

Legislative History for Connecticut Act

HB 9098 PA 266 1973

Req's

Senate: 2700

House: 4700-4705

CP

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CONNECTICUT
GEN. ASSEMBLY
SENATE

PROCEEDINGS
1973

VOL. 16
PART 6
2474-2993

2700

Thursday, May 3, 1973

132.

CONSENT CALENDAR

Cal. 665, S.B. 2425, AN ACT ADOPTING A STATE BIKE ACT.

roc

THE CHAIR:

I think that's my physicians bill. Senator Denardis and I. I didn't mean to upset you. I just wanted to indicate that my physician was in favor of this particular bill.

SENATOR ROME:

May we Pass Retain on that bill, sir. We will pass retain on 665.

Cal. 666, H.B. 8272. AN ACT CONCERNING THE APPOINTMENT OF RETIRED JUVENILE COURT JUDGES AS STATE REFEREES.

Cal. 668, Sub. for H.B. 9098, AN ACT CONCERNING NOMINATIONS FOR THE BOARD OF EDUCATION, amended by House Amendment Schedule A.

Cal. 669, H.B. 8419, AN ACT CONCERNING PERMIT FOR COLLECTION OR DISPOSAL OF WASTE PRODUCTS.

Cal. 670, Sub. for H.B. 8730, AN ACT CONCERNING SPORTS, HORSE SHOWS, DOG SHOWS AND RACING ON SUNDAY, amended by House Amendment Schedule A.

Cal. 671, Sub. for H.B. 8780, AN ACT CONCERNING THE DATING OF MILK.

Cal. 672, Sub. for H.B. 8811, AN ACT CONCERNING LICENSING REQUIREMENTS FOR RACE MEETS AND CONCESSIONS, amended by House Amendment Schedule A.

Cal. 675, Sub. for H.B. 8981, AN ACT CONCERNING TOWING AND PUSHING OF VEHICLES.

Cal. 685, Sub. for H.B. 8133, AN ACT CONCERNING NEWINGTON CHILDREN HOSPITAL.

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CONNECTICUT
GEN.ASSEMBLY
HOUSE

PROCEEDINGS
1973

VOL.16
PART 8
3634-4139

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REP. CRETELLA: (87th) hw

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

THE DEPUTY SPEAKER:

Question is on acceptance and passage of the bill. Will you remark.

REP. CRETELLA: (87th)

The Clerk has an amendment.

THE DEPUTY SPEAKER:

Clerk please read the amendment.

THE CLERK:

House Amendment Schedule "A" offered by Rep. Cretella of the 87th district to Sub. H.B. No. 9098, File No. 456:

In section 1, line 6, after "to" insert "either"

THE DEPUTY SPEAKER:

The gentleman from the 87th.

REP. CRETELLA: (87th)

Mr. Speaker, I move adoption of the Amendment House Schedule "A".

THE DEPUTY SPEAKER:

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

REP. CRETELLA: (87th)

Mr. Speaker, in commenting on the amendment I will of necessity comment on the bill itself. At the present time general statutes of the State of Connecticut state that notwithstanding the number of vacancies to be filled on the Board

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in nature. Will all House members take their seats. The aisles will be cleared and all staff members return to the well of the House. Machine will be open. The machine will be closed and the Clerk please take a tally.

The gentleman from the 118th.

REP. MAHONEY: (118th)

Mr. Speaker, the gentleman from the 118th would like to be recorded in the affirmative.

THE DEPUTY SPEAKER:

The gentleman from the 118th please be recorded in the affirmative. Machine will be closed and the Clerk will announce the tally.

THE ASS'T. CLERK:

Total Number Voting.....	130
Necessary for Passage.....	66
Those voting Yea.....	130
Those voting Nay.....	0
Absent and Not Voting.....	21

(Tape #10)

THE DEPUTY SPEAKER:

The Joint Committee's favorable report is accepted as amended by House Amendment Schedule "A" and the bill is passed.

THE CLERK:

Returning to your Calendar, page 5 of your Calendar, Cal. No. 470, File No. 456, Sub. for H.B. No. 9098, AN ACT CONCERNING NOMINATIONS FOR A LOCAL BOARD OF EDUCATION.

Favorable report of the Committee on Elections.

THE DEPUTY SPEAKER:

The gentleman from the 87th.

