

Legislative History for Connecticut Act

HB 8135

PA 39

1973

House - 974-980, 1046-1053, 1244-1250 (22)

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PROCEEDINGS
1973

VOL. 16
PART 3
939-1415

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page 4 of today's Calendar, Calendar No. 67, H.B. No. 8276, An Act Validating Certain Tax Liens in the Town of Stafford, File No. 65; Calendar No. 68, H.B. No. 8350, An Act Reinstating and Validating the Corporate Existence of Mansfield Volunteer Fire Company, Incorporated, File No. 64; on page 5, Calendar No. 74, substitute for H.B. No. 8619, An Act Validating the Notice Given by Koula Phillipopoulos to the City of Stamford, File No. 66; and on page 6, Calendar No. 81, second from the bottom, S.B. No. 1574, An Act Concerning Regulations of The Liquor Control Commission, File No. 14.

djh

(The Deputy Speaker in the Chair)

THE DEPUTY SPEAKER:

Is there are any objections these, if there are no objections, there is an objection.

MR. VICINO (78th):

Mr. Speaker, Calendar No. 81 has an amendment. We prefer it not be on the Consent Calendar.

THE CLERK:

That's S.B. 1574, right sir?

MR. VICINO (78th):

Yes, it is.

THE DEPUTY SPEAKER:

We will remove this item from the Consent Calendar and any others, if anyone objects. And if there are no objections, they will be placed on the Consent Calendar.

THE CLERK:

Business on the regular Calendar. Favorable reports. Calendar No. 31, File 29, H.B. No. 8135, An Act Concerning Transfer of Property as

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Affecting Eligibility for Public Assistance, favorable report of the Committee on Corrections, Welfare and Humane Institutions. djh

MR. WESTBROOK (14th):

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. Will you remark?

MR. WESTBROOK (14th):

Mr. Speaker, this bill simply places a time restriction of seven years on the period prior to application during which a disposition of property of fair value by the applicant will affect eligibility for age of families with dependent children. But, Mr. Speaker, the original intent of the bill is not served so the Clerk has an amendment. The Clerk has an amendment, Mr. Speaker.

THE DEPUTY SPEAKER:

Will the Clerk please read the amendment?

THE CLERK:

House Amendment Schedule "A" offered by Rep. Curtis of the 106th to H. B. No. 8135, File No. 29, Calendar No. 31.

Add new section 2 as follows:

Section 2. Section 17-109 of the general statutes is repealed and the following is substituted in lieu thereof. Any person shall be eligible for an old age assistance award who (a) has attained the age of 65 years; (b) has not sufficient means to support himself on a reasonable standard of health and decency and has no spouse (child or children) or legally liable relative able so to support him; (c) is a resident of Connecticut; (d) is not an inmate of a public institution except a medical institution, an institution for

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mental diseases or an institution for tuberculosis; (e) has not made, and this is new material, within seven years prior to the date of application for such aid, end of new material, an assignment or transfer or other disposition of property without reasonable consideration or for the purpose of qualifying for an award provided ineligibility because of such disposition shall continue only for that period of time from date of disposition over which the fair value of such property, together with all other income and resources would furnish support on a reasonable standard of health and decency; (f) is not serving a sentence in a correctional institution or lodged in a jail while bound over from a lower court for trial.

THE DEPUTY SPEAKER:

The gentleman from the 14th.

MR. WESTBROOK (14th):

Yes, Mr. Speaker, this new section simply says that not only the recipient will have ten years, that the relatives of the recipient will also only have ten years' restriction.

THE DEPUTY SPEAKER:

Any further remarks?

MR. COATSWORTH (32nd):

Mr. Speaker, if I may ask a question of the proponent of the bill. Sir, the mention of ten year restriction and the bill mentions a seven year restriction on property transfer. Can you clarify this for me please.

THE DEPUTY SPEAKER:

Does the gentleman from the 14th care to respond?

MR. WESTBROOK (14th):

Through you, Mr. Speaker, the bill only mentions the seven years.

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THE DEPUTY SPEAKER:

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Are there any further remarks?

