

Legislative History for Connecticut Act

HB 5984	PA 303	1978
GAP	217-218	2
Sen	3103-3117, 3225	16
House	2551-2569	19

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Transcripts from the Joint Standing Committee Public Hearing(s) and/or Senate
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**JOINT
STANDING
COMMITTEE
HEARINGS**

**GOVERNMENT
ADMINISTRATION
& POLICY**

**1978
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GOVERNMENT ADMINISTRATION AND POLICY

March 23, 1978

GENE BRAGNOLI (Continued): Section #70 of that same bill refers to information that this unit may receive in the enforcement of locating legal liable relatives and parents of children who were deserted by their parents.

Section #11 of that bill refers to the subpoena powers which the unit had prior to their move to the State Police and this bill is necessary in getting wages and other records that different business and employers may have pertaining to welfare beneficiaries that's needed in the investigation of welfare fraud. We would urge that this Senate Bill #285 be made part and parcel of the raised Committee Bill 5984. Thank you.

SEN. BAKER: Frances Roberts.

FRANCES ROBERTS: Good morning. I'm Fran Roberts from the Office of Child Day Care and I'm speaking on the Technical Amendments Bill 5984. I did mention to Representative Hendel, but I'm an old double checker from way back, to be sure that the technical amendments are further amended to put back in the provisions for my appointment. The brackets around in Section 525 of the -- of Public Law 614, the method of my appointment by the Governor was bracketed out but nothing was put back in. I'm in -- in administrative -- I'm out, you know, but pooh, but then I might have a successor, so ... Just disappear. I think it's like Will Rogers, my -- the story of my demise, or whoever it was, was written prematurely. I'd like to have the option. (Laughter) So I would like to have that put back.

I also wondered, and this is really a question more than it is a comment, but that is prior to the passage of what became Public Act 614, there were legislative measures which made some revisions in the laws concerning the Day Care Council as well as my office. Am I right in understanding that further codification or further -- the only word I can think of is interdigitation -- they word it, not me. At what point do changes that were made by the '77 General Assembly prior to the passage of 614, not prior to the introduction of 357, at what point do they become part of the reorganization law?

SEN. N. JOHNSON: It all gets codified next fall.

FRANCES ROBERTS: It all gets codified next fall, so in other words, the fact that there is an additional responsibility of the office of Child Day Care, which is not part of 529 -- Section 529 of the -- the fact that that does not appear yet does not mean that it was left out. I mean, in other words, that hasn't been folded in yet.

SEN. N. JOHNSON: No, the Reorganization Act is an entity now and it hasn't been blended.

FRANCES ROBERTS: Right, okay, so that acts which made changes in some of the units that were later on dealt with by reorganization, those acts will be folded in, is that correct?

SEN. BAKER: I would have to confirm that with LCO...

FRANCES ROBERTS: Okay. Well, there are two acts then -- I guess -- I would say -- there are two acts 7718 -- 77157 and that has implications for additions to Section 529 of 614. It's an additional responsibility, additional language, and then Public Act 7785 which added a review and comment on spending of other state agencies to my office. That would be added to 525.

SEN. BAKER: How do you remember these numbers?

FRANCES ROBERTS: Oh, what the heck (laughter) If I'm going to forget to bring the law along, I have to at least memorize it. But mainly I wanted to be sure that those brackets were taken out. Okay?

SEN. BAKER: Senator Ballen, you wanted to testify, I believe.

SEN. BALLEEN: I would like to. Chairman Baker, members of the Government Administration and Policy Committee, I'm Senator Ballen and I'm here to speak on Senate Joint Resolution #84.

It is my firm conviction that SJ 84, a resolution amending the Connecticut Constitution concerning the funding and providing for public education, is very much needed to prevent the possibility of a future court order based on present trends fo full state funding of education.

The present wording of our Connecticut Constitution, Article 8, Section 1, states only that there shall always be free public elementary and secondary schools in the state. The General Assembly shall implement this prinicple by appropriate legislation.

Now SJ 84 would add, to establish and fundbasic quality educational opportunities as defined in General Law by said Assembly, in the public elementary and secondary schools in this state. All other educational standards and provisions not implemented by the General Assembly shall be reserved to the towns respectively.

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EXCUSE me, turn to page sixteen.

SENATOR LIEBERMAN:

Mr. President, the Clerk inadvertently made the right move because we wanted to pass temporarily on page sixteen.

THE CLERK:

All right, then we will go back to page eight, Cal. 759, Files 498 and 730. Favorable report of the joint standing Committee on Government Administration and Policy. Substitute for House Bill 5984. AN ACT CONCERNING THE CORRECTION OF TECHNICAL DEFECTS IN THE GOVERNMENT REORGANIZATION ACT OF 1977, as amended by House Amendment Schedules B and C.

