

Legislative History for Connecticut Act

SB 1374 PA 4 1977

Judiciary: 112, 149-150, 152-156

Senate: 327-328

House: 645-650

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JOINT  
STANDING  
COMMITTEE  
HEARINGS

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Now Senate Bill 1374. I'm enthusiastically in favor of. I thought that today we would be hearing a Bill which presents a complete revision of commitment procedures, but I understand that that Bill was not quite ready. I served on a Committee formed by Commissioner Plout, to study commitment procedures, and to look at the Bill that Legislature passed last year changing some of those procedures. That Committee has presented to the Legislature and excellent piece of Legislation, which I understand will be heard at a later date. I'm very much in favor of that Legislation. It has many innovations and I think it certainly increases protection of those involved in the commitment process, it provides a better form to hear those. I will have more to say on that when the Bill comes up for hearing. But I think it's very important that the Legislature postpone the effective date as this Bill would do, of the Bill that you passed last year, to give us time to work together on the new Commitment Procedures Bill. One comment though. If you postpone the effective date of last years Bill until October 1st, I would hope that when we look at the new Bill, and if you pass it, that it would become effective on passage because there are so many improvements there that, if there was a lag time, it might not be a very good idea and I would really favor having that Bill effective on passage. But as far as postponing this Bill, I hope you will do it because it will help us develop this new Commitment Bill to all of our benefits.

Now, there are two Bills today with different numbers, which are the same Bill. One is Senate Bill 1174, and the other one is House Bill 7795. Those Bills were submitted by my office, they're a very simple change in the present conservatorship law. It expands the number, the type of person, who can apply for conservatorship. At the present time it requires a whole Board of Selectmen and this would make it the First Selectman or Chief Executive Officer of the town. Now I have also submitted to you, for your consideration, a complete revision of the conservatorship Statutes. They were developed by a Committee of Probate Judges, working with others who are interested in this field. The Bill before you, Senate Bill 1174, would not be necessary if you adopt the complete revision of Conservatorship Statute, so you might hold this in abeyance until that other Bill is set for hearing at a later date.

Senate Bill 1267, would simply remove the requirement that there be public notice for Probate applications for compromise of a claim. Most of these compromise claims are minors who were in automobile accidents, it's really not the public's business, there's no reason to put it in the newspaper, we can handle it very well without the newspaper notice and it would save everyone time and money, and I think that it should be removed from the present Statute.

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selves. Now if there are any questions on anything. I doubt whether you have any at this stage.

REP. ABATE: Did any member of the Probate Assembly have, I'm not familiar with the make-up of the Committee, or the Commission (OVERLAPPING CONVERSATION) You didn't have any direct in-put?

JUDGE VON WETTBERG: That was left entirely to Judge Knierim.

REP. ABATE: Judge Knierim of course was your...direct line. Any questions? Any further questions? Thank you very much, Judge. Appreciate it. Judge Kinsella? Thank you, very much. Dr. Pesky?

DR. MICHAEL PESZKE: My full name is Michael Alfred Peszke. I'm a licensed physician, psychiatrist, Associate Professor at the University of Connecticut School of Medicine and I was honored by being asked to Chair the Committee to study the Civil Commitments Statutes by Eric Plaut, Commissioner of Mental Health, and I am here speaking on behalf of the Department of Mental Health.

I would seriously, and earnestly urge the passage of the Committee Bill #7896, which is an Act Concerning Revision of Procedures Governing the Commitment of Mentally Ill Persons, and I would also ask that the raised Committee Bill number 1374 be put into effect. The intent of the second is to postpone the Revised Public Act which was to take effect of the Civil Commitment of the mentally ill on the 1st of March. Since we have submitted a new Bill, which we hope the Judiciary Committee will consider, it would, I think, be very cumbersome to have one Act go into effect the 1st of March, and then another one possibly be implemented very shortly afterwards

REP. ABATE: Doctor, in that connection, I had this question in mind when we considered this Bill earlier. Public Act #76-227 is that particular Act that you're asking the effective date be delayed--

DR. PESZKE: Til the 1st of October, correct.

REP. ABATE: Right. Is the new Bill being worked on a major departure from 76-227? Are there technical amendments or --

DR. PESZKE: There are some very significant amendments and corrections, and it is our impression, the impression of the Committee, which was an anti-disciplinary Committee, that it will be - it will appeal to the individuals who originally passed Act 76-227, and will also appeal to the Judiciary Committee.