MR. NEIDITZ (18th):

Mr. Speaker, this through you, a question to the gentleman, Rep. Westbrook. Was this amendment in bill form before our committee?

MR. WESTBROOK (14th):

No, it was not sir. The original intent of the bill was not being served and the amendment was then written later.

MR. NEIDITZ (18th):

Well, Mr. Speaker, I'd move that this amendment, that the bill go to the Legislative Commissioner and the committee have a chance to look at the amendment. We've been meeting on bills and if the bill is o.k., the bill should be pass retained until such time as the committee could look at the amendment. This is not a simple technical amendment but a long a substantive amendment and I think that our process here is derogated by bringing large and substantive amendments to the floor without adequate chance for anyone to look at them.

MRS. CURTIS (106th):

Mr. Speaker, it was an error that this was left out of the bill. Apparently it was left out in the Legislative Commissioner's Office. It very definitely is a substantive amendment and I was supposed that it be printed in the Calendar for discussion tomorrow or the next day. It was left out of the bill, Dave. It supposedly, because the original bill had it in. That's what happened. We just caught the error.

MR. NEIDITZ (18th):

Mr. Speaker, I think I still have the floor.

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THE DEPUTY SPEAKER:

The gentleman from the 18th still has the floor.

MR. NEIDITZ (18th):

I'd accept the explanation of the distinguished lady from Newtown and just hope that we'd have a chance to talk about the amendment. I may have no objection when I just have a chance to look at it but it is complex.

MRS. CURTIS (106th):

Not that complex. Well, I'll explain it to you.

MR. NEIDITZ (18th):

For my poor brain, it is.

THE DEPUTY SPEAKER:

The gentleman from the 18th still has the floor.

MR. NEIDITZ (18th):

May I move, sir, that we recommit it to the committee and bring it back out so the committee would have a chance to look at it.

THE DEPUTY SPEAKER:

The Speaker would ask you to withdraw that motion because he was about to explain that he was going to, if the amendment was passed, recommend that it go to the Legislative Commissioner's Office for reprinting.

MR. NEIDITZ (18th):

Well, I think this should be subject of the committee's discussion. We have a meeting, I think tomorrow, through you, Mr. Speaker, a question to the chairman of the committee?

THE DEPUTY SPEAKER:

If the lady cares to respond.

MR. AJELLO (104th):

Point of order, sir.

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THE DEPUTY SPEAKER:

Point of order, the gentleman from the 104th.

MR. AJELLO (104th):

I don't understand what's before us. I really want to make a point of parliamentary inquiry, sir. If the gentleman has made a motion, I'd just like to be able to follow this discussion and I'm having great difficulty doing that at this point. Whether the gentleman has made a motion of recommitment or not, I'm not certain about and if we could have that clarified so that we'd all know what we're talking about, or whether it's to be passed retaining as the lady seems to have suggested, could we know what's happening please?

THE DEPUTY SPEAKER:

I want to thank the gentleman from the 104th for his suggestion.

I will now recognize the lady from the 106th for the purpose of--

MR. NEIDITZ (18th):

Mr. Speaker, I think I have the floor.

MRS. CURTIS (106th):

Mr. Speaker, through you to Mr. Neiditz, may I say that I do want to pass retain and I do want it printed so that we will take it up and I will discuss it with you and explain to you because it's really not that much of a problem as far as the bill is concerned, but I will talk to you about it and we will pass retaining. I have the amendment printed. That's what I wanted done anyway.

MR. NEIDITZ (18th):

Yes, that would be acceptable at this point, Mr. Speaker, and a motion, we can move to recommit tomorrow.

MRS. CURTIS (106th):

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THE DEPUTY SPEAKER:

We'll face that one tomorrow.

MR. NEIDITZ (18th):

Mr. Speaker, a parliamentary inquiry. Does this mean we have to pass this amendment first?

THE DEPUTY SPEAKER:

It does not mean that we have to pass it. The lady from the 106th has asked that we pass the bill retaining its place on the Calendar.

