the Laws with Respect to Adoption. Mr. Speaker, I was on the prevailing vote in the passage of this bill.

THE SPEAKER: deration:

MR. AJELLO: The gentleman has moved for reconsideration of an item passed on yesterday's Calendar, the gentleman correct the Chair if he's wrong, it was Calendar No. 394 on yesterday's Calendar, S.B. No. 2287, File No. 255. The

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gentleman has indicated he was in the prevailing side of the vote. Will you remark on the motion for reconsideration?

MR. STEVENS (119th):

Yes, Mr. Speaker, I ask for reconsideration of this matter because during the debate yesterday an amendment was adopted to this bill which, in my opinion, will seriously hamper the existing and newly adopted, under the provisions of this bill, adoption laws of the State of Connecticut. I am referring to the amendment which added the prohibition against consideration of age in the welfare department making a determination as to the proper parents of a child put up for adoption. It is my considered opinion that the Judge of Probate and the welfare department and on appeal to the superior court, a superior court judge should not be precluded from considering this as a factor and indeed in some cases as the sole factor for the reason in turning down an adoption application. It is my intention should this motion for reconsideration be passed, to then have the matter taken up today and I would expect that we would have reconsideration of the amendment that was adopted yesterday. I think if we wish to have a good adoption law in Connecticut, an adoption law which the judiciary committee has put a great deal of work into in conjunction with the committee headed by Rep. Bard, that we should reconsider our action yesterday, because politics aside, I think we have made a mistake. I think we have made a mistake in terms of what is best for a child who is up for adoption. I would urge a yes vote on the motion for reconsideration.

MR. AJELLO (104th): Mr. Speaker, I think for two reasons that we should not reconsider our action of yesterday. One is that there was a full and fair opportunity

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to debate the question and the issue yesterday. It's not truly a political issue at all and I agree with that statement and I think the House has had its opportunity to act. Let me give you another good reason. If some of you would like to leave here today because it's very warm and it's the beginning of a holiday, if we take this up again now, we'll be here all night.

MR. RATCHFORD (109th): Mr. Speaker, first of all I move that when the vote is taken it be by roll call.

THE SPEAKER: Question is on a roll call vote. All those in favor of a roll call on the motion for reconsideration, indicate by saying aye. The necessary 20% having indicated a desire for a roll call, a roll call will be ordered.

MR. RATCHFORD (109th): Mr. Speaker, here we go again: phosphates, gratuities, driving under the influence and now this. I'm pointing out that we're now being asked to reconsider a bill which in its amended form was passed unanimously, 140 to zero. With no new evidence to bring before us, except the suggestion of a possible veto, I heard that as soon as it was considered yesterday, I don't think that's a legitimate reason for reconsideration. I don't think that individual has any more votes in here than each and every one of us, at least I didn't until recently but it would appear that everything that comes out of committee must be approved in this term of the general assembly. Four major bills, gratuities, phosphates, driving under the influence and now this. Are we to feel that everytime that an item of any consequence is possibly defeated that unless we move immediately for reconsideration, we face the prospect of

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that motion next day and then you stand up and tell us, we're independent, we're a separate and equal branch of government, there were no arms being twisted, there will be no bruised muscles. If that's the case, why must we resort to the technique of reconsideration everytime a bill that the administration is interested in which happens to be defeated or happens to be amended gets beat or gets passed in a form that doesn't please the administration. You weren't elected by the gentleman on the second floor. You were elected by your own constituents. Your own constituents feel strongly that those in the older class, in the older age of life should at least have an opportunity to be considered to adopt a child and shouldn't be ruled out solely because of their age and yet if you reconsider this bill today, for sure you're going to see movement on your side of the aisle, you're going to see a quiet suggestion, I'm sure it won't be said vocally, the Governor doesn't want this amendment. He vetoed this the last time it reached his desk. For shame! Act independently, act for yourself and defeat reconsideration and do it now.

THE SPEAKER: other public admission that the members of the 1973 general assembly continue to ever grace the halls of this House. It has become

MRS. PEARSON (121st): my estimation when we reconsider-

THE SPEAKER: Thank you, Mr. Speaker. I'd like to rise in opposition to reconsideration. I think that the bill should be sent back to the Senate and that they should have an opportunity to discuss this. I think, in my opinion, that the Governor must feel that he would have a better chance in this House for reconsideration than to have the Senate discuss the new amendment on this bill. I feel that's where the bill should go. I think that the members of the general assembly have the power to pass any legislation that they so wish.

You can override any veto, if the Governor intends to veto this. I maintain at that point we should then override it. We did pass this unanimously yesterday and if the general assembly has the guts to do this, they can override it. I think it all comes down to whether you have the courage of your own convictions. The last time I heard, the Almighty was still in heaven and not in the Governor's office. If you have minds and wills of your own, I would suggest that you start using them.

djh

THE SPEAKER: Thank you, Mr. Speaker. Rep. Camp, come over here and try and make me. The Chamber please come to order and give your attention to the lady.

MRS. PEARSON (121st): I suggest that both the gentleman from the 111th and the lady from the 121st that they engage in their verbal or otherwise battle outside of the halls of this Chamber. I will not tolerate comments, exchanges such as have just happened between members of this body. If you would like to debate the issues, let's debate them. If you want to play games, do it outside it's just another public admission that the members of the 1973 general assembly continue to be the most subservient and the most manipulated group of political rubber stamps to ever grace the halls of this House. It has become a ridiculous game in my estimation when we reconsider--

THE SPEAKER: Will the Chamber please come to order. For all the good you are doing your constituents at

MRS. PEARSON (121st): as well stay there and give the Governor your proxy vote.

MR. BINGHAM (147th): It has become to me--

MR. CAMP (111st): Point of order, Mr. Speaker.

THE SPEAKER: Mr. Speaker, a point of order please. This is nonsense. I'm a little tired of this because I voted consistently on this twice in three times

MR. BINGHAM (147th):

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and this nonsense about rubber stamping the rest of it has no basis in truth. So, sit down, Marilyn. djh.

THE SPEAKER: The Chair would request the lady to restrict her remarks to the motion for reconsideration. Will the Chamber please come to order. Direct your attention to the lady from the 121st who, I believe, is remarking on the motion for reconsideration. Thank you. I believe that we should make our own decisions here.

MRS. PEARSON (121st): Thank you, Mr. Speaker. Rep. Camp, come over here and try and make me hear if you vote for reconsideration on this to the viewing public. I

THE SPEAKER: An unfortunate thing that the general assembly is made to look like a bunch. May I suggest that both the gentleman from the 111th and the lady from the 121st that they engage in their verbal or otherwise battle outside of the halls of this Chamber. I will not tolerate comments, exchanges such as have just happened between members of this body. If you would like to debate the issues, let's debate them. If you want to play games, do it outside.

MRS. PEARSON (121st): Thank you, Mr. Speaker. Regarding the debate that I would certainly like to debate this issue and talk against the reconsideration. In my estimation, to reconsider this is part of a ridiculous game, a game of Simon says when no one dares to take a giant step forward or backward without the Governor's permission. For all the good you are doing your constituents at home, you might just as well stay there and give the Governor your proxy vote.