THE PRESIDENT:

Senator Lieberman.

SENATOR LIEBERMAN:

Mr. President, I wonder if we might just stand at ease for a moment. Senator Gunther has a substantial amendment on the bill and Senator Baker is on his way back to the chamber.

THE PRESIDENT:

The Senate will stand at ease.

The Senate will come to order. Are we ready to proceed now? Senator Lieberman, are we ready?

SENATOR LIEBERMAN:

Mr. President, as ready as we will ever be.

SENATOR BAKER: (24th)

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Mr. President, do you want me to move the bill?

I would move for acceptance of the joint committee's favorable report and passage of the bill. I believe Senator Gunther has an amendment.

THE PRESIDENT:

Thank you. Senator Gunther.

SENATOR GUNTHER: (21st)

There is an amendment, Mr. President. LCO 3492.

THE CLERK:

The Clerk has Senate Amendment Schedule A, Substitute House Bill 5984. LCO 3492, offered by Senator Gunther. 3492.

SENATOR GUNTHER:

I move adoption of the amendment, waive the reading, I'll explain it.

THE PRESIDENT:

Proceed.

SENATOR GUNTHER:

Mr. President, this might seem a little voluminous but it is only because in order to get some of the language corrected in the original reorganization bill, it took a few more than just a simple page to merely state some sections and that. If I may, last year when we passed the Reorganization Bill, I cited some of the problems in the Health Services Department itself. The Health Services Department, the way it was structured, and incidentally, this bill was

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drafted without consultation of anyone of some eighteen boards that are involved with the health services itself, it involves some seventy-seven thousand professions in the State of Connecticut. And what I feel is absolutely wrong in the drafting of this, I think it is a situation now that if we allow this bill to go into effect next January, we will be the only state in the country that has their health services and some eighteen professional boards that are set up where the state health director himself will actually have what is tantamount to preemption of practically every board establishing the subjects these professionals will be examined in, the dates of the examinations, the certification of those people who pass the examinations, and, last but not least, the regulations and rules of the boards themselves will be actually determined by the health service director in the State of Connecticut with merely the advice and assistance of the professional boards. Now in my book, this is absolutely wrong. We don't see any profession that isn't taken and controlled by its peers; the examinations, the subjectmatter and that. We are not talking about simple uncomplicated boards and that sort of thing. We are talking about the medical profession, ah, the medical board, the homeopathic board, the osteopathic, the chriopathic, the podiatrist, physical therapist, optometry, subservice sewer systems, sanitarians, nursing home administrators, embalmers and funeral directors, barbers, opticians, nurses, dentists,

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psychologists and last but not least, the State of Connecticut is now under health services. (Senator Gunther named two other categories, which I could not understand) going to have veterinarians; under the health director. And this particular health director is going to have to have a broad background to be able to take and establish with only advice and assistance of these boards, the subjects themselves, the dates of these examinations and the certification and the whole ballgame. Now to me, I would like to cite, with just one instance here in the State of Connecticut, one of the risks that we are taking here. I don't know of any man that has the background that he could fulfill what is required of him in the Reorganization Bill. And if I can I'd like to cite you a case and I'll read from a memorandum of decision back in April 9, 1975, this is a court case brought into the courts as a result of the present health director

THE PRESIDENT:

What jurisdiction is that? Is that Connecticut?

SENATOR GUNTHER:

That's Connecticut, your honor.

THE PRESIDENT:

What court?

SENATOR GUNTHER:

It's the ah, it's a common pleas court of Hartford County, and if you would like the judge's name, can't read,

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ah, Jankowitz (sp.), I believe; oh no, I'm sorry, it's Missal.

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THE PRESIDENT:

Judge Missal.

SENATOR GUNTHER:

Judge Missal, a very competent, a very learned former lawyer and now a jurist for the State of Connecticut. I'll have to remember to vote for him the next time he comes up. But in his Memoranda, which this case was brought before the court as a result of a directive by the health director, that none of the clinical laboratories in the State of Connecticut could do analysis, that is blood and urine and any of the analysis that must be taken to arrive at a diagnosis, he excluded all chiropractors and naturopaths in the State of Connecticut. Consequently, it was brought into court and the Judge's decision in this memoranda here and what he cited in this Memoranda of Decision, and I will quote from this - "For example, can a chiropractor take a history of a patient before treating him? Is he permitted to observe a patient with his eyes for the purpose of determining if there are any obvious abnormalities? Can a chiropractor use a stethoscope to discover if a patient has an irregular heart beat? Can a chiropractor use an X-Ray device to find out whether a patient has a fracture before adjusting by hand any articulation of the spinal column? Last, but not least, should a chiropractor be permitted to

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send a patient to a clinical laboratory for a blood or urine analysis to ascertain if a patient has leukemia or diabetes before manipulating the spinal column? Dr. Lloyd the state health commissioner, who is the defendant in this case, answered "No" to all these questions. End of quote.