MR. NEIDITZ (18th):

Pass the bill retaining its place on the Calendar?

THE DEPUTY SPEAKER:

Yes.

MR. NEIDITZ (18th):

Fine, thank you.

THE DEPUTY SPEAKER:

Will the Clerk please read the next item.

MR. AJELLO (104th):

Mr. Speaker, I've been asked by the Majority Leader who is not present at the moment to take up an item of business for which the Senate is awaiting our action and I would, therefore, move suspension of the rules for immediate consideration of --

THE CLERK:

Substitute for H. B. No. 8341, right?

MR. AJELLO (104th):

Right, I can't find it, Lucille.

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THE CLERK:

EFR

Favorable report Calendar No. 31, H.B. 8135, an Act concerning transfer of property as affecting eligibility for public assistance. File 29. Favorable report of the Committee on Corrections, Welfare and Humane Institutions.

G. WARREN WESTBROOK:

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

MR. SPEAKER:

Question is on acceptance and passage. Will you remark.

G. WARREN WESTBROOK:

Yes, Mr. Speaker. On the desks of the Members is a copy of the Amendment, which was read in by the Clerk yesterday. I move that we waive reading another reading of the Amendment, that I may summarize it.

MR. SPEAKER:

Is there objection to the gentleman summarizing the Amendment? Hearing none, the gentleman from the 14th.

G. WARREN WESTBROOK:

Thank you, Mr. Speaker. This Amendment was put in because the original intent of the bill was not served and Section 2 was needed. All that the Amendment does under Section 2 is similar to Section 1, except that it brings the relatives of the party applying for assistance into the Act, and I think it's a good Amendment, and it's needed for the bill, and I move its passage.

MR. SPEAKER:

Question is on passage of House Amendment Schedule "A".

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Will you remark.

EFR

CARL R. AJELLO:

Mr. Speaker, the Amendment, which is in my possession, is the one that was offered yesterday by Representative Curtis. Am I correct? Will someone tell me whether or not that's correct.

MR. SPEAKER:

Gentleman from the 14th, is that the same Amendment to which the gentleman was referring?

G. WARREN WESTBROOK:

Through you, Mr. Speaker, yes.

CARL R. AJELLO:

Mr. Speaker, it seems to me that there is a definite change in the purport of the entire bill by virtue of the Amendment. I don't necessarily have any objection to it, but it seems to me, again, not so innocuous as it might appear at first blush to change the words "child or children". To substitute the words "legally liable relative" is including a large additional group of people, it seems to me, within the purview of this statute and is a very significant legal step, and it occurs to me to wonder, since it is coming to us by way of an Amendment, whether or not the Committee had considered that very narrow point, because that certainly is not the thrust of the main part of the bill, and whether or not the Committee intended, when it met, and whether it has deliberated on this, and I wonder whether somebody can answer that for me.

MR. SPEAKER:

The gentleman from the 14th, the gentleman from the

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104th. The Chair has read the Amendment, and if it is adopted it's the Chair's intention to rule the Amendment as substantive, and it would return to this body after it has been reviewed by the Legislative Commissioner's Office.

G. WARREN WESTBROOK:

Yes, Mr. Speaker. Through you, the Committee is aware of this.

MR. SPEAKER:

The gentleman from the 104th still has the floor.

CARL R. AJELLO:

Thank you. I think just that the body should be aware that there's a great distinction between a spouse, child or children and "legally liable relative", which includes a much greater array of people under the Statutes, as I recall, and I think I just would like to emphasize, for the purpose of the record, that we are taking a very significant step in that direction this afternoon. I certainly don't object to it so long as the Committee is aware that this is being done.

MR. SPEAKER:

Will you remark further on House Amendment Schedule "A".

JOSEPH S. COATSWORTH:

Mr. Speaker, through you, a question to the proponent of this Amendment.

MR. SPEAKER:

Please proceed.