MR. BINGHAM (147th): Point of order, Mr. Speaker. Now if there are any games that

THE SPEAKER: Played, I think the game is on giving a definition of whether this is a legal. Please state your point. that it is not. I think that the welfare

MR. BINGHAM (147th):

commission. The lady is not germane. Probate judges, have said you are disallowed djh

THE SPEAKER: a child because of your age when they didn't have the guts to say the real. The Chair would request the lady to restrict her remarks to the motion for reconsideration. If the lady cares to continue, there in the state

MRS. PEARSON (121st): the probate judge or the welfare department didn't have the guts to Thank you. I believe that we should make our own decisions here regarding reconsideration. I don't think that anyone that would vote for reconsideration, I would hope and perhaps you don't realize just how pathetic you appear if you vote for reconsideration on this to the viewing public. I think it's an unfortunate thing that the general assembly is made to look like a bunch of political incompetents playing the part of the fools for their party leaders.

MR. BARD (138th): He did, however, put in a bill for a constituent believe, but in any event when the bill was in the Senate, he did not amend. Mr. Speaker, as I sit here and listen to this debate which is obviously getting way off the issue, the issue here is are we going to pass a bill that's going to affect a lot of kids. And I know people feel very strongly on this age issue. I spoke yesterday and I had hoped that yesterday that I would convince some people that though they are sincere, I feel that they are wrong. But apart from that, you know I think that some of the members in this Chamber who have been here a few years know that I have not gone down the line consistently with this Governor. My view on this bill is there are at least 3800 foster kids that are going to be affected by this bill. There are a lot of other kids that are going to be affected who could be adopted and whose adoptions will stand without challenge. Now if there are any games that are being played, I think the game is on giving a definition of whether this is a legal issue or not. I believe that it is not. I think that the welfare

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commission perhaps in the past, or probate judges, have said you are disallowed from adopting a child because of your age when they didn't have the guts to say the real reason. That's the issue, whether they should tell them the real reason. Now, there have been some singular cases here and there in the state when I think either the probate judge or the welfare department didn't have the guts to tell the people the real reason. They copped out by saying solely because of age. Now I'd like to do something, I don't know whether this is proper but as I understand it, last year Sen. Lieberman put an amendment in on this, on a bill of this nature. He did not do this in the Senate and I understand he did not do that because he did some research during the summer, I believe it was Yale legal services who did the research, and he was convinced that it was not right. He did, however, put in a bill for a constituent by request I believe, but in any event when the bill was in the Senate, he did not amend this so I believe that he is convinced that this is not good--

MR. RATCHFORD (109th):

I'm reluctant to do so, but a point of order. I don't believe the gentleman is being germane to the motion which is one to reconsider.

THE SPEAKER:

The Chair would indicate to the gentleman that the question under discussion is a motion for reconsideration. The question of the bill or any amendments to the bill will be one that will be discussed freely if favorable action is taken on the motion to reconsider.

MR. BARD (138th):

Thank you, Mr. Speaker. I believe that Rep. Ratchford was proper. I would only say in closing that I think we should reconsider this bill and when we walk out of here this afternoon, I think we should have a bill, the

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adoption bill should be passed. I'm not interested in what the Governor thinks about this. I'm interested in what's going to happen to those 3800 kids and I'm interested in a good adoption bill. I think that anybody who's been here for a while knows I mean this. Thank you.

THE SPEAKER: The Chair would caution the gentleman from the 136th that he is proceeding along exactly the same path as Rep. Bard and his comments are more

MR. NEVAS (136th): after the motion for reconsideration has either passed or

failed towards the bill or any of the amendments thereto.

Mr. Speaker, I will try to be germane to the motion to reconsider and talk about the issue of age, and mention some things that were not mentioned yesterday. I think that the factor of age can have a bearing on the

welfare of a child who is to be placed or is in consideration of being placed.

I can give you two specific examples that come to mind. One would be a situa-

tion in which the prospective adopting parents were in their eighties and you

had a child of tender years. All other things considered as far as home and

atmosphere and financial ability and so forth, in that situation the sole

factor of age should be considered and should be permittedly considered by the

welfare agency or the placement agency or the judge of probate in determining

whether or not those parents should be permitted to adopt the child. That's

one example, where age solely and in and of itself should be a factor. Another

situation where the age of the adopting parents can be considered and should

be considered as the sole factor would be in a situation such as we occasionally

read about in the press, where you have an elderly person who is about to be

adopted by a young person. You have all read of cases where a twenty or

twenty-five year old person--

MR. AJELLO (104th): gentlemen, I've convinced that we're not going to override that

one man. Point of order.

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of urging you Mr. Speaker, if Mr. Bard can't wander that far from the subject then I don't think the gentleman ought to be allowed to go this far afield. djh

We're discussing reconsideration. have to feel that in this game. It's unfortunate

THE SPEAKER: does reach us that way but a man in the front office who's willing

to call in The Chair would caution the gentleman from the 136th that he is

proceeding along exactly the same path as Rep. Bard and his comments are more

properly directed after the motion for reconsideration has either passed or

failed towards the bill or any of the amendments thereto.

MR. NEVAS (136th): all change in the future and we can really move the way we

would like to. Thank you, Mr. Speaker. In the light of the Speaker's ruling, I

think that I would reserve my remarks, hopefully, for discussion on the main

bill, if reconsideration is granted.

THE SPEAKER: (st):

Are you prepared to vote on the motion to reconsider yesterday's

action. than I did yesterday. Yesterday I voted in favor of putting on this

MR. STOLBERG (93rd): not to age and I expect today that I shall vote the other

way and I would Mr. Speaker, thank you. Mr. Speaker, I'd like to speak in favor

of reconsideration. I'm speaking in favor of reconsideration because the same

unfortunate process of political I suppose reaches us all. I speak in favor

of reconsideration for the only real reason that we can reconsider this bill,

that is because definitive information has reached us either we cut back on

what we want and we take one tiny step forward in terms of what we feel about

adoption or we're going to get nothing at all. One man has told us he's will-

ing to block everything that we believe in and that we've already spoken to,

and ladies and gentlemen, I've convinced that we're not going to override that

one man. Therefore, instead of speaking for what I really believe in, instead

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of urging you to do the same, I'm going to vote for reconsideration because we're really in that kind of a box. I feel a little dirtier for that process. I suppose before long, all of us have to feel that in this game. It's unfortunate that it does reach us that way but a man in the front office who's willing to call in individuals even on a question such as capital punishment and say they're not going to get their bridge or their road, can put the same kind of screws to us. I urge reconsideration. I urge taking off the amendment. I urge taking a small step that we can get this year in hopes that perhaps the political winds will change in the future and we can really move the way we would like to.

THE SPEAKER:

MR. KENNELLY (1st): Are you prepared to vote?

MR. KING (21st): Speaker, I rise in opposition to reconsideration. Reconsideration is an appropriate motion when new evidence appears.

Mr. Speaker, speaking in favor of reconsideration, I feel a little cleaner than I did yesterday. Yesterday I voted in favor of putting on this amendment with respect to age and I expect today that I shall vote the other way and I would call to your attention that yesterday when this matter was debated, the only reason that we got for being opposed to the bill for those who were opposed was merely a suggestion that if the amendment went through, the bill would be prejudiced. At least we've heard here today an indication that we're willing to, some of us, some of our leadership is willing to debate the bill on its merits and I think really that there are sound reasons for getting rid of this amendment. I think it would be a shame if this bill were reconsidered today because what it would suggest to me is that a majority of the members of this chamber are prepared to bow to executive pressure.

