

Legislative History for Connecticut Act

HB 7317	PA 346	1975
House 3577-3581		(5)
Senate 2159-2161, 2188-2190		(6)
Public Health + Safety: 461		(1)
<del>LAW/LEGISLATIVE REFERENCE</del>		
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CONNECTICUT  
GEN. ASSEMBLY  
HOUSE

PROCEEDINGS  
1975

VOL. 18  
PART 8  
3514-4040

House of Representatives

Wednesday, May 14, 1975

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THE CLERK:

Calendar No. 826, substitute for H.B. No. 7182, An Act Concerning Customer Scales in Retail Food Stores, File No. 599.

MR. O'NEILL (34th):

Mr. Speaker, I move that this be recommitted to the Committee on General Law.

THE SPEAKER:

Is there objection? Hearing none, the bill is recommitted.

THE CLERK:

Calendar No. 827, substitute for H.B. No. 7317. An Act Defining Physically Disabled, File No. 605.

MRS. FAULISE (45th):

Mr. Speaker, I move for the acceptance of the joint committees favorable report and passage of the bill.

THE SPEAKER:

Question is on acceptance and passage. Will you remark?

MRS. FAULISE (45th):

Mr. Speaker, I believe that there is an amendment, LCO No. 9504.

(record  
23)

THE SPEAKER:

Would the lady be kind enough to repeat the LCO No. for the Clerk's benefit?

MRS. FAULISE (45th):

9504.

THE CLERK:

Thank you. House Amendment Schedule "A" offered by Rep. Yacavone of the 9th District.

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Would the lady for leave to summarize?

MRS. FAULISE (45th):

I yield to Mr. Matties, please.

THE SPEAKER:

Does the gentleman from the 20th care to summarize?

MR. MATTIES (20th):

Yes, Mr. Speaker.

THE SPEAKER:

Is there objection? Hearing none, the gentleman from the 20th for that purpose.

MR. MATTIES (20th):

Mr. Speaker, this amendment simply narrows the people that will be considered as severely handicapped. The best way to relate this is the fact that in the past week, we passed legislation setting aside a percentage of any housing built with state funds and that portion which is set aside for the handicapped plus we have another bill coming that will permit handicapped to have license plates designating them as such. If that bill passes, along with the housing bill, we need some means to provide the services for those that need it. There are a few changes in the words but the key to the amendment is the fact that it does spell out and define very clearly, we think, the people that will be entitled to the use of the housing and the license plates.

THE SPEAKER:

The gentleman move its adoption?

MR. MATTIES (20th):

I move its adoption?

THE SPEAKER:

Will you remark further on House "A"? If not, the question is on its

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adoption. All those in favor will indicate by saying aye. All those opposed?

House "A" is ADOPTED, ruled technical. Will you remark further on the bill as amended?

MRS. FAULICE (45th):

Mr. Speaker, this bill, as amended, greatly improves the present statute in order to better serve the physically handicapped of our state. It is the intent of this bill to facilitate these services for the handicapped, giving them full consideration and opportunity to function in our society to their fullest potential. I urge passage of this bill.

THE SPEAKER:

Will you remark further on the bill as amended? Will you remark further on the bill as amended?

MRS. YACAVONE (9th):

Speaking in favor of the bill, I spent a lot of time worrying over this bill and trying to help get it into shape. I think it's the least that we can do to get this definition cleared up today for our handicapped so that we can proceed with other legislation that will indeed help these people.

THE SPEAKER:

Will you remark further on the bill as amended?

MR. NEVAS (136th):

Mr. Speaker, through you, if I may, a question to the lady bringing out the bill.

THE SPEAKER:

Please frame your question.

MR. NEVAS (136th):

A question's been asked as to whether or not the passage of this legislation would entitle these persons to release from local assessors under that section of the statutes which provides for tax relief on their assessment to

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disabled persons.

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MRS. FAULISE (45th):

I'm sorry I couldn't give you an answer to that.

THE SPEAKER:

The gentleman from the 136th has the floor.

MR. NEVAS (136th):

Mr. Speaker, I would ask that question of anyone in the House who might happen to know the answer to the question.

MR. O'NEILL (34th):

Mr. Speaker, through you and not in a way of response, but could the gentleman asking the question cite the statute that he's referring to.

THE SPEAKER:

Would the gentleman be kind enough to reframe his question through the Chair to anyone?

MR. NEVAS (136th):

Mr. Speaker, it's my understanding that there is a provision of the general statutes and I can't cite it offhand which authorizes assessors to give tax relief by virtue of reduction in assessment to disabled persons and the question is whether or not this--the passage of this bill will extend or expand the group of persons who would be entitled to that kind of relief.

MR. MATTIES (20th):

Mr. Speaker, I believe it will not expand, in fact it may--no, it will not expand, I'll answer it that way.