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of Education, that a political party can only nominate if the vacancies to be filled are even, one-half of the vacancies to be filled. If the vacancies to be filled are odd in number, then a political party may nominate one over half. hw

The other statute states that an elector can only vote for half the number to be elected if it's an even number and one over half if the number to be filled is an odd number.

This bill if adopted will allow towns at a local option the right to have a political party if they so choose nominate as many persons as there are vacancies to fill and allow an elector to vote for as many vacancies as there are to fill.

The action comes about in a town only after a town has either amended its charter to permit it, and you will note that a charter change requires a referendum, or in the absence of a charter change the local option will be in the form of a referendum. In either case the town can only adopt the provisions of this bill if a referendum is held, either a charter referendum or a referendum authorized by the legislative body of the town, or a referendum authorized by a petition.

The amendment which was offered clearly is to indicate that there must be a referendum in either case. If the town adopts the referendum, then the party can nominate as many vacancies as there are to be filled. The electors can vote for as many positions as there are to be filled. But then, in filling those vacancies you revert back to the present law which states, that if the number to be filled is even, only the two highest of the same political party or the one-half of the even

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number will be declared elected and the remaining two will be of the opposite political party. If the number is odd, then only one over half shall be declared elected notwithstanding how many votes they get and the remainder is filled by the opposite party which is the law today.

So in substance the bill simply changes by local option the number of people than can be nominated and voted for Boards of Education, but otherwise does not change the present law as to who will be declared elected.

I move adoption of the amendment.

THE DEPUTY SPEAKER:

Question is on the adoption of the amendment. If there are no further remarks -- the gentleman from the 70th.

REP. AVCOLLIE: (70th)

I don't know whether this is the proper time to ask the question. Mr. Cretella has actually gone into the bill but in effect if adopted under the provisions established, wouldn't this bill change the present method of guaranteeing a minority on Boards of Education by virtue of nomination and then in the last paragraph of the bill, again guarantee a minority by virtue of only declaring a certain number elected.

THE DEPUTY SPEAKER:

The gentleman of the 87th.

REP. CRETELLA: (87th)

In my opinion it will not change the minority representations as required under the Board of Education nor under the minority representation statute which is not referred to herein.

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REP. AVCOLLIE: (70th)

hw

Thank you Mr. Speaker.

THE DEPUTY SPEAKER:

Question on adoption of House Amendment "A". All those in favor of adoption of House Amendment "A" will signify by saying AYE. Opposed. House Amendment "A" is adopted.

REP. CRETELLA: (87th)

Mr. Speaker, I now move adoption -- acceptance of the bill as amended by House "A".

My comments on the amendment refer to the bill itself.

THE DEPUTY SPEAKER:

Question is on acceptance of the bill as amended by House Amendment "A". I rule the amendment technical in nature.

If there are no further remarks -- the gentleman from the 38th.

REP. ROSE: (38th)

Mr. Speaker, I would like to move -- favorably on this bill I think that there are many towns will find this something that they may want to adopt by petition, referenda, by other referenda processes included in the bill.

It particularly takes into account those people who are not affiliated with either party and would have an opportunity under the provisions of this bill to at least have a choice of the candidates that are nominated for the positions.

I think it's a very important forward step in keeping our Board of Education much more alert to the town's needs and will perhaps improve the quality of our Boards of Education.

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I approve of the bill.

hw

THE DEPUTY SPEAKER:

Are there any further remarks? If not, will all members please take their seats. Staff members come to the well of the House. The aisles be cleared. The machine will be open. The machine will be locked and the Clerk will please take a tally.

The gentleman from the 111th.

REP. CAMP: (111th)

When you finish with vote, please, for the purpose of an announcement.

THE DEPUTY SPEAKER:

Clerk will please announce the tally.

THE ASS'T. CLERK:

Total Number Voting.....	138
Necessary for Passage.....	70
Those voting Yea.....	137
Those voting Nay.....	1
Absent and Not Voting.....	13

THE DEPUTY SPEAKER:

The Joint Committee's favorable report is accepted as amended by House Amendment "A" and the bill is passed.

The gentleman from the 111th.

REP. CAMP: (111th)

Mr. Speaker, for purposes of an announcement, please.

THE DEPUTY SPEAKER:

Please proceed.

REP. CAMP: (111th)

The Finance Committee will meet at 3:00 o'clock this after-