THE SPEAKER:

Are you prepared to vote on reconsideration? The gentleman from the 109th speaking for the second time.

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MR. RATCHFORD (109th):

djh

Speaking for the second time, I'd merely remind you in speaking of support of reconsideration that the vote yesterday was 140 to zero. I'm going to be very interested in looking at the board today.

Secondly, to my good friend from New Haven, if we adopt that philosophy, we may as well adjourn not on May 15th but on April 19th because we will have given up our legislative prerogative.

THE SPEAKER: Are you prepared to vote on reconsideration of S.B. No. 2287 adopted, passed by this body yesterday? Yesterday's Calendar No. 394, your File No. 255.

MR. KENNELLY (1st): That was presented without amendment, which is a landmark bill and which I think should have worked a landmark bill that came out of this Chamber. Mr. Speaker, I rise in opposition to reconsideration. Reconsideration is an appropriate motion when new evidence, new facts, a new situation appears between the time of action on a matter and the next legislative day. There are no new facts in connection with this bill. There's no new rationale. There's no new information, nobody's offered any. What is new is the implied threat of a veto by Governor Thomas Meskill. I say this, ladies and gentlemen, vote your consciences on this bill. If you're going to succumb to threats or applied threats from the front office then you have abdicated your responsibility to hold a seat in this Chamber. If you subscribe to the principles of the bill as amended, vote against reconsideration. The Governor has his responsibilities by the lights as he sees them and we have ours. I think it would be a shame if this bill were reconsidered today because what it would suggest to me is that a majority of the members of this Chamber are not prepared to vote their consciences. They are prepared to knuckle under to executive pressure.

The machine will be closed and the Clerk please take a tally.

MR. RITTER (6th):

djh

Mr. Speaker, I urge my colleagues on this side of the aisle to vote to reconsider and I do this as a matter of voting my conscience. I voted yesterday against the amendment. One reason I voted against the amendment was that I think that age should be considered a factor in adoption matters. It is also true that I think that elderly people should be able to adopt. I think our regulations as interpreted by our judiciary are sometimes too rigid but it's also true, there's another factor here, another reason for voting for reconsideration and simultaneously voting your conscience is the fact that Mr. King has pointed out and some other legislators have pointed out. The ultimate question may well be this when it comes a matter of conscience: do you prefer the bill that was presented without amendment, which is a landmark bill and which I'm proud to have worked, a landmark bill that came out of judiciary, do you prefer that as a matter of conscience or do you prefer the possibility, indeed we're told the probability, indeed we're told the surety that the Governor would veto the bill as amended. As a matter of conscience, I will vote to reconsider. I will vote to delete the amendment and I will then vote for the basic bill which will be one of the best bills to come out of this legislature.

THE SPEAKER:

Will you remark further? If not, if all members would please take their seats, staff members come to the well. If you are in favor of reconsidering our action yesterday on S.B. No. 2287, you should vote in the affirmative. If you do not favor reconsideration of this item but prefer to let yesterday's action stand, you should vote in the negative. Will all members please take their seats. The machine will be open. Has everyone voted? The machine will be closed and the Clerk please take a tally.

djh

MR. MORRIS (94th):

Mr. Speaker, may I be recorded in the negative.

THE SPEAKER:

The gentleman from the 94th is shown as not having voted, wishes to be recorded in the negative.

MR. DICE (89th):

Mr. Speaker, I wish to be recorded in the affirmative please.

THE SPEAKER:

MR. NEVAS (126th):

The gentleman from the 89th is shown as not having voted, wishes to be recorded in the affirmative.

THE ASSISTANT CLERK:

Total number voting.....	142
Necessary for adoption.....	72
Those voting Yea.....	82
Those voting Nay.....	60
Absent and not voting.....	9

THE SPEAKER:

Motion to reconsider is ADOPTED.

MR. PUGLIESE (22nd):

Mr. Speaker, I move reconsideration of House Amendment A.

THE SPEAKER:

Motion is on reconsideration of House Amendment Schedule A to S.B. No. 2287. Was the gentleman from the 22nd in the prevailing side on yesterday's action on House Amendment Schedule A? It would be extremely im-

MR. PUGLIESE (22nd):

I was, Mr. Speaker.

THE SPEAKER:

Will you remark on reconsideration of House Amendment Schedule A?

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MR. PUGLIESE (22nd): I think all of you, as I indicated earlier, through the years have. Yes, Mr. Speaker, only to say that I think the case has been put forth adequately by the Majority Leader and I would only add for my own standpoint that I have decided that there are certain circumstances in which age alone could be a factor for deciding against adoption.

THE SPEAKER: Will you remark further on the motion to reconsider yesterday's action on House Amendment Schedule A to S.B. No. 2287.

MR. NEVAS (136th): Thank you, Mr. Speaker. Earlier on the motion to reconsider, I began to cite some examples as to where age, solely age in and of itself, could be a factor. Just to recap very briefly, I mentioned one situation where you would have parents of advanced age, prospective adopting parents of advanced age, perhaps in their 70's or 80's, who propose to adopt a child of tender years, maybe two, three years of age or even an infant. They might live in a very lovely home, they might be financially very secure, they might be able to do all of the things materially for that child that any parent would like to be able to do for its child but I submit to you, Mr. Speaker, that in that situation, the factor of those prospective parents' age should be considered by the judge of probate or by the placement agency or by whatever agency was involved. They should not be robbed of the opportunity to consider age as a sole factor. In a situation such as that, it would be extremely important. I'm sorry, with Al Nevas, that you could certainly and wisely deny someone adoption. Another situation which I can conceive of, Mr. Speaker, would be the reverse. That would be a situation in which you might have a young person perhaps in their early twenties who might propose to adopt a person in their 40's and as to that there's no question.

eighties or nineties. I think all of you, as I indicated earlier, through the years have read on occasion of situations in the newspapers where just such a thing has occurred, where some young person has proposed to adopt a person of advanced age as their child and I don't think I have to spell out to the members of this House why that would happen. Obviously it would be a person, the elderly person in such a situation would be a person of considerable means and of great wealth and some young person might propose to adopt that elderly person as their child for purposes of inheritance. I think in that situation, the factor of age in and of itself should be considered by the appropriate agency. Will you remark further on reconsideration of House A?

MR. MATCHFOR So there are two specific examples, Mr. Speaker, where the agency or the judge should be able to take into consideration the factor of age, and I think by the adoption of this amendment, or rather by the deletion of this amendment, we will restore to the agency or to the judge that power. Thank you, Mr. Speaker.

MR. CAMP (111th): All call, a roll call will be ordered. Will the Clerk please announce it. Mr. Speaker, I took some offense at the lady from Stratford and also from the gentleman from Danbury when they accused en block of following the Governor's directives because far from it, the Governor followed mine. In 1972, on April 5, we had a bill very similar to this amendment which came before this House and at that time I spoke similar to the way I would speak today in opposing the amendment that was put before you. I agreed fully with Al Cretella, I'm sorry, with Al Nevas, that you could certainly and wisely deny someone adoption solely because of age for anyone sixty, seventy or eighty years old. To do otherwise, just in my judgment, wouldn't make any sense at all. I will admit that the welfare department may make mistakes in the early 40's and as to that there's no question.