Mind you, Mr. President, this was the state health director, who under the Reorganization Bill, will be given total control over the subjectmatter, the dates, the certification, the rules and regulations, and I just cite this as one singular example, that here was a health director who under the Reorganization would have all this authority, yet knew so little about a profession that he testified under oath, in court, the particular chiropractors could not do these simple things, such as do examinations, have blood counts run, take a history, even look at a patient or take an X-ray, which was contrary to our state law because the judge did finally rule, and I won't bother reading the whole ruling, but he ruled against the state health director and said it would only open up that profession for the possibility of malpractice; it would open up that particular profession for the possibility that he couldn't arrive at a diagnosis. Now I only cite that for you because this is exactly what could happen because of the type of people we have had in the state health director's office and this isn't just for the present one, I go back to 1946 through three health

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directors who have a very limited scope of knowledge in their professional field and yet we are giving them eighteen areas of professional examination, that this man would have control over. And I say, this is wrong. Now the amendment that you have before you merely takes out that portion of the reorganization act that would allow the preemption in these particular categories of examinations, subjects, dates and the rules and regulations of that particular profession in the State of Connecticut. Other than that, it is all left intact. The public members are allowed and stay on the particular board. Everything else is held intact so it doesn't disrupt the reorganization act. All it does is clarify that each one of these eighteen professions have a right to take and govern themselves to establish their rules and regulations, to establish their subjectmatter that is to be tested, test their applicants, and license these individuals, and I don't think that that's unreasonable. In fact, I think it is unreasonable if we pass this Act without correcting this. Now the word is out that the reorganization bill shouldn't be touched. This is a directive both from the executive branch of government and the chairmanship of the GAP Committee. Mr. President, we made many changes in that act and little actions that were taken here; one you were interested in personally with the housing, which I hope we can take and reestablish when we get to that; that we know there was something wrong and corrected it,

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or hope to correct before it comes in. The present bill that we are working to amend, on page sixty-one from line 2871 on are corrections in the dental portion of this particular act. So this isn't something that we can't touch, it isn't something that we shouldn't touch. We should correct what's wrong with this before we pass it. So as far as I am concerned, this is not a substantial amendment. It does not change the structure. It allows all these professions to stay there. They are under the health director himself, but we take those functions that the health director shouldn't have in the State of Connecticut anymore than any other state in the country gives their health director. And I say it is wrong to let this law go through. Let's correct it now and have it done properly. When your vote is taken on this amendment, may it be taken by roll call.

SENATOR CLOUD OF THE 2nd IN THE CHAIR

THE PRESIDENT:

The question is on Senate Amendment A. Any further remarks? Senator Baker.

SENATOR BAKER:

Yes, Mr. President. I would rise to oppose the amendment. I do not believe it is a proper amendment on this particular piece of legislation; the act that we are dealing with is a correction of the technical defects in the Government Reorganization Act of last year, which basically dealt

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with typographical errors and resolutions of conflict within the act, elimination of some duplication and we have the assurance of both the LCO and the Legislative Research staff that this particular piece of legislation is purely technical. And I think it is clear from Senator Gunther's remarks that his amendment is very substantive. Much of it was presented to the Public Health and Safety Committee and was voted down there and in addition an amendment was tried to be put on in the House by Representative Connolly and was defeated there. It clearly makes substantive changes in the organizational structure which we argued about and dealt with and voted on last year. The example referred to by Senator Gunther with reference to housing that is a bill that came out of a committee and was dealt with in a substantive basis. I think that if this amendment were to pass here, it would kill the basic bill and I don't think that that would serve any good purpose at all. So I would ask that the members of the circle vote down this amendment so that we can take care of some of the technical errors that were made in last year's Reorganization Act. Thank you.

THE PRESIDENT:

Will you remark further? Senator Gunther, for the second time.

SENATOR GUNTHER:

Mr. President, very quickly, a very short rebuttal. The vote in the Public Health and Safety Committee was lost

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by I believe one or two votes in that committee. Frankly, the crunch was on and the directive came down, not based on whether this was proper or not, the crunch that killed the bill in committee was the fact that this reorganization act was not to be touched in this session. And now that we are this far down the trail and we have touched the reorganization bill, I say that if that committee sat at the same time and took a look at this bill now, you might very well find it coming out very favorably because I think they believed, at least those that opposed this, that there was going to be no touching of the reorganization bill. So we have a little different ballgame. Also, these are not substantial changes. They are technical and they apply in this particular bill when he is talking about corrections, we are talking about correcting mistakes before we make them. Last of all, the amendment that was presented in the House is not this amendment. The amendment in the house was substantial and it was quite different from this particular amendment, and I say we should take and vote this. We should put it in, suspend the rules, put it back down in the House. You know darn right well, this bill is necessary and it will pass the House today.