REP. ABATE: Any questions? Thank you very much, Dr. Peszke. John Q. Tillson.

JOHN Q. TILLSON: Mr. Chairman, I am John Q. Tillson, a Counselor for the Connecticut Hospital Association, and I am talking about the same

Bill that the Doctor was talking about, 1374. The Hospital Association also urges that the effective date of the Public Act of last Session be put off until October 1st. The Hospital Association has a representative on the Committee that is re-drafting the present Legislation, we've been working with the Mental Health Department, and with other groups that are interested in the entire commitment process.

The hospitals have a particular problem in connection with emergency commitments. I think we are concerned with other features of the Bill, but emergency commitments are probably the biggest single headache we have in the field. But we just feel that to put the new Public Act into effect in March, and then re-write it - parts of it are technical, parts of it may be substantive - but we think it would be very confusing to have to gear up for a new Act on March 1st and then make significant changes in it by October.

REP. ABATE: John, did the Hospital Association provide in-put ...stage to 76-227?

JOHN Q. TILLSON: Yes. The Bill came up for a hearing last year and we expressed concern about various portions of it, we met with representatives of the agencies who were pushing the Bill, worked out details in a number of instances, so we did have substantial in-put into the Bill, and we are having, I think, a substantial in-put into the proposed revisions of it. We just think it would be very complicated to get the two of them in there at the same time.

REP. ABATE: Okay. Thank you very much. Questions? Raphael Podolsky?

RAPHAEL PODOLSKY: My name is Raphael Podolsky. I'm a lawyer with Legal Services programs. I wanted to talk to you about one particular Bill, 7880, which is the Bill to Set Uniform Fees in the Probate Courts. The Judiciary Committee has raised a different Bill, 7265, that deals with the very closely related issue about which I am concerned. It seemed to me that it was appropriate to raise that issue today because it would make perfectly good sense to combine the two Bills together.

In 7880 deals with the question of setting up a consistent Probate fee structure. The area that I am concerned about is the fees that are paid by people who cannot afford to pay fees. In the Superior Court, in the Court of Common Pleas, by practice book rule there is a procedure to the waiver of fees, and also for the assumption of the cost of service and process. For example: if someone brings a divorce action, and is indigent, and cannot pay the filing fee or the service and process cost, the Court can, if it is satisfied with the indigency, arrange for that action to be filed anyway. That's a very common thing in Superior Court. It doesn't apply just to divorces. The present procedure in Connecticut Courts permits that request to be made for any kind of an action. There's

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RAPHAEL PADOLSKY: Could I leave with you - I drafted out a possible language and---

REP ABATE: Would you please. Robert Roth.

ROBERT ROTH: Members of the Committee. I would like to thank those of you who stayed all this time. My name is Robert Roth. I am a Lawyer and a consultant with the Low Income Planning Agency, Inc., of Hartford. Prior to coming to Hartford I had four or five years experience dealing with research and Legislative work related to mental health law reform. I would like to say a little bit about the background, I'm speaking with reference to Committee Bill number 1374, that would postpone the effective date of the Public Act which was just discussed a little bit earlier.

In terms of the background of that Bill, as it was initially drafted and the changes that we initially suggested, were based on a review - I don't know whether it took a year and a half or two years, or whatever - but in 1972 to 1973 I personally, together with some staff at the agency at which I was employed at that time, went over all the commitment Legislation in the United States, and came up with patterns seem to relate to the effort to give a person who is liable to be committed to a mental hospital, some formal procedural protection, so at least if there were anywhere else for the person to go, or if this were a completely inappropriate case for commitment or whatever, that they would have some form of safeguard.

There were written into the drafts of this Legislation, and at the early part of the last Session, a number of these kinds of safeguards. What finally came out is, as Public Act 76-227, passed the Senate. I don't know by what, what the vote was at that point, but I think there was no opposition at that point any longer. There'd been extensive deliberations in the Humane Institutions Committee and I believe there, it's fair to say there were also extensive deliberations in the Judiciary Committee. So it passed the Senate and it passed the House by a vote of 139 to nothing. It was finally signed by the Governor, and the March 1, 1977 effective date was at that time a compromise to which we agreed because of the need to balance a number of these interests on both sides.