JOSEPH S. COATSWORTH:

Mr. Speaker, could we have some explanation of the

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phrase "legally liable relative" and some of the thinking behind EFR the necessity of this inclusion of this Amendment. I think the bill is a very good bill. I am only confused about the phrase "legally liable relative", and if this is a major change, or is it a...something which appears in other legislation affecting welfare recipients, or...

SARAH FRANCES CURTIS:

It does. Through you, Mr. Speaker, to Mr. Coatsworth. It does. "legally liable relative" does appear in our other statutes.

JOSEPH S. COATSWORTH:

Fine. Thank you.

JAMES J. CLYNES:

Mr. Speaker, could the lady give us some definition who might be included in a "legally liable relative". Although it is in the statutes now, I'd like to have an explanation, if you have it.

MR. SPEAKER:

Would you care to respond?

SARAH FRANCES CURTIS:

I will try. I would think it would be a child...a son or daughter, a husband (inaudible). Anything else?

JAMES J. CLYNES:

Well, through you, Mr. Speaker, it seems to me your taking out child or children and broadening it. I'd just like to know how broad we're making this thing.

SARAH FRANCES CURTIS:

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I don't think you're making it...Mr. Speaker, through you...I don't think you're really broadening it. Remember, this is seven years that we're allowing. Two years ago we had a bill before this House that was passed, and it was turned down by veto by the Governor, which only allowed three years. This is a very fine bill, and it should be passed when it comes back before the House again.

EFR

BERNARD L. AVCOLLIE:

Mr. Speaker, I don't want to contradict the lovely lady, but as I read it, the section on changing "child or children" to "legally liable relative" has absolutely nothing to do with the section that changes the condition presently from infinity to seven years, and I think all of us should have an answer to the question. I, as an attorney, without looking in a number of books and maybe even after that am not sure who the legally liable relatives are. I seriously question that the parents, for instance, as Representative Curtis has implied, the parents of an individual applying for Old Age Assistance would be responsible. I believe the parents' responsibility stops when the child reaches 18. I don't think it recommences when the child reaches 30. So I would be willing to say that it does not include the parents, but I think we should have, from someone on the other side of the aisle, a definition of who legally liable relatives are without any reference to the seven years, because it has absolutely nothing to do with it.

MR. SPEAKER:

Gentleman from the 14th, speaking for the second time.

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Gentleman from the 70th, did you...

EFR

BERNARD L. AVCOLLIE:

I just asked that gentleman a question...the person making the speech.

G. WARREN WESTBROCK:

Thank you very much. Through you, Mr. Speaker, if this Amendment is declared substantive, then when it comes back we will have an interpretation of this for you, sir.

BERNARD L. AVCOLLIE:

Mr. Speaker, I know full well that if you were on the other side of the aisle sitting in the place of whoever that is over there with all the hair, you wouldn't permit us to do this kind of a thing...ask the House to pass a bill so that the Speaker can declare it substantive and so that at some future date we might get a definition of what it was we passed a week prior thereto. Now, if we're not able to get an intelligent answer as to what this is, and we're looking to the right side of the aisle for the intelligent answer, I would again suggest that we p.r. it once again, until someone in this vast arena...thank you...someone in this vast arena can give us an answer, and I would, therefore, move, Mr. Speaker, that this bill once again be p.r.'d.

MR. SPEAKER:

I understand the gentleman's motion is pass this item retaining its place on the Calendar. Will you remark on the motion.

GERALD F. STEVENS:

Mr. Speaker, I oppose the motion to pass retaining, and

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I think that a great deal is being done, and I question whether or not the gentleman means what he is saying. A legally liable relative is defined in other sections of the Connecticut General Statutes. I think he full well knows that legally liable relative is a spouse, a child or children, or it can be parents. I would agree with the gentleman that a person applying for Old Age Assistance it most likely is not parents, but legally liable relative is defined in the Connecticut General Statutes. It appears to me that the Amendment merely uses a term of art for specific classes of relatives, which is quite frequently done in the statutes. I see nothing wrong with the Amendment as it's presented. If the gentleman has a bonafide question, I certainly would not object if he withdraws his motion to passing it temporarily... looking at the statutes and coming back and acting on this matter today.

