

Legislative History for Connecticut Act

HB 5268	PA 408	1975
House 4217		(1)
Senate 2805		(1)
G. A. P. 278-279		(2)

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CONNECTICUT  
GEN. ASSEMBLY  
HOUSE

PROCEEDINGS  
1975

VOL. 18  
PART 9  
4041-4553

House of Representatives

Tuesday, May 20, 1975

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Motion is for suspension of the rules for immediate consideration of the single-starred items on today's calendar, Calendar items 1001, 1003, 1010, 1019 and 1020.

MR. MAZZOLA (49th):

Yes, Mr. Speaker, I ask removal of Calendar No. 1003, substitute for S.B. No. 1652, File No. 615.

THE SPEAKER:

The gentleman's objection is solely to Calendar No. 1003 sir. The gentleman's is solely to No. 1003, to remove from the scope of the motion.

MR. FOX (149th):

Mr. Speaker, I would like to object to item 1001.

THE SPEAKER:

The gentleman's objection is noted. The two matters will be removed from consent pursuant to the objection of the individual members. Is there further objection? The motion before the chamber is for suspension for immediate consideration of three single-starred items on today's consent 1010, 1019 and 1020. Is there objection? Hearing none, the rules are suspended.

MR. CARRAGHER (5th):

Mr. Speaker, I move acceptance of the joint committee's favorable reports and passage of the following bills on the consent calendar: Calendar No. 1010, substitute for H.B. No. 6936. An Act Concerning the Use of Polygraph in Screening Candidates for Local and State Police Forces, File 803; Calendar No. 1019, substitute for H.B. No. 5268. An Act Concerning Indemnification of Municipal Agents Acting Within the Scope of Their Employment or Appointment, File No. 791; Calendar No. 1020, substitute for H.B. No. 7961. An Act Concerning Vacancies in the Office of Selectman, File No. 790.

THE SPEAKER:

Question is on passage of the three matters as consent items and all

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CONNECTICUT  
GEN. ASSEMBLY  
SENATE

PROCEEDINGS  
1975

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THE CHAIR:

Thank you. Result of the vote. 36 total voting. 19 necessary for passage. 36 yea, 0 nay, the Consent Calendar's adopted. HB-7585, HB-7015, HB-8145, HB-5509, HB-5284, HB-5268, HB-7961, HB-7443, HB-8328, HB-5002, HB-5160, HB-5514, HB-5516, HB-6086, HB-8172, HB-8467, HB-7451, HB-8533, SEN. LIEBERMAN: HB-5637, HB-8359, HB-5753, SB-1583, SB-1729, SB-1757, HB-5855, SB-1346.

Mr. President.

THE CHAIR:

Senator Lieberman.

SEN. LIEBERMAN:

I would move for suspension of the rules to allow for immediate transmittal to the House of those matters going to the House.

THE CHAIR:

Hearing no objection, so ordered. Motion for adjournment.

SEN. LIEBERMAN:

So moved.

THE CHAIR:

The Senate will stand, Senate will adjourn until tomorrow morning 12 noon.

THE SENATE WAS ADJOURNED AT 6 P.M.

JOINT  
STANDING  
COMMITTEE  
HEARINGS

GOVERNMENT  
ADMINISTRATION  
& POLICY

1975

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BMK

Government Administration and Policy

March 26, 1975  
10:00 a.m.

Mr. Ilg:

Yes Sir. The first one is Bill 6049, and that deals with AN ACT CONCERNING MUNICIPAL ASSUMPTION OF LIABILITY FOR DAMAGE CAUSED BY EMPLOYEES.

Last year, the legislature revised Section 10-235 which deals with protection of speakers, members and boarded commission members in damage suits for all Board of Education members and its employees. Basically, it provided for coverage for civil rights suits for Board of Education members and employees. The bill on 6049, would extend that same protection to municipal employees. It adds the phrase for damages for infringement on any civil rights. It would change nothing else in the law. I would only add here that it should be understood in this bill 6049, that it applied to acts in the line of duty only.

I would like to also speak in favor of the companion bill, 5268, AN ACT CONCERNING INDEMNIFICATION OF OFFICIALS OF TOWNS AND CITIES.

This act provides protection for elected or appointed officials again acting in their official capacity. The bill on 5268 extends the protection of municipal boards and commits the members to specifically include acts causing physical damage to persons or property and acts which infringe on a person's civil rights. The problem that we have experienced is that we have found that the civil rights act, the civil rights suits are - can be directed only toward individuals. And a municipality is not a person under the civil rights act. We now have a pending suit which brought this to our attention. By a probationary employee that was removed. And this was - add only that this probationary employee was not a member of a minority group. I think that is important because in terms of civil rights, we intend to think of that.

However, in civil rights suits, drawn against individuals -- the element of due process is what is being attacked. And we now have seven council men and five - four employees plus an employee in another town being sued for \$350,000 each. I don't know what the status is of the state. I am not an attorney but it seems to us that where we thought we were covered, when we acted in the line of duty -- we find in civil rights, we are not.

As I say, I don't know what the situation is as this pertains to state legislature. But I would advise that you may want to examine that.

The case of 5268, the bill, I think is the more important of the two as it relates to the effect it has on local government because we found that none of our boards and commission members and many of which serve - well they all serve without any compensation. Our council serves with out compensation. I am sure this is true throughout the state. And, I think you can anticipate the effect that a successful law suit would have upon the entire structure of local government throughout the state

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Government Administration and Policy

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if people were threatened as one article said - about losing their house, car, business simply by serving on a board to provide for the governing of the town.

That is the problem.

Representative Dzialo:

Any questions of the speaker.

Thank you very much. I appreciate your patience.

Okay, the public hearing is closed - 1:10 p.m.