THE PRESIDENT:

Will you remark further? Madame Clerk, would you announce an immediate roll call in the Senate.

THE CLERK:

An immediate roll call has been ordered in the

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Senate. Would all senators take their seats. An immediate roll call in the Senate. Would all senators please be seated.

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THE PRESIDENT:

The machine is open. The machine is closed and locked. The Clerk will take the tally. Senator Hannon.

SENATOR HANNON: (3rd)

Mr. President, may I be recorded in the negative.

THE PRESIDENT:

Total Voting	35
Necessary for Passage	18
Voting Yea	17
Voting Nay	18

THE AMENDMENT IS LOST.

THE CLERK:

The Clerk has Senate Amendment Schedule B, File 730, Substitute for House Bill 5984, offered by Senator Gunther. LCO 3076.

SENATOR GUNTHER:

Mr. President, I move adoption of the amendment and I will explain it and waive the reading.

THE PRESIDENT:

Will you remark, Senator.

SENATOR GUNTHER:

This merely takes the veterinarians out of the reorganization bill under health services and puts them where they belong. Now this is a technical amendment. I don't see any compatability when you take all the health

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services ranging from homeopathic, medical physicians, osteopaths and go right down the whole line that you then throw into that whole boodle the veterinarians themselves. These people are related to the agriculture department and rightfully belong in the agricultural department. This amendment simply takes them out, puts them into another department. It will have no major impact on the reorganization bill, but merely corrects a technical defect that I am sure any thinking person would not group the veterinarians with all the treatment of human ailments and the services that are rendered under this reorganization act under health services. I will admit that there might be some people that think our patients are dogs, but my God, how can you get the compatibility between veterinarians and all health services to human beings in the State of Connecticut. It's a simple amendment. I would like to take and have you take a good look at it. It rightfully belongs in the agricultural department. Don't let this business that this bill will not pass stymy you. Let's do what's right. I would like to take and have a roll call on this too, Mr. President.

THE PRESIDENT:

Will you remark further? Senator Baker.

SENATOR BAKER:

Mr. President, I rise to oppose the amendment. I believe it is simply part of the last amendment and is

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clearly substantive and I would hope that the circle would vote it down.

THE PRESIDENT:

Will you remark further? Senator Putnam.

SENATOR PUTNAM: (5th)

Mr. President, I would direct the circle's attention to line 4144 through 4148 of File 730 which it doesn't seem to be extremely technical to me - it says the commissioner of state police may appoint one or more persons in a department for the purpose of investigating public assistance fraud relating to the beneficiaries of public assistance in this state. And this is a change from the one that, from the former statement. It said that the commissioner of state police may appoint one or more persons nominated by the commissioner of administrative services to act as special policemen. If we are going to take a definition of a special policeman and change it around to a person who is going to investigate public assistance fraud relating to beneficiaries of public assistance in this state, and say that this is merely a technical change, it would seem to me that putting the veterinarians where they rightfully belong is on the same level of no difference. And I would hope that the circle could see the correlary and could support the amendment.

THE PRESIDENT:

Will you remark further? Question is on Senate

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Amendment B. The Clerk will announce an immediate roll call.

THE CLERK:

An immediate roll call in the Senate. Would all senators please be seated. An immediate roll call in the Senate. Would all senators please take their seats.

THE PRESIDENT:

Senator Madden.

SENATOR MADDEN: (14th)

Thank you, Mr. President. A question, through you to either Senator Baker or Senator Gunther, I have been receiving quite a bit of mail on this particular bill from veterinarians encouraging me to vote for this piece of legislation because the change that I think Senator Gunther's amendment speaks to was done already in the bill and I am just wondering if, are they, in fact, moved to the Department of Agriculture under this bill, or not?

THE PRESIDENT:

Senator Baker.

SENATOR BAKER:

Through you, Mr. President, the answer is No.

SENATOR MADDEN:

Again, through you, Mr. President, are they treated at all in this bill?

SENATOR BAKER:

Through you, Mr. President, No.

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SENATOR MADDEN:

Thank you.

THE PRESIDENT:

The question is on Senate Amendment B. The machine is open. The machine is closed and locked.

Total Voting	36
Necessary for Passage	19
Voting Yea	17
Voting Nay	19

AMENDMENT B IS LOST.

THE CLERK:

The Clerk has no further amendments.

SENATOR BAKER:

Mr. President, I would move the bill.