MR. SPEAKER:

Will you remark on the motion to pass retaining.

BERNARD L. AVCOLE:

Mr. Speaker, I'm satisfied. I don't know why Mr. Stevens got excited, but we asked a question, and no one answered it till Mr. Stevens did. Perhaps hereafter we'll ask Mr. Stevens all the question. If, for the record, he is indicating that the intention is merely to insert a term or words of art as opposed to child or children and as a fact legally liable relatives means spouse, child, or children, which was in the act before we amended it, then I would accept that as intention and withdraw my motion for a p.r.

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MR. SPEAKER:

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Motion to pass retaining its place on the Calendar has been withdrawn. Will you remark further on the Amendment. If not, all those in favor indicate by saying "aye". Those opposed. The Amendment stands adopted. The Chair will rule the Amendment substantive and direct that it be referred to the Legislative Commissioner's Office.

BUSINESS ON THE CALENDAR

THE CLERK:

Calendar No. 39, File No. 44, Substitute for H.B. 8182, an Act concerning incorporation of the Hemlock Point Association in the Town of Coventry.

GERALD F. STEVENS:

Mr. Speaker, may that matter be passed retaining its place on the Calendar.

MR. SPEAKER:

Motion has been made by the gentleman from the 119th to pass this item retaining its place on the Calendar. Is there objection? Hearing none, then it is so ordered. The item will be passed retaining its place on the Calendar.

THE CLERK:

Calendar No. 40, File No. 46, Substitute for H.B. 8380, an Act concerning examination of records of vital statistics. Favorable report of the Committee on Public Health and Safety.

GERALD F. STEVENS:

Mr. Speaker, may that matter be passed retaining its place on the Calendar.

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present time.

THE SPEAKER:

Is there objection to passing this item temporarily.

Hearing none, it is so ordered.

THE CLERK:

Matter returned from Legislative Commissioner. Calendar No. 31, file no. 143 and 29, House Bill No. 8135. An Act Concerning Transfer of Property as Affecting Eligibility for Public Assistance. (As amended by House Amendment Schedule A). Favorable report of the Committee on Corrections, Welfare, and Humane Institutions.

THE SPEAKER:

Gentleman from the 14th, Rep. Westbrook.

REP. WESTBROOK (14th):

I move passage of the bill as amended by House Amendment Schedule A.

THE SPEAKER:

Question is on passage of the bill as amended. Will you remark.

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REP. WESTBROOK (14th):

Mr. Speaker, this amendment and the bill have already had debate on the floor of the House. Their one question about legally liable relative, that would be the spouse, or the children, or the mother and father. This is a good bill, and I move its passage.

THE SPEAKER:

Will you remark further on passage of the bill as amended. The gentleman from the 104th.

REP. AJELLO (104th):

Mr. Speaker, recalling the debate on this when the bill was before us originally, and just like to ask the gentleman whether or not that definition of who is legally liable is inclusive and whether or not it is taken from the statute. In other words, whether it's somebody's opinion or whether it's a matter of what's contained in the relevant statutes that we find legally liable persons.

THE SPEAKER:

Gentleman from the 14th.

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REP. WESTBROOK (14th):

Through you, Mr. Speaker, that's the explanation that I received, sir.

THE SPEAKER:

Will you remark further. Gentleman from the 104th still has the floor.

REP. AJELLO (104th):

I'll yield to Rep. Sullivan if he's going to shed some light, sir.

THE SPEAKER:

Gentleman from the 124th.

REP. SULLIVAN (124th):

Mr. Speaker, at this hour of the day I will try to. In Public Act No. 127, which was passed in the 1972 Session, the words legally liable are used in Section C of that act where we change the responsibility of a parent for a child or a patient from 21 to 18 in conformity with the new rights of 18 year olds. And in that particular section, of Public Act No. 127, the words shall be legally liable were used in a number of instances. It would appear that what we are using

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here is, hopefully, proper technique in drafting this to cover the persons who might be responsible or should be responsible under this particular bill, and they have been named by the gentleman who brought out the bill. What we are doing here is simply incorporating language that was used in the last Session to describe those people without spelling them out each time they're used. I hope that answers the question that was raised by the Minority Leader.

