

SB 483

PA 136

1976

House - 2079-2082

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Senate - 826

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Gov't Adm + Policy - 1101

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CONNECTICUT
GEN. ASSEMBLY
HOUSE

PROCEEDINGS
1976

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House of Representatives

Wednesday, April 14, 1976

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THE SPEAKER:

The bill is passed.

THE CLERK:

Calendar No. 605. Senate Bill. No. 483. AN ACT CONCERNING
CLAIMS AGAINST THE STATE BY INMATES OF STATE CORRECTIONAL AND
REFORMATORY INSTITUTIONS.

THE SPEAKER:

Gentlemen from the 56th.

REP. MARTIN B. BURKE (56th):

Mr. Speaker I move acceptance of the Joint Committess
favorable report and passage of the bill in concurrence with
the Senate.

THE SPEAKER:

Motion is on acceptance and passage. Will you remark?

REP. MARTIN B. BURKER(56th):

Yes, Mr. Speaker. This bill would simply transfer jurisdiction
for the determination of claims by inmates of State Correctional
and Reformatory Institutions who suffered an injury which results
~~encherin safafalyty~~ or a permanent handicap from the Committee
which consists of the Governor, the Attorney General and the

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Commissioner of Finance and Control to the State Claims Commissioner. However, any claims pending before the Committee on the effective date of the bill which is on passage would be transferred to the State Claims Commissioner. The Statute as originally enacted in 1941 predated the enactment of the Claims Commissioner and since we now have a Claims Commission the right place for the determination of these Claims would be before the Claims Commissioner would remove the necessity to convene very busy Governor, The Attorney General and Commissioner of Finance and Control. I move passage of the bill.

THE SPEAKER:

Are there any remarks further?

THE SPEAKER:

Gentlemen from the 136th.

REP. ALAN H. NEVAS (136th):

Mr. Speaker, I rise not to oppose the bill because I think it is a good bill and will undoubtedly pass unanimously with my vote, but I do rise to raise the question because its under my attention with increasing frequency we are passing bills that are effective on passage and I think this is a very dangerous trend and tendency

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in this General Assembly and one which I have seen with increasing frequency and certainly this Session. I think it is wrong. I think the whole purpose of the General Statutes which make bills effective on October 1, unless otherwise stated, is so that the people of this State could become aware of what's happened, what's occurred during the tendency of our sessions and when we pass bills effective on passage as we seem to be doing a great deal lately, people simply aren't aware of what we've done here. There is no publication of the Statutes and only basically do special groups, that is, those groups who will benefit by the legislation, who have been following closely and who are aware of what we've done, they are the only ones really who know what's happening. So, I make this comment, Mr. Speaker, in passing and would hope that at least for the balance of this Session we decelerate this tendency.

THE SPEAKER:

Any remarks further? If not, will the aisles be cleared. The members take their seats. The machine will be open. Has everyone voted? The machine is still open. Has everyone voted? The machine will be locked. The Clerk will take the tally.

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THE SPEAKER:

Will the Clerk please read the tally.

THE CLERK:

Total Number Voting.....	125
Necessary for Passage.....	63
Those voting Yea.....	125
Those voting Nay.....	0
Those absent and not Voting.....	26

THE SPEAKER:

The bill is passed. The Clerk please return to the Calendar.

THE CLERK:

On page 3 of your Calendar. Calendar No. 626. House Bill No. 5150. AN ACT CONCERNING THE WEARING OF STATE POLICE HATS. File No. 526. Favorable Report of the Committee on Government Administration and Policy.

THE SPEAKER:

Gentlemen from the 56th.

REP. MARTIN B. BURKE (56th):

Mr. Speaker, I move the acceptance of the Joint Committees favorable report and passage of the bill.

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CONNECTICUT
GEN. ASSEMBLY
SENATE

PROCEEDINGS
1976

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1976 - GENERAL ASSEMBLY

SENATE

WEDNESDAY

APRIL 7, 1976

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THE CHAIR:

Senator Julianelle.

SENATOR JULIANELLE:

I move acceptance of the Committee's Favorable Report and passage of this Bill and that it be placed on the Consent Calendar, if there is no objection. It merely removes the Attorney General's Office and leaves the sole authority with the Keeper of Documents in Connecticut.

THE CHAIR:

Hearing no objection, it is so ordered.

THE CLERK:

Calendar 380, File 377, Favorable Report of the Joint Standing Committee on Government Administration and Policy, Senate Bill No. 483, AN ACT CONCERNING CLAIMS AGAINST THE STATE BY INMATES OF STATE CORRECTIONAL AND REFORMATORY INSTITUTIONS.

THE CHAIR:

Senator Julianelle.

SENATOR JULIANELLE:

Mr. President, I move acceptance of the Committee's Joint Favorable Report and passage of the Bill and that it be placed on the Consent Calendar. This takes the Attorney General's Office out and leaves disposition of these claims with the Commissioner on Claims.

THE CHAIR:

Any objections to consent? Hearing none, it is so ordered.

THE CLERK:

Calendar 382, File 386, Favorable Report of the Joint Standing Committee

**JOINT
STANDING
COMMITTEE
HEARINGS**

**GOVERNMENT
ADMINISTRATION
AND POLICY
HUMAN RIGHTS
AND
OPPORTUNITIES**

1976

GOVERNMENT ADMINISTRATION AND POLICY

SEN. JULIANELLE: No other legislators. Peter Gillies

PETER GILLIES: Peter Gillies, Deputy Attorney General speaking in favor of two bills that you have before you. One H.B.483 AN ACT CONCERNING CLAIMS AGAINST THE STATE BY INMATES OF STATE CORRECTIONAL AND REFORMATORY INSTITUTIONS, we would urge the adoption of that bill. It would simply eliminate the committee which is presently established under 18-95 where an inmate at a correctional institution is injured. Now his claim goes before the Governor, the Attorney General and the Commissioner of Finance and Control. A rather cumbersome committee to convene, I don't know when it has been convened, trying to get all three of those bodies together in one room at one time is almost impossible. There doesn't seem to be any real reason to do it that way. There is a claims commission that is already in existence and these claims could just as easily be referred through there and we would urge that the committee adopt that.

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There are also some constitutional questions which arise through this procedure this going before the Governor and others mentioned. So I would suggest that this committee act favorably on this bill. The other bill is an ACT CONCERNING DISPOSITION OF ORIGINAL DOCUMENTS, there seems to be no reason why our office should have to concur with the recommendations of the Public Records Administrator he is amply qualified to make a determination and he is charged really with that responsibility and all we do is act as a rubber stamp to his recommendation. If he says the records ought to be disposed of we are not going to argue with him and we will just as a matter of course approve them. So all we are doing under the present law is to make work and when you do that all you do is make money or expenses there is, you are just duplicating activity, so here again it's an unnecessary function. One that we don't need and certainly for the proper administration of the disposition of public records is an unnecessary burden so I would urge and our office would respectfully urge that you would adopt that measure as well.

SEN. JULIANELLE: Thank you. Miss Hardy.

MS. HARDY: My name is Nancy Hardy and I'm here to testify on behalf of Rep. Cornelius O'Leary concerning H.B. 5761 AN ACT REQUIRING CONFORMANCE OF STATE ACTIONS TO LOCAL REGULATIONS WITH REGARD TO THE USE OF LAND. This problem came to Rep. O'Leary's attention early in the fall when the State Department of Transportation planned to construct a