THE PRESIDENT:

Will you remark?

SENATOR BAKER:

I don't believe there should be, you know, it's a technical bill and it makes some corrections and eliminates some of the duplications as I indicated, and also allows the LCO's office to make some clarifications also. So I would move the bill to the Consent Calendar, if there is no objection.

THE PRESIDENT:

Hearing no objection, it is so ordered.

THE CLERK:

Continuing on page eight of the Calendar, Cal. 795,

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We will wait until Marcia gets off the phone.

THE CLERK:

That was Commissioner Neiditz to say he was coming over.

We are ready for the Consent Calendar. An immediate roll call in the Senate on today's Consent Calendar. Would all senators please take their seats. A roll call on today's Consent Calendar. Would all senators like to be seated.

Page eight - Cal. 759, 795, 851. Page nine - Cal. 853, 862, 899 and 901. Page ten - Cal. 919. Page eleven - Cal. 340. Page twelv-e - Cal. 626 and 670. Page thirteen - Cal. 715, 738, 745 and 771. Page fourteen - Cal. 802, 320 and we added Senate Bill 460 which came to us under suspension from the house. And that is our last Consent Calendar.

THE PRESIDENT:

Senator Lieberman.

SENATOR LIEBERMAN:

It is with some sense of nostaglia that I move adoption of this last Consent Calendar.

THE PRESIDENT:

Have all of the eagles gathered? We'll see.

The machine is open. The machine is closed and locked.

Total Voting	36	<u>HB 5984, HB 5797, HB 5530,</u>
Necessary for Passage	19	<u>HB 5605, HB 5711, HB 5774,</u>
Voting Yea	36	<u>HB 5832, HB 6018, SB 448,</u>
Voting Nay	0	<u>SB 15, SB 624, SB 582, HB 5585,</u>
		<u>SB 302, SB 359, SB 373,</u>
		<u>SJR 55, SB 416.</u>

THE CONSENT CALENDAR IS ADOPTED.

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HOUSE

PROCEEDINGS
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2171-2620

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Total Number Voting.....130
 Necessary for Passage..... 66
 Those Voting Yea.....130
 Those Voting Nay..... 0
 Those Absent and Not Voting.... 21

THE SPEAKER:

The bill as amended is PASSED.

THE CLERK:

Calendar No. 784, Substitute for H.B. No. 5703, File No. 490.

AN ACT CONCERNING THE IMPLEMENTATION OF COURT REORGANIZATION.

Favorable report of the Committee on Judiciary.

MR. O'NEILL (34th):

Mr. Speaker, I move this item be passed retaining its place.

THE SPEAKER:

Is there objection? Hearing none the matter is retained.

THE CLERK:

Calendar No. 785, Substitute for H.B. No. 5984, File No. 498.

AN ACT CONCERNING THE CORRECTION OF TECHNICAL DEFECTS IN THE GOVERNMENT
 REORGANIZATION ACT OF 1977.

Favorable report of the Committee on Government Administra-
 tion and Policy.

MRS. HENDEL (40th):

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

THE SPEAKER:

The question is on acceptance of the Joint Committee's favor-
 able report and passage of the bill, and will you remark, madam?

MRS. HENDEL (40th):

Yes, Mr. Speaker. I think that the members in the Chamber will notice that this is a very long amendment. There are about 130 changes in the Reorganization Act and if the Education Committee, as we heard from Representative Osler, worked diligently to keep their amendment technical, let me tell you so did the Government Administration and Policy Committee and it would have been easy and sometimes tempting to do some other things but we really made every effort to keep it technical.

The changes consist of grammatical changes, punctuation changes, name changes, corrections of typographical errors, resolutions of conflict between Public Act 77-614 and other bills we passed last session, resolution of some internal conflicts within 77-614, and elimination of some duplication. This amendment was prepared in consultation with the LCO Office, OLR and the GAP Committee and we believe it is technical and I'd like to move its passage.

THE SPEAKER:

Will you remark further on the bill?

MR. STEVENS (119th):

Mr. Speaker, through you a question to the Chairman of the Committee. Through you, Mr. Speaker, would you please advise as to how Section 87 changing the composition of the Dental Commission is technical?

THE SPEAKER:

The lady care to respond?

MRS. HENDEL (40th):

Through you, Mr. Speaker, yes. In Public Act 77-169, which the General Assembly passed last year prior to the Reorganization Act, we provided in that bill for the addition to the Dental Commission of a member, a dental hygienist. That bill provides for five dentists and one dental hygienist. In the Reorganization Act which followed later in the session, we added to all boards two public members. We only added because of a technical error in the bill two public members to the five dentists. We neglected to take care of the dental hygienist whom we had put on an earlier bill which was voted overwhelmingly by this House and on consent in the Senate. So the technical amendment merely conforms the two bills, Public Act 77-169 and Public Act 77-614.