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adoption. A properly drawn carefully considered amendment along those lines which advised the welfare department and perhaps even said something to the effect that you couldn't discriminate below the age of fifty would make some sense. The present amendment makes absolutely no sense and worse than that, it seems to me, it invites litigation. The person denied the right to adopt has an excellent opportunity to go to court under this and hold up the status of the potential adoptive child for a year or two years. I think such an amendment is unconscionable.

djh

THE SPEAKER: Will you remark further? If not, if all members would please take their seats. Will you remark further on reconsideration of House A? on House

MR. RATCHFORD (109th): S.B. No. 2287.

MR. WEBBER (May I move first that when the vote is taken, it be by roll call.

THE SPEAKER: Thank you, Mr. Speaker. Mr. Speaker, through you I'd like to direct a question. Question is on a roll call vote on reconsideration of House A. All those in favor indicate by saying aye. Twenty percent having indicated a desire for a roll call, a roll call will be ordered. Will the Clerk please announce it. Please state your question.

MR. RATCHFORD (109th):

Mr. Speaker, speaking against reconsideration, may I remind the members that what we're looking at is lines 461 through 466 of File No. 255. If reconsideration is granted and this amendment defeated, we then are saying that a probate judge may not disapprove of an adoption because of marital status, saying basically that if a person is single he or she could adopt, or a difference in race, or color, or religion, regardless of how extreme any of these factors may have been and certainly I agree that we should say that they should not in and of themselves be the sole basis for disapproving an

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adoption. But yet what we're saying is that every senior citizen in this state is that a probate judge can do what was done in Shelton and that is deny an adoption simply because of the age of the potential adopting parents. I, for one, will not stand here and do that against all the senior citizens, all of them, in this state because it's a blanket inditement if you don't adopt this amendment and I urge you to consider what you did yesterday. It was the correct thing and urge you to vote against reconsideration on this amendment.

THE SPEAKER: Will you remark further? If not, if all members would please take their seats. Question is on reconsideration of yesterday's action on House Amendment Schedule A to S.B. No. 2287.

MR. WEBBER (92nd):

Thank you, Mr. Speaker. Mr. Speaker, through you I'd like to direct a question to Rep. Camp. Mr. Speaker, a question to Rep. Camp please, through you.

THE SPEAKER: The gentleman from the 92nd, has your question been answered?

MR. WEBBER: Please state your question.

MR. WEBBER (92nd): he's answered in the manner that he wants to answer it.

MR. CAMP (1 Yes.): In his opposition to the concept of an elderly couple having the right to adopt a younger, a young child, can he give me any evidence or any specifics or possibly some cases of where he might have some familiarity where this elderly couple might have a young child in their household and for that reason are not qualified, or give me reasons why they shouldn't be qualified. Does he have any specific cases? Unfortunately had a very serious

THE SPEAKER: their family where they lost their young daughter who had two very young children. Does the gentleman from the 11th care to respond? Literally

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MR. CAMP (111th): children, one is aged four and one is aged six. And I say the couple I'm referring to are in their late fifties and early sixties. And a lawyer. When I get a person that comes in and writes a will, I tell that person please not to appoint as a guardian a grandparent. I don't think it makes any sense if it is possible to get anyone else to be appointed. Similarly in the case here, it seems to me if a person is seventy years old, comes in to adopt a three year old child, a little mathematics will tell you that the person is going to be eighty-five while this person needs, while the child really needs somebody to guide him. Now I don't think you need examples. I think all you need is a little common sense, Mr. Webber. The other point is and the worst point is--

MR. WEBBER (92nd): I have very little common sense, Mr. Speaker, that's why I asked the question.

THE SPEAKER: The gentleman from the 92nd, has your question been answered?

MR. WEBBER (92nd): with the arguments presented, Mr. Speaker.

THE SPEAKER: Well, he's answered in the manner that he wants to answer it.

MR. CAMP (111th): That's the way I usually answer questions.

MR. WEBBER (92nd): Well you have more common sense than I have obviously. Mr. Speaker, I would like to point out that in my neighborhood, and the reason I raise the question, we have a neighbor who unfortunately had a very serious tragedy in their family where they lost their young daughter who had two very young children and the mother and father of the deceased have literally

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adopted the two children, one is aged four and one is aged six. And I say the couple I'm referring to might be in their late fifties and early sixties. And I want to tell you, Mr. Speaker and ladies and gentlemen, I doubt very much whether any young couple or any couple regardless of age could possibly do a better job in bringing up these children, the love, the affection, the consideration, the care, the warmth that these children are receiving from this couple is almost beyond your most vivid imagination. Coupled with the fact, Mr.

Speaker, I know of some other people and I'm sure all of us do, of some reasonably elderly people who by some very pleasant quirk of fate have given birth to children at that age, at that so-called late age. Now are you telling me that they are not qualified to own and bring up these children? I'm sure we all know of so-called elderly couples who have had the pleasure of bringing, having a newborn whether by accident or intention and are doing very nicely with them. I don't, and I can't buy Mr. Camp's explanation that a seventy or eighty year old would come into the court and ask to adopt a newborn child. I think this is an unusual situation and probably will never happen. I'm sorry but I can't agree with the arguments presented, Mr. Speaker.

THE SPEAKER:

MR. CAMP (116th): The Chair would suggest to the Chamber that if we get on with the vote for reconsideration, if it fails the matter is concluded as far as the amendment goes. If the motion for reconsideration passes, then debate will again be open on the amendment, House Amendment Schedule A.

MR. AMBROGIO (95th):

MR. CAMP (116th): Mr. Speaker, a point of information please.

THE SPEAKER: I have no idea. I think you reason the thing out. You don't need that sort of—
Please proceed.

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MR. AMBROGIO (95th):

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I am paired off the convenience of my colleague alongside of me and I have no reason to leave the House. Is it permissible for me to sit here and not vote or do I have to leave?

THE SPEAKER: Chair?

MR. ANTONETTI: If the gentleman wishes to remain paired, he cannot remain in the House and vote. If he is in the House and votes, the pair is ineffectual.

MR. AMBROGIO (95th):

I don't mean to vote, Mr. Speaker, just to sit here and listen to all these eloquent people. I don't want to miss it.

THE SPEAKER:

MR. BINGHAM: The Clerk indicates that when the gentleman is paired, they are not supposed to remain in the Chamber.

MR. ANTONETTI (116th):

MR. ANTONETTI: Mr. Speaker, a question to Mr. Camp or any of the proponents of reconsideration. Mr. Camp, could you please tell me how many cases and since we are reconsidering this matter of age, how many applications have been received by ninety year old people for adoption of children?

MR. CAMP (111th):

MR. ANTONETTI (147th): I would judge that most people are a little more sensible than that.

MR. ANTONETTI (116th):

THE SPEAKER: How many for people at eighty years of age for adopting children?

MR. CAMP (111th):

MR. ANTONETTI (147th): I have no idea. I think you reason the thing out. You don't need that sort of--

MR. ANTONETTI (116th): to the rules, Mr. Speaker--

THE SPEAKER: And how many at seventy? And how many at sixty?

THE SPEAKER: The gentleman is out of order. The gentleman from the 147th has the floor. Does the gentleman from the 116th care to direct his questions through the Chair?