THE SPEAKER:

Will you remark further on the bill as amended? If not, will the members please be seated and the staff come to the well. The machine will be open. Have all the members voted and is your vote properly recorded? If so, the machine will be closed and the Clerk will take a tally.

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The Clerk please announce the tally.

THE ASSISTANT CLERK:

Total Number Voting.....	132
Necessary for Passage.....	67
Those Voting Yea.....	132
Those Voting Nay.....	0
Those Absent and Not Voting.....	19

THE SPEAKER:

The bill as amended is PASSED.

THE CLERK:

Calendar No. 837, H.B. No. 8546, An Act Unmandating Established and Budgeted State Functions, File No. 620.

MR. O'NEILL (34th):

Mr. Speaker, I move that that bepassed retaining its place on the Calendar.

THE SPEAKER:

Is there objection? Hearing none, the matter is retained.

THE CLERK:

Page 5 of the Calendar, Calendar No. 841, H.B. No. 5069, An Act Concerning Assessment of Real Estate in the Name of the Lessee Under Certain Lease Agreements, File No. 632.

MR. MOYNIHAN (10th):

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

THE SPEAKER:

Question is on acceptance and passage. Will you remark?

MR. MOYNIHAN(10th):

I believe the Clerk has an amendment, LCO No. 9376.

THE SPEAKER:

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2996-3025

May 19, 1975 C.G.C. 81

Compact to provide for interstate aid in a way that was not provided for under the present statute. If there's no objection I move it be placed on the Consent Calendar.

THE CHAIR:

Hearing no objection, so ordered.

THE CLERK:

Please turn to page 10, second item from the top, calendar #748 file #653 favorable report joint standing committee on Judiciary, on House Bill 7548 AN ACT CONCERNING INVESTIGATION AND REPORT OF THE JUDICIAL REVIEW COUNCIL IN REGARD TO REFEREES.

THE CHAIR:

Senator Lieberman.

SEN. LIEBERMAN:

Mr. President, I move this matter to the Consent Calendar.

THE CHAIR:

Hearing no objection, so ordered.

THE CLERK:

Calendar #749 files nos. 605 and 784 favorable report joint standing committee on Public Health and Safety, substitute House Bill 7317 AN ACT DEFINING PHYSICALLY DISABLED as amended by House Amendment Schedule A.

THE CHAIR:

Senator Ciarlone.

SEN. CIARLONE:

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

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THE CHAIR:

Clerk has an amendment.

THE CLERK:

Senate Amendment A as offered by Senator Rome. In line 20 before the word "which" delete the opening bracket. In line 20 after the word "which" insert the words "physical handicap, infirmity or impairment." In line 22 after the word "job" delete the comma and insert in lieu thereof a period. In line 22 insert an opening bracket before the first or.

THE CHAIR: (pro temp)

The Chair recognizes Senator Rome.

SEN. ROME:

Mr. President, I move adoption of the amendment. I don't have a copy here before me. Mr. President, I believe in the House Amendment they made some changes which were appropriate and some which were inappropriate. I believe here that the change to provide that the handicap or infirmity or impairment must relate really, to the job that they're seeking is an appropriate part of the statute, and I think, I hope they inadvertently omitted that language, and I'm re-inserting that language. Urge adoption of the amendment.

THE CHAIR:

Would you remark further? Senator Ciarlone.

SEN. CIARLONE:

Thank you Mr. President. I support the amendment. I think the amendment does much to correct this bill, and I would cert-

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tainly support it. This bill Mr. President and members of the Circle, merely further defines that that of which a person is physically disabled. Currently a person is defined as physically disabled if he has a cronic physical handicap. This bill is necessary. There has been some problems on third party paid, on various disabilities, and we think that this bill will clear up that ambiguity. Thank you.

THE CHAIR:

Motions on adoption of the amendment. All those in favor signify by saying aye, "aye" those opposed nay, the ayes have it the amendment is passed. Senator Ciarlone.

SEN. CIARLONE:

Mr. President, I move acceptance of the bill as amended. If there are no further comments, no objections, I move this bill be placed on the Consent Calendar.

THE CHAIR:

Hearing none, so ordered. Senator Hennessey will you please assume the Chair?

THE CLERK:

This is calendar #751, files number 565 and 678, this is favorable report joint standing committee on Regulated Activities on substitute House Bill 8262 AN ACT CONCERNING THE AUTHORITY OF THE POWER FACILITY EVALUATION COUNCIL.

SEN. AMENTA:

Mr. President.

THE CHAIR: (SEN. HENNESSEY)

## 1975 - GENERAL ASSEMBLY

## SENATE

TUESDAY

MAY 20, 1975

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Senator Rome.