MR. STEVENS (119th):

Thank you.

THE SPEAKER:

For further remarks, the lady from the 16th, Representative Connolly.

MRS. CONNOLLY (16th):

Thank you, Mr. Speaker. The Clerk has an amendment.

THE SPEAKER:

May we have the LCO number, please, madam?

MRS. CONNOLLY (16th):

Yes. The Clerk has an amendment, LCO No. 3425. I wonder if he would call the amendment and with your permission, I would like to summarize.

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The Clerk please call LCO No. 3425, House "A".

THE CLERK:

House Amendment Schedule "A", LCO No. 3425.

THE SPEAKER:

Is there objection to the lady from the 16th summarizing in lieu of the Clerk reading? Hearing no such objection, the lady from the 16th first to summarize.

MRS. CONNOLLY (16th):

Thank you, Mr. Speaker. Actually, this is in the category of blanket amendment. It refers to sections mentioned specifically in the amendment spelled out in detail. The amendment would continue what is currently in effect in relation to the Board as the Boards relate to the Health Services Section, prevents the Chairmen of these Boards from being coterminous with the Governor and they are staggered - they were staggered previously and under this amendment would continue to be staggered. For example, in Section 327, the Department of Health Services would be responsible for exams under the Government Reorganization Bill and also investigations.

Under this amendment the Boards - Health Boards would maintain their right to promulgate examinations and investigations. Section 331, the Commissioner of Health adopts rules and regulations and this amendment would bring it back to the Board. In Section 138, it would reinstate the professional Advisory Committee to the Secretarial Office and Policy Management which was in place before change by Public Act 77-614, which is the Government Reorganization Bill.

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Section 139 of the amendment would put the supervision of the Pharmacy and Veterinary Boards back in the Department of Health rather than the Department of Consumer Protection.

I would move the amendment, Mr. Speaker.

THE SPEAKER:

Will you remark further on House "A"?

The lady just moved the amendment. Will you remark further on House "A". The lady from the 16th is recognized in furtherance of her remarks.

MRS. CONNOLLY (16th):

Thank you, Mr. Speaker. I bring this amendment to H.B. 5984 since speakers representing 77,000 people in Connecticut, specifically those involved in the health professions, appeared before the Public Health and Safety Committee in a public hearing on March 19th, requesting these changes which I believe have merit. The vote in committee was along party lines since the attitude at that time was not to touch the Reorganization Bill. I think this is rather an ossified opinion and we should not allow ourselves to be locked in if we can make improvements before Sections of this Government Reorganization are, indeed, implemented.

I might add at this time that many of these Boards were not consulted during the drafting of Public Act 77-614. For example, the Department of Veterinary Medicine previously was under the Department of Agriculture and then moved to the Department of Consumer Protection. GAP considered taking it out of the Department of Agriculture and then put it under the Department of Consumer Protection rather than putting it in the

Department of Health Services. Because of the interrelationship between human and animal medicine, I think it rightfully belongs under Health Services because many diseases of man, as you all know, are transmitted via the animal route and vice versa.

The amendment also addresses itself to putting the Pharmacy Department back into the Department of Health Services because Pharmacists are, indeed, health professionals and are becoming more and more knowledgeable in relation to advising physicians on dosages, administering medication, and are serving as a good resource for the public in side effects.

I might cite also the Board of Nursing Examiners who previous to reorganization were charged with not only licensing nurses, but with school accreditation, reciprocity, and investigation of complaints. They have maintained a very high standard of nursing education and nursing care in the State of Connecticut and I think they have been concerned with quality and have acquired a very good record.

It is for the reason of those health professionals who appeared before the Public Health and Safety Committee - doctors, nurses, podiatrists, pharmacists, physio-therapists, veterinarians, that I bring this amendment before you. In conclusion in the interest of -- I'm certainly in favor of cost containment. I have been a champion of cost containment of all health professional departments and I think that this move to consolidate under the Reorganization Bill is a very good one, but I would respectfully suggest that we consider here today giving back the autonomy to the Boards, implementing Government Reorganization for economy and effective administration, but giving back to those Boards autonomy and the ability to administer

exams and monitor their own profession.

I would just take one more minute of your time. I know everybody is tired, but I should like to read a letter to you.

THE SPEAKER:

Excuse me, madam. Will the Chamber please come to order. Please direct your attention to the lady from the 16th. Thank you. You have the floor, madam.

MRS. CONNOLLY (16th):

Thank you, Mr. Speaker. This was written to a group representing each one of those professions who made an appointment with the Governor and I would, with your permission, like to read her response.