What I see now are issues, two issues, one of procedure and one of substance, at least that is one way to divide them. Procedurally I'm not sure, I can't see any reason why there should be a delay, in the effective date of this Statute. The Probate Court system has had nine months to read and become familiar with the handful of provisions that are incorporated here. I've just now had a chance to go over and compare this Public Act with 7896 from this Session which is a further Commitment Procedure Revision Bill. It looks to me as if most of what is in the - if there were ten major provisions, and I think there are. I think that eight of them are incorporated word for word in the Bill that is being proposed as the new--in 7896--there are only two changes and I'd like to address them very

briefly. Essentially what it looks like to me, there are eight changes that we all seem to agree on, some of them already in Law. They will affect the procedural rights of persons who come up for Civil Commitment in the State for a nine month period, from March to October. The number of Attorneys who testified last Session in favor of some of these protections to deal with commitment procedures on a daily basis, unfortunately are not here to talk about their experience that was related to the Committees' last Session. But it was felt that - I won't go into detail unless you'd like to ask by way of questioning - but essentially what we feel is that there is a fairer procedure in just the handful of additional safeguards provided in the Public Act that's already been passed.

Although in some terms it might be cumbersome, I not even sure in what terms it would be cumbersome, to have these eight provisions go into effect now, and the additional amendments that may be offered this coming Session go into effect later. I see no conflict among the procedures as far as I can tell. In a way you could almost say from an Administrative point of view it looks to me as though that kind of gradualism might be helpful to some of the people it had to implement, some of these changes. But in any case, what I am suggesting is there was a substantial deliberation last Session, there was the passage by both Houses and signature of the Governor, there doesn't seem to be any conflict among most of the points that are contained here and I don't see any reason not to have the Bill go into effect at this point. As I said, I think there is at least one good reason to have it go into effect at this point, and that is that impact on procedural rights of a large number of individuals between now and next October.

Secondly, and I'm not sure, I'm not sure at this point, there's a number of provisions that have been going back and forth over this morning, I'm not clear how to fit in the relevance of these two departures from the Bill last Session, but there seem to be, in some terms it could be read as being fundamental. One of the changes and I'm sorry that I'm not the Attorney who testified specifically on the issue of blanket consent last Session, but the complaint was that when a person is admitted to a mental hospital they may be required - you know in whatever terms you want-however you want to read that phrase - to assign a blanket consent form in the sense that once they agree to become a patient of the hospital they can be given any treatment that the hospital deems as appropriate. We got the provision to help more the requirement of a blanket consent form, because we felt that if a person is experiencing difficulty making it in - or coping - at some point in their lives and they feel they need sanctuary and they're willing to go where they are forced to go, wherever you read it for however it occurs in a particular case where hospitalization. There's a place to give a person a refuge, there's a function to giving a person a place of refuge at that time, where they aren't necessarily subjecting themselves by the same process to unwanted medications, many of which have been - with this Law come up again this Session, I presume in greater

detail - but a lot of these medications have been criticized as either experimental, or causing brain damage in large doses, and what not. Shock treatment, although it is not in wide spread use as nearly as we can tell, is something that can happen to a person who becomes a patient at a Connecticut mental hospital. At a State facility at any rate and we want it to - and that is the one area I can see - although that also will go into effect next October. That seems to me substantive rather than procedural and I would like to see the people have that right, now, rather than nine months from now, if it's at all possible.

The other departure from the Bill that was passed last Session, as far as I've been able to ascertain, has to do with the definition of a person who may be committed. And I think it might be worth mentioning this just to illustrate the kinds of issues that are involved here. The standard was changed last Session, and a compromise standard that essentially evolved out of the experiments of a number of other States, it used to be that in almost any State you could be committed if you were mentally ill and in need of treatment or whatever. I mean it was in a sense almost no standard. Gradually, beginning with California and a couple of other States, there have been attempts to try and make that standard into something that upon which empirical or factual evidence can be heard as opposed to something which is nebulous and essentially a matter of personal opinion. So what came out last Session was that a person - the definition of dangerous to himself, or herself, or others, means there is a substantial risk that physical harm will be inflicted upon an individual upon his, or her, own person, or upon another person, as evidenced by a recent attempt, or threat, to inflict physical harm upon himself, or herself, or upon another person. And gravely disabled means a condition in which a person, as a result of mental or emotional impairment, is in danger of serious physical harm as a result of an inability or failure to provide for his or her own basic human needs, such as essential food, clothing, shelter or safety. And that is the definition that was passed last Session. And this is, as I said, one of the - the other aspect I mentioned doesn't appear to be a departure from that Bill. I think they just ignored the blanket consent provision. And, in a sense, it would be, by implication, it would be also delayed until the nine month period but it's not clear that it was an intent to - it's not clear that it was part of what's troubling people.