MR. ANTONETTI (116th): we do not have those statistics. The problem is most of the people. Through you to Mr. Camp, I would like an answer to sixties, seventy, and eighty and ninety. These were figures that were purported as applicants for adoption of children and if I am going to reconsider a measure, I also would like to know how many at forty-five, how many at fifty, and if you have the evidence, let's hear it. If you don't then we'll have to vote.

MR. BINGHAM (147th): the Connecticut Child Welfare Association support this position. Mr. Speaker, in favor of reconsideration, Mr. Speaker. There's been a lot of discussion about how we--rightfully so. Now we can stand here

MR. ANTONETTI (116th): votes, so-called, and I don't think we are by supposedly adhering or Mr. Speaker, I wish through you Mr. Camp would answer some of my questions, against all professional opinion. This is against the facts. This is

THE SPEAKER: opinion of the Connecticut Child Welfare Association and this provision. The gentleman relinquished the Chair. The gentleman from the 147th has the floor.

MR. ANTONETTI (147th): or, I'd like to point out two things in case there's any confusion. Mr. Speaker, I was standing in place. I had not relinquished.

THE SPEAKER: welfare department. It's an independent agency that's been in existence for. The Chair disagrees with the gentleman. The Chair has recognized the gentleman from the 147th. The purpose for existence is to assist in, assist

MR. ANTONETTI (147th): responsible for child caring. It was not part of the

According to the rules, Mr. Speaker--

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THE SPEAKER: Secondly, I also want to make very clear, if it has not been made clear, that the gentleman is out of order. The gentleman from the 147th has the floor.

MR. BINGHAM (147th):

Mr. Speaker, we do not have those statistics. The problem is most of the people here are speaking straight and strictly from emotion and it's a spacious argument because the professional opinion, those people who know and I don't claim to be a professional in the question of adoption, but the professional opinion on this subject is clear. Professional people say that adoption should be blocked solely because of age in certain circumstances and the professionals in the Connecticut Child Welfare Association support this position. And for these reasons, the judiciary committee and Rep. Bard excluded this provision in the bill and rightfully so. Now we can stand here and attempt to gunner votes, so-called, and I don't think we are by supposedly adhering or supporting one person who in advanced age can do a very decent job. This is against all professional opinion. This is against the facts. This is against the opinion of the Connecticut Child Welfare Association and this provision should be amended out of the bill.

MR. BARD (138th):

Mr. Speaker, I'd like to point out two things in case there's any confusion. Number one, the Connecticut Child Welfare Association is not a part of the welfare department. It's an independent agency that's been in existence for fifty-five years in this state, an agency of a type nowhere else found in the country whose sole purpose for existence is to assist in, assist those agencies who are responsible for child caring. It was not part of the

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welfare department. I want to make that very clear.

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Secondly, I also want to make very clear, if it has not been made

clear, that an older person could presently and under this bill adopt. You're not excluded because you're elderly. All the circumstances would come into

play as they would with a twenty-five year old or a thirty year old. But I would plea with this assembly, don't let your emotions or what you think is a political push here, and even if it is with some people, it shouldn't be. The issue is very clear. Do we want a good adoption bill, something that we can get that will help kids or don't we. All the other excuses you can rationalize all you want but that's the thing you've got to live with.

THE SPEAKER:

Will you remark further on reconsideration of House Amendment Schedule A? If not, if all members would please take their seats. If you favor reconsideration of yesterday's action in adopting House Amendment Schedule A, you should vote in the affirmative. If you do not wish to reconsider yes-

terday's action in adopting House Amendment Schedule A and prefer to leave the action stand in accordance with yesterday's vote, you should vote in the

negative. The machine will be open. Has everyone voted? The machine will be closed and the Clerk please take a tally.

MR. MOTTO (2nd):

Mr. Speaker, I'd like to be recorded in the negative, please.

THE SPEAKER:

The gentleman from the 2nd is shown as not having voted, wishes to be recorded in the negative.

THE ASSISTANT CLERK:

Total number voting.....137
Necessary for reconsideration..... 69

THE SPEAKER: Those voting Yea.....81
 Those voting Nay.....56
 Absent and not voting.....14

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THE SPEAKER:

Motion for reconsideration of House A is ADOPTED, environment,

THE CLERK: for H.B. No. 9139, An Act Concerning Permits to Hunt Deer.

THE SPEAKER: May the Clerk interrupt to read some new favorables please.

Favorable report, joint standing committee on judiciary, on H.B.
 No. 8290, An Act Concerning the Liability of Municipalities for Claims Against
 Local Boards of Education Members and Employees.

THE SPEAKER: on H.B. No. 8318, An Act Concerning Savings and Loan Association
 Ninety Per Cent Tabled for the Calendar and printing.

THE CLERK:

Favorable report, joint standing committee on judiciary, on H.B.
 No. 8661, An Act Concerning Death or Disability from Hypertension or Heart
 Disease for County Detectives.

THE SPEAKER: on H.B. No. 8825, An Act Concerning the Operation of Games of
 Chance by Certain Non-Profit Organizations. Tabled for the Calendar and printing.

THE CLERK:

Favorable report, joint standing committee on public health and
 safety, on substitute H.B. No. 8754, An Act Concerning the Labeling of Drugs.

THE SPEAKER: Favorable report, joint standing committee on banks and regulated
 activities Tabled for the Calendar and printing.

THE CLERK:

THE SPEAKER: Favorable report of the joint standing committee on human rights
 and opportunities on substitute H.B. No. 8400, An Act Concerning the Procedures
 of the Human Rights and Opportunities Commission.

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think that we all know people who are young, who are actually physically
older and vice-versa, those that are older who are very physically, I would
say, in the Disagreeing action from the Senate on H.B. No. 8721 from the
committee on public health and safety, An Act Concerning Treatment of Re-
habilitation Services Offered to Drug Persons, as amended by Senate Amendment
Schedule A.

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THE SPEAKER: Would the Chamber be kind enough to quiet down and direct your
attention to the lady's remarks.
Tabled for the Calendar.

MRS. PEARSON (121st): The House please return to order. The matter before us now is
SB-2287
adoption of House Amendment Schedule A introduced by the lady from the 121st,
Yesterday's action in adoption of Said amendment having just been reconsidered
and important. Will you remark on adoption of House Amendment Schedule A?

MRS. PEARSON (121st): Thank you. I certainly would like to speak in behalf of the
amendment. I feel that we have before us the revision of the state adoptive
type of environment and I particularly felt that it should be part of the bill. I feel that
the present law that we have, the current statute, as I said yesterday, I
felt being passed in another era when the average life span was in the forty
year old bracket but I think that today it has been increased by more than
twenty years and I think the average life span gets up into the sixties at
this point. I think people are younger today and the life span is a lot
longer. I feel that our statutes should certainly compliment the fact of

THE SPEAKER: This lengthening of age and that it should not automatically be a bar on
people in the State of Connecticut and I don't feel that we should bar the
forty year olds and the fifty year olds who are qualified and willing to
accept this responsibility and to share and willing to become parents. I of

think that we all know people who are young, who are actually physically feel older and vice-versa, those that are older who are very physically, I would say, in the young category. I feel to be very bad. I spoke to the amendment yesterday. I had hoped that the amendment would benefit childless parents who might spend-- on behalf of it.

THE SPEAKER: (147th):

Would the Chamber be kind enough to quiet down and direct your attention to the lady's remarks.