"Dear Mr. Schook" - and Mr. Schook happens to be a veterinarian - "My thanks to you and the other members of your coalition for visiting me during the recent office hours. The points you raised regarding the reorganization of state government are well taken. I am not sure, however, that it will be possible to bring out a bill on these matters during the current session. Nonetheless, I shall discuss with the Co-Chairperson of the Joint Committee on Government Administration and Policy the concerns you have expressed to me."

So I think that the Governor felt that these requests were well taken. I would assure you that it would not appreciably disturb the Government Reorganization Bill, merely restoring autonomy and I would move for its passage, and when the vote be taken, I would request it be taken by roll call, Mr. Speaker. Thank you.

THE SPEAKER:

There is a request for a roll call vote. All those supportive

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of the lady's request will indicate by saying "Aye". The opinion of the Chair is there is just about a sufficiency and a roll call will be ordered when appropriate.

Will you remark further on House "A"?

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MRS. HENDEL (40th):

Thank you, Mr. Speaker. Mr. Speaker, I think this is an awful amendment and I want to urge the House to vote it down and let me explain why and I'll try to be brief.

Representative Connolly indicated it was a blanket amendment and that it wouldn't do any havoc to reorganization. Well, she's correct that it's a blanket amendment and I think her lengthy explanation which did touch some of the provisions of the amendment really don't touch them all. It's a very comprehensive amendment. The amendment is clearly substantive and the bill before us in the file is not substantive in any way. The amendment proposes some major changes to reorganization and perhaps the most significant change is that it would make a lot of the Boards really autonomous again, that those who regulate would be in charge of people who want to enter various professions and some of the restrictive policies that have existed in the past would continue.

I think one of the things we voted for last year when we overwhelmingly supported public membership on the Boards and eliminating some of the autonomy was that we would have much more public input and much more efforts made on behalf of the public. I think the most important point, though, is that this amendment is clearly substantive. The Public Health and Safety Committee did consider it, did not give the bill a joint favorable report and I urge tonight if we're looking to pass a strong technical

amendment which will make the Reorganization Act better able to be implemented, that we should stick with what is technical and vote down this amendment.

THE SPEAKER:

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

The Clerk please announce the tally.

THE CLERK:

Total Number Voting.....	128
Necessary for Adoption.....	65
Those Voting Yea.....	52
Those Voting Nay.....	76
Those Absent and Not Voting.....	23

THE SPEAKER:

House Amendment Schedule "A" FAILS.

Will you remark further on the bill?

MRS. HENDEL (40th):

Mr. Speaker, the Clerk has an amendment, LCO No. 2952. Would he please call and read.

THE SPEAKER:

Would the Clerk please call and read LCO No. 2952 which shall be designated House Amendment Schedule "B".

THE CLERK:

House Amendment Schedule "B", LCO No. 2952, offered by Repre-

sentative Hendel, 40th District.

Strike out everying in lines 1239 to 1325, inclusive,

Strike out everything in line 350 after the closing bracket.

Strike out everything in line 351 before the word "for" and insert the following in lieu thereof: "The Commissioner of Motor Vehicles."

THE SPEAKER:

You have the amendment. What is your pleasure?

MRS. HENDEL (40th):

Mr. Speaker, I urge adoption of the amendment. May I remark?

THE SPEAKER:

The question is on adoption of House "B" and will you remark?

MRS. HENDEL (40th):

Yes, Mr. Speaker.

THE SPEAKER:

You have the floor.

MRS. HENDEL (40th):

Thank you. This amendment makes the technical amendment conform to a bill we passed here last week, Senate Bill 188, which referred to the Banking Commission and its actions over bank charters, and it also corrects a technical error in the bill by replacing the Commissioner of Motor Vehicles back on the Traffic Commission from which he was inadvertently deleted in the Act.

I move adoption of the amendment.

THE SPEAKER:

Will you remark further on House "B". If not, the question is

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on its adoption. All those in favor of House "B" will indicate by saying "Aye". Opposed? The "Ayes" have it. "B" is ADOPTED and ruled technical.

Will you remark further on the bill as amended by House "B".

MRS. HENDEL (40th):

Mr. Speaker, the Clerk has an amendment, LCO No. 3918 and may I request permission to summarize, please.

THE SPEAKER:

The Clerk please call LCO No. 3918, House Amendment Schedule "C".

THE CLERK:

House Amendment Schedule "C", LCO No. 3918.

THE SPEAKER:

Is there objection to the lady from the 40th summarizing in lieu of the Clerk reading same? Hearing no such objection, the lady from the 40th to summarize.