On the other hand, the terms of the new Bill that has been proposed, the definition has been changed and although it's only a case of deleting a couple of phrases, I think the fundamental issue at stake is what was illustrated by the deletions. We wanted a definition, see there's this issue that's been arising in most, in many, Legislatures throughout the country as to whether psychiatrists have the kind of expertise that really enables them, in a medically or scientifically sound fashion to diagnose a persons situation so well that they have any ability to predict future behavior. The

arguments essentially go both ways, you know, the one to the effect that this is sound medical judgement and it's the best we have to rely on in a case which is at the frontier of human knowledge at this point. The other point of view is that the standards are so nebulous and the procedures are so unsound, that in a sense you have little more than one person's opinion, when you get the opinion of a psychiatrist as to what someone's behavior might be in the future. There was an article in California Law Review of a couple years back by Bruce Ennis who done some pioneering work with the New York Civil Liberties Union, on this and related issues. Quote: "Psychiatry in the presumption of expertise, flipping coins in the Court room." And essentially the argument, the way I see it, and a number of my colleagues see it, is that - and there is substantial documentation in this piece but I won't elaborate, you know, I won't belabor it - but the idea is that you might as well flip a coin in order to predict whether a person is going to be dangerous or not. You can get as accurate a prediction that way as you can by asking psychiatrists if you look at the overall figures. If anything the psychiatric tendency is to over predict that there will be dangerous, and I guess what I'm suggesting is that you get a prediction which is essentially no better than chance.

So this is the argument that I don't need to, I don't need to elaborate to any great extent, but what we try to do in order to make this an empirical or a fashionable standard rather than one which is simply a matter of opinion, in an area which is subject to stiff debate at this time, was we wanted that if a person was going to be found to be dangerous to himself, or herself, or others, we wanted that to be evident by a recent attempt, or threat, to inflict physical harm upon himself or herself, or upon another person. The advantage of the standard, as I am suggesting, from my point of view, is that it gives you something you can look at empirically, something upon which you can hear testimony. And it makes the issue one of fact as opposed to one of opinion.

The second change which simply deletes the words "physical harm" from the harm and danger of which he must be in order to be found gravely disabled. Again, I suppose that what they want to do there is allow for the idea that she could be subject to psychological harm of some kind. Now I'm not suggesting that there aren't people out there with serious problems in living with which they're having trouble coping, serious psychological problems, and all the rest of it. What I am suggesting is that we have not reached the stage in our civilization, as nearly as I can tell, where we can accurately diagnose and predict that kind of thing. And so, in a sense, we've set up a procedure to deal with very serious problem situations which raises grave possibilities for abuse. So that in that one instance at least there is a serious departure from what the Act would be.

I don't know that that's - you know, my point in mentioning this is just to illustrate the kinds of conflicts that are behind the scenes in these issues. The delaying of the effective date, in a sense, as I said most of what, most of what is in the new Bill, would be in

the past Act, but I feel there will be a large number of people affected between now and then, and on that basis alone I would ask that you not vote to delay the effective date. I mentioned the rest by way of illustration. I think we'll be hearing a lot more of that, some of these issues later on in Session. Thank you.

REP. ABATE: Thank you, Mr. Roth. Any questions? David Beizer?

DAVID BEIZER: David Beizer, representing the Connecticut Bankers Association, The Bill that I would like to speak to is raised Committee Bill 7693, which is a very, very, technical matter. Probably won't see many that are much more technical.

Let me try to explain the problem and the resolution. This Bill repeals language which now exists in the Fiduciary Powers Act, starting on line 32 of the Bill, running to line 78. Now that language was an Amendment to the Fiduciary Powers Act which found it's way there by mistake. Basically what that language talks about is allowing a Fiduciary, a bank, to do certain ministerial things such as; take a nice stock certificate that's been, ...has his fiduciary put it in a clearing corporation, merge certificates into a jumble certificate in the name of a nominee, transfer them without physical delivery. It's a operational thing that makes a lot of sense. By mistake, this Amendment, this provision which allows fiduciaries to handle stock certificates in great volume, without physically transferring them, by mistake it found it's way attached to Section 16 of Fiduciary Powers Act. The ramifications of this are that a corporation, a bank and trust company, cannot use it, this provision, unless the testator says specifically in his will or in a trust instrument, I want x bank to be able to use the Security Clearing Corporation, cause that's the way the Fiduciary Powers Act works. A resolution of the problem: repeal that portion of the Fiduciary Powers Act which is line 30 through 78, and re-enact the sections, which is exactly what section 2 does. Re-enact them and put them in a separate place in our General Statutes, which then allows the powers to be exercised without reference to the Fiduciary Powers Act.