MRS. PEARSON (121st):

Thank you. I had hoped that the amendment would not only benefit the parentless child because I wouldn't want to see them spend their early and important years in an institution, deprived of love and warmth that I feel that they are certainly entitled to, but I had hoped that the amendment would help and benefit the older would-be parent who would also be able to give the child the type of environment which it certainly should have, this type of environment and love. I merely meant by the amendment that age, I felt, should not be an automatic preventive to anotherwise qualified person from being considered as parents. I have talked with various organizations also and I think we have an unfortunate situation where we see children under a year old mainly going to those in their late twenties, possibly early thirties, and four to five year olds and over, going to people in their late thirties and early forties. I maintain that removing the--

THE SPEAKER:

MR. BEVAQUA Would the Chamber please quiet down.

MRS. PEARSON (121st):

I rise to oppose the amendment primarily because of a reference That removing the people from this other, from the age bracket of

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forty-five, forty-six, fifty, early fifties would be an unfair thing. I feel it would be discriminatory to not have this word in the bill. And discrimination on the sole basis of age, I feel to be very bad. I spoke to the amendment yesterday. I'm well aware that the amendment will be defeated today but I must speak on behalf of it.

MR. BINGHAM (147th): Mr. Speaker, speaking in opposition to the amendment, Mr. Speaker, what much of Rep. Pearson said is not the case in this bill. Age does not in and of itself necessarily preclude an adoption but if the judge chooses to deny an adoption solely on the grounds of age, he should be allowed to do just that. And I respectfully submit that aside from some personal opinions that Rep. Pearson has given to us and the opinion that we should make old people happy in their old age for the benefit of themselves and not for the benefit of the children is not the intent of this act. The intent of this act is to benefit the children and to have an act which is good for children. And that's why the Child Welfare Association with their sociologists and with their psychiatrists come to the conclusion that at some point in life, it's not proper to adopt a child merely because of age. This is professional opinion. I've heard nothing from the proponent of this amendment in the way of professional opinion. I hear a pandering to the emotions of a certain group. Well, that's not what we're here for. We're here to do the best thing for the children of the State of Connecticut and I urge that we reject this amendment.

MR. BEVAQUA (122nd):

Mr. Speaker, I rise to oppose the amendment primarily because of a reference that Mr. Nevas made a little earlier concerning an area of age

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that bothers me more than concern for elderly couples seeking adoption because there is a particular agency of which I'm familiar in the area from whence I come that has specific cases on record, and I know of one in particular involving an age of majority eighteen year old young man and a sixteen year old bride who were medically determined to be unable to bear children and decided that they would go the adoption route and apply to this particular agency to adopt a child and after interview and after serious deliberation on the part of the agency, it was determined that the marriage was of an unstable nature, primarily because of the youth and immaturity of the young couple, that they were not at this point in their young lives ready to adopt children and that the well-being of the perspective adopted child would very definitely be in jeopardy if after a year or two this marriage was not a successful one and there had to be a parting of the ways and it would be obviously a traumatic experience for the child to have to go through a situation where the marriage becomes dissolved. So this is a very real concern. There are specific cases on record where very young people, particularly now with our eighteen year old age of majority, where very young people because of medical reasons are unable to have natural children and seek to adopt children, who very definitely are unable at that point in their lives to make successful parents and so for this reason, I think the matter of age is a very definite and a very real consideration and perhaps in an instance like this, it could conceivably be the only reason why an adoption would be denied and it would be an extremely justifiable reason and for this reason, I oppose the amendment.

MR. BARD (138th):

Mr. Speaker, I think that because some people have talked to me, I think it should be made clear that number one, there is nothing in the

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statute that would prevent let's say, a forty year old, a forty-five year old person from adopting a child nor is there anything in the welfare department regulation. I think those things should be made clear and I think that the representative from Trumbull has pointed out a very important thing. This works both ways, at both ends of the spectrum, the younger person which I say think, by the way, would be more demand in that area than there would be in the other end and I think for all the reasons that we pointed out here today, that this amendment should not be adopted, it should be defeated.

MR. RATCHFORD (109th): if a person isn't mentally capable, certainly it could be denied. Mr. Speaker, I move that when the vote on the amendment is taken, it be by roll call.

THE SPEAKER: it seems to me, that we're not willing to write into the statute that you cannot deny an adoption solely because of age. Think of it.

Question is on a roll call vote. All those in favor indicate by saying aye. Twenty percent having indicated a desire for a roll call, a roll call will be ordered. Will the Clerk please announce an immediate roll call.

Question is on adoption of House Amendment Schedule A. If all members would please take their seats, staff members come to the well. Question is on adoption of House Amendment Schedule A to S.B. No. 2287, your file No. 255.

MR. RATCHFORD (109th): perhaps I should explain why and I've hesitated to do it.

My father Mr. Speaker, speaking in favor of the amendment which basically is the amendment saying that a probate judge shall not disapprove of any adoption under this section solely because of age, I think it's very interesting to all note that basically what we're talking about is advanced age, not younger age because those cases are very extreme, is that we live in a country where we don't put on an age limit for running for President of the United States as far as advanced age is concerned, we don't put a limit on advanced age for

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running for Vice-President, for U.S. Senator, for Congressman, for member of this general assembly and I only have to look around to see some of our more valuable members are in a category where perhaps if we do not approve of this amendment, they might be disapproved were they potential adopting parents, and yet we're willing to stand here today and say that we are not willing to say to a probate judge solely because of age you shall not disapprove of an adoption. Now don't let them kid you. There are other reasons if someone is advanced where an adoption could be denied, if a person is infirm, certainly it could be denied; if a person isn't mentally capable, certainly it could be denied; if a person isn't physically capable, certainly it could be denied but we shouldn't say it seems to me, that we're not willing to write into the statute that you cannot deny an adoption solely because of age. Think of it. Run for president of the United States, yes; adopt in the State of Connecticut, no. It's absurd. I say approve of the amendment.

THE SPEAKER: To all Republican members, there will be a caucus in the Appropriations Room. Are you prepared to vote? All members please take their seats.

MR. CAMP (111th): All members are to attend in the Appropriations Room immediately. Mr. Speaker, having made something of this amendment and having the question asked, perhaps I should explain why and I've hesitated to do it. My father died three months before I was born and I had the closest thing to a father figure was his brother, my uncle, who was something over sixty when I was born. He was a good man, he was a loving man, he had the wherewithall to take care of somebody. In many ways, he was an extremely vigorous man, died at the age of 92, in 1966. I have no qualms about his caring and his good care but whether or not in a probate proceeding, he shouldn't have been denied an adoption at sixty, I have no question about it and I think I do have

some experience on this ground. And to go beyond that and invite litigation on the subject is insane.

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THE SPEAKER: the Clerk please take a tally.

MR. DOOLEY (56th): If the members would please take their seats. Question is on adoption of House Amendment Schedule A. If you favor adoption of House Amendment Schedule A, you should vote in the affirmative. If you wish to reject House Amendment Schedule A, you should vote in the negative. The machine will be open. Has everyone voted? The machine will be closed and the Clerk please take a tally.

MR. STEVENS (119th):

Mr. Speaker, while the tally is being taken, I just would like to

make an announcement to the members that this is the last item that we intend to take up today, the vote on this matter. After that, we shall, after the necessary motions to pass retain, adjourn until Monday for a regular session

at twelve noon. To all Republican members, there will be a caucus in the Appropriations Room immediately following adjournment today. It's a very important caucus. All members are to attend in the Appropriations Room immediately upon adjournment today.