THE SPEAKER:

The gentleman from the 104th still has the floor.

REP. AJELLO (104th):

Well, sir, it helps. And I thank the gentleman. It seems to me, and it's unfortunate that I don't have the answer, and I wish I did, that there may be sections of the statutes that define persons who are legally liable in support and recovery of support situations to include others in addition to those enumerated and the reason I asked whether or not this was taken from a statute. The statement that the spouse, children, mother and father, are both legally liable it seems to me that there is law problem in our statutes that

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include other persons and I just thought that we should be aware that we are taking a step which is not the main intent of the bill at all, but including within recovery provisions of this act a new group of people, at least we possibly are doing so. I certainly think that it ought to be spelled out in the record. I think that it's regrettable that nobody can do that, and had I the information at my command right now I would attempt to do so. As I say, it's a recollection on my part and I have not had an opportunity to ascertain.

THE SPEAKER:

Will you remark further. The gentleman from the 124th.

REP. SULLIVAN (124th):

In order to clarify the legislative intent, it is my understanding that persons legally liable as referred to in the matter in question on the floor right now are the same persons who are referred to in the first sentence of Section 17-320, the section of the statutes that refers to relatives obligated to furnish support. I have checked, myself, during the time that has intervened since the last debate, and I have not found any particular statute which imposes liability

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for support other than this--these persons we're talking about, specifically: husband, wife, father, mother or child.

THE SPEAKER:

Gentleman from the 104th.

REP. AJELLO (104th):

I thank the gentleman. That's the answer. I'm completely satisfied. Thank you.

THE SPEAKER:

Will you remark further on adoption of the bill as amended. If not, the Chair would ask the Clerk to...the gentleman from the 119th.

REP. STEVENS (119th):

Mr. Speaker, in view again of the fact that there is a Committee meeting going on, I would move for suspension of the rules so this matter might be voted on by voice vote.

THE SPEAKER:

Is there objection to the motion by the gentleman for suspension of the rules in order to vote on this matter by voice vote. Hearing none, the rules are suspended and we'll proceed with the vote. All those in favor indicate by

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saying "aye"...those opposed... the bill is passed.

THE CLERK:

Departing from the Calendar, House Joint Resolution No. 116, Resolution urging the President and Congress to investigate the release of Prisoners of Wars and the fate of those Missing in Action in Viet Nam.

THE SPEAKER:

Gentleman from the 25th.

REP. MORRIS (25th):

Mr. Speaker, I move for the suspension of the rules for the immediate consideration of the resolution.

THE SPEAKER:

Question is on suspension of the rules for immediate consideration. Is there objection. Hearing none, the rules are suspended. The gentleman from the 25th.

REP. MORRIS (25th):

Will the Clerk please read the resolution.

THE CLERK:

Whereas the citizens of Connecticut join with the rest of our nation in rejoicing at the cease-fire in Viet Nam and at

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those in favor signify by saying Aye. Opposed Nay. The ayes have it. THE BILL IS PASSED.

THE CLERK:

Cal. 215, File 143 and 29. House Bill 8135, AN ACT CONCERNING TRANSFER OF PROPERTY AS AFFECTING ELIGIBILITY FOR PUBLIC ASSISTANCE, amended by House Amendment Schedule A. Favorable report of the Committee on Corrections, Welfare and Humane Institutions.

THE CLERK:

Senator Hellier.

SENATOR HELLIER: (18th)

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

THE CHAIR:

Will
you remark.

SENATOR HELLIER:

Yes please. The present law provides that persons who have transferred property without reasonable consideration will not be eligible for assistance. It's not administratively possible to reconstruct beyond seven years the purpose, intent in dollar amounts, as well as the fair values of such property transfers. Therefore, this bill places the time limit restriction of seven years on the period prior to the application during which a disposition of property by an applicant will affect eligibility for aid to families with dependent children. Mr. President, I urge passage of the bill.