REP. ABATE: All right. Thank you, David. We were aware, we had been apprised of that earlier.

DAVID BEIZER: Fine. I'm sorry. For the record though I think ... afford to have it on the record.

REP. ABATE: No, no. I think we have it on the record...We understand.

DAVID BEIZER: Thank you very much.

REP. ABATE: Thank you, very much. Michael Turk?

MICHAEL TURK: I am Michael Turk of 10 Valerie Drive, Vernon, Connecticut. As the father of two adopted children I'd like to speak to several important sections of the proposed Act concerning the

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THE PRESIDENT:

Senator Lieberman.

SENATOR LIEBERMAN: (10th)

Mr. President, will the Clerk please proceed to announce the bill.

THE CLERK:

The Clerk has the favorable report of the joint standing Committee on Judiciary, Substitute Senate Bill 1374, AN ACT DELAYING THE EFFECTIVE DATE OF THE ACT CONCERNING REVISION OF PROCEDURES GOVERNING THE COMMITMENT OF MENTALLY ILL PERSONS.

SENATOR LIEBERMAN:

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

THE PRESIDENT:

Do you care to remark on it, Senator?

SENATOR LIEBERMAN:

Mr. President, I would stand by my remarks made for the record earlier. This is an extension of a deadline date from March first of this year to October first of this year to allow this Legislature to adopt new procedures for the commitment of mentally ill persons.

THE PRESIDENT:

Are there other remarks?

THE CLERK:

A roll call will take place in the Senate. Would all

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senators please take their seats. A roll call will take place in the Senate. Would all senators take their seats.

roc

THE PRESIDENT:

Do you recall that this is to extend the effective date of the Act Concerning Revision of Procedures Governing the Commitment of Mentally Ill Persons from March first to October first of this year. The voting machine is open. Please cast your vote. The machine is closed and locked. The Clerk will tally the vote.

Total Voting . . . . .	24
Necessary for Passage . . . . .	13
Voting Yea . . . . .	24
Voting Nay . . . . .	0
Absent and Not Voting. . . . .	12

THE EXTENSION HAS BEEN GRANTED.

SENATOR LIEBERMAN:

Mr. President, I move for the suspension of the rules to allow for immediate transmittal of the bill to the House.

THE PRESIDENT:

Is there objection to the suspension of the rules? Hearing none, immediate transmittal is ordered.

SENATOR LIEBERMAN:

Mr. President, I am grateful for the patience of yourself and the members of the circle. I am sure that the Mental Health Department is grateful as well. There are no regular sessions now until two weeks from today, which is Wednesday, March second. I hope that everyone who is going to get away next week has a good week and I would yield to the Clerk at this

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But I also said in my remarks that the individuals that are raising the questions raised the same questions of Representative Motto at the Appropriations Committee. And the answers that were given then whether they want to accept the answers or not of the same questions that are being answered this afternoon. And Representatives Shays said that I said lets vote the bill out and get it on the floor where we can ask and answer the questions. But I want to clearly state that I did say that the same questions that were asked by individuals that raised the questions this afternoon, were also raised at the Appropriations Hearing.

MR. SPEAKER:

Are you prepared to vote? All those in favor indicate by saying aye. Opposed? The ayes have it, resolution is passed.

THE CLERK:

Page eight of the Calendar. Calendar number 116, file number 32, substitute for S.B. No. 1374. An Act Delaying The Effective Date of the Act Concerning Revision of Procedures Governing the Commitment of Mentally Ill Persons, favorable Report of the Committee on Judiciary.

MR. SPEAKER:

Gentleman from the 148th, Representative Ernest Abate.

MR. ABATE (148th):

Thank you very much, Mr. Speaker. Mr. Speaker I move acceptance of the joint committees favorable report and passage of the bill in concurrence with the Senate.

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MR. SPEAKER:

Questions on adoption of the Joint Committees Favorable Report and passage of the bill in concurrence with the Senate, and will you remark sir?

MR. ABATE (148th):

Yes, Mr. Speaker.

MR. SPEAKER:

Gentleman from the 148th.

MR. ABATE (148th):

Thank you very much, Mr. Speaker. Ladies and Gentleman this bill as apparent from the reading of your files, is a very simple bill. What it does is very simply stated is delays the effective date of public act 76-227 which is incorporated in those sections which are listed in your file from March 1, 1977 until October 1, 1977. There maybe some question in the minds of those representatives who were listening to my comments at this point in time ...