THE ASSISTANT CLERK: Total number voting.....138
Necessary for adoption..... 70

MR. STOLBERG (97th): Those voting Yea.....59
Those voting Nay.....79
Absent and not voting.....13

THE SPEAKER: Mr. Speaker, may I further request that the bulletin reflect the correct time. The amendment is LOST.

Question is now on acceptance and passage of the joint committee's favorable report and passage of S.B. No. 2287 in concurrence with the Senate.

Will you remark further? If not, if all members would please take their seats, the machine will be open. Has everyone voted? The machine will be closed and the Clerk please take a tally.

MR. DOOLEY (56th):
MR. ROSE (38th):

Mr. Speaker, through you, I wonder if it would be possible to get from the Majority Leader an intended schedule for the entire week forthcoming rather than just on Monday, if he knows what that is.

THE ASSISTANT CLERK:

Total number voting.....137
Necessary for passage..... 69
Those voting Yea.....132
Those voting Nay..... 5
Absent and not voting..... 14

THE SPEAKER:

The joint committee's favorable report is accepted and the bill is PASSED in concurrence with the Senate.

MR. STEVENS (119th):

Mr. Speaker, in reply to the gentleman's inquiry, at this point it appears there will be four regular session days next week. That, of course, is subject to what the calendar looks like around the middle of the week, and it is anticipated now that in addition to Monday, on Tuesday and Thursday, we will also convene at twelve noon and it is anticipated that we will convene on Wednesday at 10:00 a.m.

MR. STOLBERG (93rd):

Mr. Speaker, may I further request that the bulletin reflect the correct times. I don't think in the last two weeks it has and I think it would serve all the members if it did reflect the appropriate time that we will be convening.

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update their fringe benefits in order to compete with other businesses and industries. And I move for passage of the bill, and that it be placed on the Consent Calendar.

THE CHAIR: provides that the action be liberally construed, in the Motion is for the Consent Calendar. Hearing no objections, so ordered.

SENATOR GORMLEY: forth a new concept for the Probate Courts--that There would be 3 steps under this new bill and Thank you, Mr. President, would take place in any adoption.

CLERK: determination of parental rights. Second, the appointment of Calendar 319---File 255---Senate Bill 2287. AN ACT REVISING THE LAWS WITH RESPECT TO ADOPTION WITH A FAVORABLE REPORT OF THE COMMITTEE ON JUDICIARY.

THE CHAIR: and, the decree of adoption setting rights of the adoptive parents. The concept of a new in the law and is necessary in order.

SENATOR GUIDERA: greater degree of finality in adoptions. As to Mr. President, I move acceptance of the Joint Committee's favorable report and passage of the bill, which are temporary in.

THE CHAIR: may later be changed. Now the court must enter a Will you remark? adoption is for the best interest of the

SENATOR GUIDERA: sent law, the natural parent could come back

Yes, Mr. President. This is really and truly a landmark piece of legislation. It is something that the Judiciary Committee has worked on long and hard, and that I personally have a very deep interest in. Senate Bill 2287--File 255, is a result of the report of the Governor's Task Force on Adoption and represents the culmination of almost 2 years of intensive study of Connecticut's

adoption laws by probate, Juvenile and Superior Court Judges, members of child placing agencies, lawyers and law professors. Section 1 of the bill, Mr. President, sets the policy of the State and provides that the action be liberally construed, in the best interests of the child. Section 2 and succeeding sections set forth a new concept for the Probate Courts--that of statutory parent. There would be 3 steps under this new bill and under the new law that would take place in any adoption. First, determination of parental rights. Second, the appointment of statutory parent which could either be the Welfare Commissioner or any licensed child--placing agency--it could not be a private individual. And Third, the decree of adoption setting forth the rights of the adoptive parents. The concept of a statutory parent is new in the law and is necessary in order to effectuate a greater degree of finality in adoptions. As to finality, Section 12 of the bill eliminates the rendering of interlocutory decrees, that is, decrees which are temporary in nature and may later be changed. Now the court must enter a final decree if the adoption is for the best interest of the child. Under present law, the natural parent could come back within 12-13- months under an interlocutory decree and make a good case for getting his or her natural child back. The language allowing such a procedure is found in lines 431-460 of the bill and have been deleted. Finality and our desire to clearly effectuate the same is found in Sections 15 and 18 of the bill. The language in Section 15 is clear and unambiguous

participation is the black market for babies. Connecticut is a directive to any probate or any other judge as to the intent of the legislature. This is the first time in our history that such language appeared and it is long overdue. Section 18 provides for the complete severance of parental rights. The statutory parent concept also means that the rights of a natural parent will terminate at an earlier age in the proceeding, that is, in the first step. Under the present law, the natural parent's rights do not terminate until the adoption decree. Even then, the adoption may not be completely firm and in the words of Judge Quentis now Probate Court Administrator and one of the authors of this bill "Unless all the i's are dotted and all the t's are crossed under the present law, an adoption today may be subject today to challenge." The statutory parent concept will also eliminate the opportunity for a black market in babies in Connecticut. Presently, Mr. President, we have individuals coming from this State and other States have the same problem, too, when they go down South or some other state that has a very loose set of statutes and they "buy" a child. Costs about \$5 or \$6 thousand--That's all, you go down and you buy a child. Then you bring that child back to the State of Connecticut--or so they think--and you try to have that child adopted here legally in the State of Connecticut. By requiring that the Welfare Commissioner or a licensed child placing agency are the only ones who can act as a statutory parent, (and the law is substantially the same, Mr. President, as under the statutory parent provision today) We would eliminate any of Connecticut's

participation is the Black Market for babies. Connecticut is one of only 2 states that can prevent such a practice today. The Bill also expands the notice provisions in our law and accords with Supreme Court cases requiring notice to punitive fathers. In many cases today, a punitive father is given no notice of a hearing terminating his rights and this has been declared to be constitutionally defective. Section 5 of the bill and other sections contain notice provisions. The so-called "post-card" provisions of the law are eliminated by this bill, and I refer you to Section 4, line 87. The present law which is being deleted, provides that where the welfare commissioner has placed the child, if the parent have established any kind of reasonable degree of interest, concern or responsibility as to the child's welfare, the Welfare Commissioner cannot really adopt out that child, even though he knows and his staff knows that the parent isn't going to come back and take the child and even though they know that it would be in the best interests of the child to either allow the foster parents to adopt or allow some other parents to adopt the child. I call it the post-card law because there have been instances where a parent has done nothing more than send 1 post-card a year to a child who's in a foster home or done nothing more than send one Xmas card or done nothing more than send, in an entire year, one birthday card. And some of the courts have held that this is a reasonable degree of interest. I think that's laughable and I think it's about time we started thinking about the security-the sense of