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CORRECTIONS

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He has, is required under the the Statute to promulgate minimum standards for town assistance.

VOICE: The only reason we have this bill is so that it is clearly stated in conjunction with the law that sets up the authority of the town to give care, the fact that standards for care ... that is known now by anyone who prefers the other section that we are referring to. It is a housekeeping type of bill.

MR. MADISON: If, indeed, the Commissioner had promulgated the standards, the minimum standards required in this 17-3a, it would be a technical and housekeeping bill but since he has not yet done so then the effect to remove the right to a minimum standard of assistance that people have and it is not a housekeeping bill.

REP. CURTIS: AN ACT CONCERNING DISCLOSURE OF PROPERTY OR RECIPIENTS OF STATE AID - H.B. 8131

COMM. NORTON: The purpose of this proposal is to authorize the State to secure information about the parents of a child who seeks to have it committed by Juvenile Court, in order to obtain a support order. This bill is related to one that you have discussed already, which is 8094 in which we are asking for authority to seek reimbursement from parents who are on Welfare children, 8131 will provide us with the authority to seek and secure information concerning property of such parents. We have that authority now in the sect the persons who receive what we call public assistance, AFDC AND AID TO THE ELDERLY AND DISABLED and we seek to extend that authority to the parents of children receiving aid for the child's welfare programs. This involves also the question (correction) question from audience not audible.. Mr. Norton responds, I would think it would Senator, yes.

MRS. ELLISON: I'm speaking only for myself and not to represent any organization. I have some concern about this bill in terms of the wording and the possible broadness of the wording. In line 21, when the term is used formerly I think it would go over to the next bill, 8135, in terms of people applying for assistance, they go back, on terms of transfer, going back several (or seven) years. It seems to me if you are going to insert the word formerly, there should be some specific time limit to check people. Further down in the bill you will note on page 24 the insertion pertaining to eligibility for such aid, which is a precise term, however, down in line 34, (record ends new record begins with...)

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COMM. NORTON:welfare and until and less the value of the property transferred which was not received is received and used by the applicant. That Statute has always applied in perpetuity, whatever that is, reverse of perpetuity, and that there is no time limit back to which we may look for such a transfer. The purpose of this legislation is to limit the time period within which we may look at such a transfer is 7 years and it is our feeling that it is not administratively reasonable to make an effort to trace property transfers which could involve researching land records and, in many communities, back beyond seven years.

REP. CURTIS: Anyone else wish to speak on 8135?

MR. WAXMAN: We intend to support this bill as written because it is a great deal better than the current situation. What I would like to say which applies to this bill to several others you heard today and several others you will hear over the course of your hearing, all regarding the entire recovery of the assistance and informational scheme which in the State of Connecticut, if I remember correctly, is probably one of the most extensive ones in that country and I just wonder if while you have all of these Statutes before you for reviewing it might not be a fruitful thing to inquire not only into particular changes to particular statutes, most of which are unexceptional whether the department has the power to attach of someone getting assignment or a ... is not a major change but the question is whether or not such a scheme is necessary both in terms of its administrative costs as compared to the amounts of monies that are collected to reimburse the state for the support for people who have received assistance. There have been some studies done elsewhere which approved that the administrative costs are often higher than the amounts recovered. I would also wonder if the full extent of the statutes were generally known to the recipients I would suspect from my own experiences that they were not, whether this wouldn't create a certain disincentive to get off the welfare system because property that you may obtain in the future can also be used to pay back the state and I think the third question that should be asked is when the State provides assistance in other programs, aid to certain kinds of special education and the like, other kinds of people, whether they demand reimbursement as well. I don't take any position on a sweeping change in the statutes and I think it would be worth the committee to examine these questions in these terms.

REP. CURTIS: Thank you Mr. Waxman, I think we have that in mind.

32.
jms

CORRECTIONS

FEBRUARY 13, 1973

Are there questions or would anyone else like to speak?
If not, I will declare the hearing closed on 8135
and that concludes our hearing today. Thank you for
attending and we will see you at our next hearing.