MR. SPEAKER:

Excuse mr sir. Will members please be seated? Thank you, Gentleman from the 148th.

MR. ABATE (148th):

Thank you very much, Mr. Speaker. As I was indicating prior to the interruption if the members of the committee have

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read the file presently before them, it would be apparent that the bill for them is very simple in its purpose. As I have indicated it extends the effective date of 76-227 from March 1, 1977 to October 1, 1977. What may not be so simply stated is the reasons for the delay. Just by way of background, let me comment. 76-227 was passed in 1976 in response to a decision of the United State Supreme Court. The bill was passed at a time to meet what was considered to be a urgent need for legislation. The bill at the time it was passed did not have the approval of the Commissioner of the Department of Mental Health. Recognizing that legislation had been affected, Commissioner organized a commission to study the effect of 76-227. That committee met regularly and will be reporting or have in fact reported these findings to the Judiciary Committee by committee bill 78-96. That bill was subjected to public hearing yesterday and the committee will shortly be deciding whether or not to report favorable. The bill before you, the procedures in the Department of Mental Health because it is very likely in the near future, committee bill 78-96 will in fact be approved which bill will require totally different procedures from those that are outlined in 76-227. If you were not to delay the effective date what we would have is a situation where as of March 1, 1977 various reporting procedures, forms, administrative procedures would go into effect, with the passage of purposed bill 78-96 we would then have to duplicate efforts, change forms and

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make changes and modifications in administrative procedures. Passage of this bill is certainly in need and I seek your assistance in so doing. Thank you very much.

MR. SPEAKER:

Will you remark further on the bill? Members please be seated, staff come to the well, machine will be open. The machine is still open. Have all the members voted and is your vote properly recorded? The machine will be closed and the clerk will take a tally. The machine has been closed, the vote has not yet been announced. If a members in the room, the members must vote, a member may so vote by rising in place and indicating to the Chair by district number and name whether the member cares to be recorded in the affirmative or in the negative. Lady from the 38th.

MRS. POLINSKY (38th):

Mr. Speaker, I like to record my vote in the affirmative if that is so possible.

MR. SPEAKER:

It is indeed possible, the Lady from the 38th is in the affirmative. Gentleman from the 4th.

MR. GILES (4th):

Mr. Speaker, I would like my vote to be cast in the affirmative, please.

MR. SPEAKER:

Gentleman from the 4th in the affirmative. Will the members

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please remain seated, will the staff refrain from the floor area so that we insure that there is not a mechanical problem with the roll call machine. The Chair will be thankful if the members will remain seated. The machine has been closed, the Clerk will take a tally. The Chair will be grateful if all the members please stay in their seats. The machine has been closed, the tally has not yet been announced. If there is any member in the room who would care to indicate how he would choose to vote, Gentleman from the 15th, Representative Raymond Ferrari whose been very patient.

MR. FERRARI (15th):

Thank you, Mr. Speaker, may I be recorded in the affirmative.

MR. SPEAKER:

Gentleman from the 15th in the affirmative. Will the Clerk please note? Gentleman from the 79th.

MR. GRANDE (79th):

Mr. Speaker, in the affirmative please.

MR. SPEAKER:

Gentleman from the 79th in the affirmative and will the Clerk please note. Gentleman from the 6th.

MR. RITTER (6th):

Mr. Speaker, in the affirmative please.

MR. SPEAKER:

Gentleman from the 6th in the affirmative and will the Clerk please note. Lady from the 21st.

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MRS. BARNES (21st):

Mr. Speaker, thank you very much, it doesn't pay to be late, I vote green up there also, affirmative.

MR. SPEAKER:

The Lady from the 21st cares to be recorded in the green, affirmative. The Chair will call to the Clerk attention subsequent to the machine being closed, Representatives Polinsky, Giles, Ferrari, Grande, Ritter and Barnes voted in the affirmative.

MR. SPEAKER:

Representative Motto.

MR. MOTTO:(2nd):

You forget me sir, the affirmative.

MR. SPEAKER:

How could I forget you today, sir? Representative Motto from the second in the affirmative. The Clerk please announce the tally.

THE CLERK:

Total number voting .....	131
Necessary for Passage .....	66
Those voting Yea .....	131
Those voting Nay .....	0
Those absent and not voting .....	20

MR. SPEAKER:

The bill passes. Further business on the Clerks desk.