belonging that the young people ought to have if they're going to become the kind of citizens we want them to become in the future. Section 4 is also a clear signal to the Welfare Commissioner to proceed to do whatever he can to adopt out foster children. During the testimony on this bill, we heard from a member of the Welfare Department and there was a tacit-no, not a tacit-an outright admission that there are some 3800 children who are in what they consider to be permanent foster homes. Permanent foster home cannot be a correct concept. Foster home means a temporary situation; it means the placing of a child until the natural parents can come back and resume their duties as mother and father or if there's only one parent mother or father. Welfare department seems to admit that we have 3800 young children and they range anywhere from one day--age 18 who could be adopted out and who are in permanent foster homes. If the Welfare Commissioner has decided that they are in a permanent situation, then he should be given a directive from the legislator to do what he can to adopt out this children. Now granted, Mr. President, not all of the 3800 children are capable of being adopted out. Some of them are mentally retarded, have physical damage of one sort or another, or for one reason or another could not fit into a home under any circumstances. But out of that 3800, there must be more than the 150 or 200 that are adopted out annually who could be put in a home. Just think a second about your own lives. I think probably I'm the only adopted child in this room and I can tell you that to be a child

without really any place to go, to go from one pillar to another post all your life, is not a happy situation. You have no permanency; you have nothing of the kind of security that the average child has in life. This is an opportunity for this body to really do something that is going to help a lot of people. We've had issues here that make front page headlines. This is a bill that probably won't make a front page headline, but I think that this bill is probably 100 times more important than many of the bills and many of the issues we decide that do make the front page. Other provisions of the bill, just to highlight--Section 12, first, No other proceeding in any other court affecting the custody of the child can be going on while the adoption is in process. Second, religious affiliation, race, color and mental states are not to be considered under the bills. Age is to be considered, and that was the feeling of the Task Force and various child-placing agencies throughout the State. Section 14 spells out the effect of the final decree of adoption what the rights of the child are, what he inherits and so forth, what the rights of the natural parents are, Section 23, to wind up, is a new provision of the law giving a report annually to the Governor and 3 joint standing Legislative Committees on Corrections, Welfare, Humane Institutions states of children committed to them. This is something that we've never had before and until the public hearing on this bill, we never knew what the status of foster children were in this state. We've had many public hearings on this bill. There has been widespread support

and no opposition whatsoever.

and no opposition whatsoever. In accordance with, it meets the approval of the Probate judges of the State of Connecticut. It meets the approval of the child-placing agencies of the State of Connecticut, and it meets with the approval of the Governor's Task Force on Adoption Reform. I hope that you will favorably consider this bill and act on it in a way as to leave no doubt as to the intent and direction of the Connecticut State Legislature. And I would move, Mr. President, that when the vote is taken, it be taken by roll-call.

THE CHAIR:

Question on roll call vote. All those in favor signify by saying "aye". Opposed "nay" More than 20% having consented, when the vote was taken, it shall be by roll call. Will you remark further? Senator Lieberman? save making repetitions re-
SENATOR LIEBERMAN: I associate myself with remarks made by both Senator Guidera and Mr. President, I rise to support the bill and I congratulate Senator Guidera and the Judiciary Committee for bringing this bill forward, and I want to associate myself to 99½% of the things that he said. The mild objection, or call it a regret if you will, has to do with Section 12 which says in its amended form that the Court of Probate shall not disapprove any adoption of this section solely because an adopting parents marital status or because of a difference in race, color or religion, between a prospective adopting parent of the child to be adopted. If the members of the circle who were here during the last session in May recall, I was concerned as many others were also,

that age, not be permissible grounds of discrimination for adoption proceedings. And my mild expression of regret has to do with the fact that I wish among the characteristics that we had prohibited to be the sole ground of rejection of a prospective adopting parent we would have included age as well, because I think there are so many cases where people regardless of age and obviously within limits can give a child a warm and constructive home life to be brought up in. But with that mild exception, I whole heartily support this bill. For a roll call vote. Hearing

THE CHAIR: on then the bill is moved to the Consent Calendar.

CL: Will you remark further? Senator Gormley, the Senator Ciarlone

SENATOR GORMLEY: Calendar 332--File 175 & 303 substitute for

Thank you, Mr. President, I too, rise to support the bill and in order to save time and also save making repetitious remarks, I will associate myself with remarks made by both Senator Guidera and Senator Lieberman. Thank you, Mr. President.

THE CHAIR:

Thank you very much. Senator Ciarlone.

SENATOR CIARLONE:

Mr. President, the hour is late so I'll be very brief. I do wish to congratulate Senator Guidera and his committee for bringing a bill out of this nature. It's certainly a bill that was very badly needed and as I browse through this bill very quickly and listen to the Senator's report the bill out, I think the basic concept of the bill is excellent. It protects the rights of the children. Again, I congratulate the Senator and

his committee, to make any of their own orders in respect to

THE CHAIR: I would urge passage of the bill, Mr. President, and

Would the Clerk please announce----Senator Alfano?

SENATOR ALFANO:

There's no opposition to this bill and I would move it go on
the consent calendar with the consent of Senator Guidera.

THE CHAIR: #303--File #203, Substitute for House Bill #8063

I would take it, Senator, that that motion of your hand was
an offer to withdraw the motion for a roll call vote. Hearing
no objection then the bill is moved to the Consent Calendar.

CLERK:

Page 4 of the Calendar 332--File 175 & 303 substitute for
House Bill #8288 B-AN ACT AUTHORIZING FIRE MARSHALS TO ESTABLISH
FIRE ZONES ON PUBLIC AND PRIVATE PROPERTY. (Amended by House
amendment Schedule A) WITH A FAVORABLE REPORT BY THE COMMITTEE
ON PUBLIC HEALTH AND SAFETY.

THE CHAIR: move, Mr. President, that it be placed on Consent
Calendar. Senator Berry?

SENATOR BERRY:

Yes, Mr. President, this bill as amended by House Amendment
Schedule A has been introduced to ensue the safety of persons
occupying or using any premises open to the public by an addi-
tion to the fire code which calls for the establishment of a
fire zone in order to allow access to said premises from fire
equipment. I might add that regulations concerning this addi-
tion to the fire code shall not impair the right of the

Oh, Mr. President, if we can act on that motion, I have a move that it be placed on the Consent Calendar.

THE CHAIR:

THE CHAIR:

Senator Fauliso?

All-in-favor, signify by saying "aye". Opposed "nay". The

SENATOR FAULISO:

"ayes" have it. The Consent Calendar as was presented by the major-
ity leader is adopted.

I think this legislation is very necessary because there have
been many instances where people who feel that they have an

SENATOR ROME:

insurance policy and then call upon their agent and the agent

apparently cannot get the cooperation of the company to get the

certificate of financial responsibility. This will, at least,

enable the agent to expedite it so that he has the authority to

furnish the financial responsibility and the motorist can get

his Operator's License. I think this is a void that certainly

is now complete. I know of many, many motorists in the State

THE CHAIR:

with the financial responsibility and many companies who have

arbitrarily refused certificates of responsibility, not with-

standing that we have passed legislation in this area.

SENATOR ROME:

THE CHAIR:

No, it was not, sir.

Hearing no objections, so ordered. Senator Rome?

THE CHAIR:

SENATOR ROME:

I move acceptance and passage of the Committee's reports on

sitting on the Consent Calendar. There was a motion to the Con-

sent Calendar. You did not enumerate as you went through. You

Calendar #319, Calendar #332, Calendar #333 and #337. Bills passed
on the Consent Calendar SB-1828, SB-1864, SB-2287, HB-8288, HB-8063 and SB-2140.

THE CHAIR:

SENATOR ROME:

Senator Rome, I have Calendar #302 also. Is that did we take

that up?

THE CHAIR:

SENATOR ROME:

So ordered.