SENATOR ROME:

Mr. President, I believe that the Clerk has in his possession, Calendar No. 749 of yesterday's business, Substitute for House Bill No. 7317, File No. 605 and 784 AN ACT DFFINING PHYSICALLY DISABLED. Does the Clerk have that in his possession - her possession?

THE CHAIR:

The Clerk has it in her possession.

SENATOR ROME:

Mr. President, I move for reconsideration of that Bill. I was on the prevailing side. I offered an Amendment yesterday to take out the brackets in the last Section of that Bill. I have talked with some of the major proponents of the Bill and there could be some confusion by the deletion of the brackets. I think there's room for disagreement and rather than have ensuing litigation in the Courts over the correct meaning of the Statute, I move to reconsider so that we may reconsider the Motion and I intend to move to delete my Amendment.

THE CHAIR:

Reconsideration has been moved. Are there further remarks?

Senator Lieberman.

SENATOR LIEBERMAN:

Mr. President, I would simply support the Motion and associate myself with Senator Rome's remark.

THE CHAIR:

If there are no further remarks, all those in favor of the Motion'

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to Reconsider, please signify by saying aye. Opposed? The ayes have it, the matter will be reconsidered.

SENATOR ROME:

Mr. President, I move for the purpose of - it being back before us, having been passed, is the Motion now to reject the Amendment or to withdraw the Amendment in motion? May I withdraw it without a -

THE CHAIR:

I believe that the procedure - proper procedure now would be to withdraw the Amendment.

SENATOR ROME:

Mr. President, having sponsored the Amendment and it being back before us naked, I would move to withdraw it.

THE CHAIR:

Is there any objection to the withdrawal of the Amendment? Hearing none, the question is on the Motion to Withdraw the Amendment. All those in favor, please signify by saying aye. And those opposed? Hearing no objection, the matter and the Amendment is withdrawn.

SENATOR ROME:

Mr. President, I move acceptance and passage of the joint Committee's Favorable Report as Amended by House Amendment, Schedule A.

THE CHAIR:

Are there further remarks? Senator Ciarlone.

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SENATOR CIARLONE:

Thank you, Mr. President. I will support the Bill as amended by Senator Rome. There was some confusion, I think, to put everyone at ease, this Amendment, by being withdrawn, will take away any confusion that may have existed. It's still a good Bill. I urge everyone to move adoption. If there are no objections, I move it to the Consent Calendar.

THE CHAIR:

Hearing none, the matter is placed on the Consent Calendar.

THE CLERK:

Moving to page two of the Calendar, under the heading Favorable Reports, Calendar No. 656, File 560 and 687, Favorable Report of the Joint Standing Committee on the Environment, Substitute for House Bill No. 7502, AN ACT CONCERNING THE DEFINITION OF AGRICULTURE as amended by House Amendment, Schedule A.

THE CHAIR:

Senator Hansen.

SENATOR HANSEN:

I move for acceptance of the Joint Committee's Favorable Report on this and passage of the Bill as amended by House Amendment, Schedule A.

THE CHAIR:

Will you remark, Senator?

JOINT  
STANDING  
COMMITTEE  
HEARINGS

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& SAFETY  
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# STATE OF CONNECTICUT

## COMMISSION FOR HIGHER EDUCATION

P.O. Box 1320

HARTFORD, CONNECTICUT 06101

AREA CODE 203 666-3640

March 17, 1975

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### COMMITTEE ON PUBLIC HEALTH AND SAFETY

Re: HB-7317

An Act to Define the Disabled

This statement is being read for me as I am in a wheelchair and the Hall of the House is inaccessible. It is very important that bodies such as this Committee realize that the disabled have a vested interest in the manner in which they are defined. We are the true losers in the confusion of definitions which label and limit our very real capabilities.

As a disabled individual myself, and as a professional administrator working in the area of disability, I have reason to state that it is important to standardize the definition of "handicap" and that it be adopted for all legislation using the word.

I am currently involved in a study of provisions for the handicapped in higher education. In the initial stages of data collection it became obvious that a major reason for the lack of matching needs to services for handicapped persons and of identifying how many and what type exist was a direct result of the lack of consistent terminology. Considerable latitude in definition made it necessary to guess whether or not a certain diagnostic category constituted a disability within individual definitions. In developing a taxonomy of handicapped persons it is presently necessary to base state estimates on National estimates and hope that significant lapses have been covered by obvious over-lapping.

The word "handicap" has become as semantically loaded as the term "learning disability" and in terms of employment has become associated with lack of opportunity or discrimination because of sex, race or job obsolescence, while its primary meaning of physical or emotional disfunction has become obscured.

The definition of "handicap" utilized by the Division of Vocational Rehabilitation, if adopted, could alleviate a significant amount of this confusion. The criteria for services from that agency pre-supposes a potential for employment with appropriate training. While defining disability, disability