MRS. HENDEL (40th):

Thank you, Mr. Speaker. Mr. Speaker, this language corrects the file copy of the bill and the Reorganization Act in reference to investigatory powers of the State Police and the Department of Administrative Services. This amendment clearly delineates the powers to accomplish the civil and criminal functions of their investigatory responsibilities and it places the responsibility for investigating criminal acts in the State Police and the responsibility for investigating civil matters like welfare problems or something in the Department of Administrative Services. This corrects the file copy of the bill and I suggest it is technical and move

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its adoption.

THE SPEAKER:

Will you remark further on House Amendment Schedule "C"? If not, the question is on its adoption. All those in favor of House "C" will indicate by saying "Aye". Opposed? The "Ayes" clearly have it. House "C" is ADOPTED and ruled technical.

Will you remark on the bill as amended by House "B" and "C"?

For further remarks, the gentleman from the 119th.

MR. STEVENS (119th):

Mr. Speaker, the Clerk has an amendment, LCO No. 3440. I would ask the Clerk to please call the amendment and request permission to summarize.

THE SPEAKER:

Will the clerk please call LCO No. 3440, House Amendment Schedule "D".

THE CLERK:

House Amendment Schedule "D", LCO No. 3440.

THE SPEAKER;

Is there objection to the gentleman from the 119th summarizing in lieu of the Clerk reading? Hearing no such objection, the gentleman from the 119th first to summarize.

MR. STEVENS (119th):

Thank you, Mr. Speaker. The amendment before the House would change the Reorganization Bill passed last year by transferring the State Economic Opportunity Office to the Department of Human Resources. The Re-

organization Bill placed the State Economic Opportunity Office in the Department of Economic Development. I would move adoption of the amendment, Mr. Speaker.

THE SPEAKER:

The question is on adoption of House "D". Would you remark, sir?

MR. STEVENS (119th):

Yes.

THE SPEAKER:

You have the floor, sir.

MR. STEVENS (119th):

Mr. Speaker and members of the House, we passed the Reorganization Bill last year - we transferred the Economic Opportunity Office into the Department of Economic Development. It may be that it was transferred there because of the similarity of names but if one looks at the function you will see that it is clearly a Department that belongs under Human Resources. Let me give you some background on it.

The State Economic Opportunity Office presently consists of approximately 7 staff people totally funded by the federal government. They administer in Connecticut the CAP Agency Programs and are presently funneling about \$6 million in the State of Connecticut into such programs as fuel assistance, weatherization, Department of Energy Work, and these individuals have developed with the federal government an expertise, a working relationship that would be lost should they be merged in another department. In effect what we would have are two state agencies dealing in the same subject

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matter. There is no real reason not to transfer them as the amendment would do to Human Resources since they deal with problems which are under the purview of the Department of Human Resources.

The amendment certainly does no injustice to the Reorganization Act. I think what it recognizes is that perhaps Human Resources is a more applicable department for this particular agency. I think this House makes a mistake if we take the position that the bill we passed last year is perfect in all respects and that hindsight and review over a period of one year cannot lead to improvements.

I would move adoption of the amendment, Mr. Speaker, and ask when the vote be taken, it be taken by roll call.

THE SPEAKER:

The gentleman has already moved adoption of House "D" and the gentleman in furtherance of his offer of "D" requests a roll call. All those in favor of the gentleman's motion for a call will indicate by saying "Aye". In excess of twenty percent of the members present in the room are supportive and a roll call will be ordered when appropriate.

Further remarks on House "D"? The lady from the 40th.

MRS. HENDEL (40th):

Mr. Speaker, I oppose this amendment. I oppose this amendment because it is clearly substantive to start with, and as we said before, this is a technical bill as most of our efforts toward technical amendments are. This idea was not frivolously arrived at - the placement of this office last year, but in fact, it was arrived at as a conscious decision. We feel that Economic Development is in no way only a bricks and mortar type function

and that it isn't only physically oriented, but I think its success is based on the ability of it to respond in a sensitive way to the needs of the people, people who need jobs and bring jobs to those people who need them.

I think it's very important for having the person responsible for economic development in touch with the needs of the people. So on substantive reasons in terms of where the placement should be, I think the amendment should be defeated. I think it should be defeated in addition because it is not appropriate to this bill. I urge defeat of the amendment.

THE SPEAKER:

For further remarks, the gentleman from the 93rd.

MR. STOLBERG (93rd):

Mr. Speaker, I think the gentleman from the 119th has brought out some good points and, indeed, I also differ sharply with some of the recommendations of Government Reorganization. However, if we start making substantive amendments to bills with technical changes, I think it's a very bad precedent. I think this House should establish itself of technical bills being technical matters only because if they are amenable to substantive amendments, they can open up amendments on virtually any subject possible.

THE SPEAKER:

For further remarks on "D", the gentleman from the 119th.

MR. STEVENS (119th):

Mr. Speaker, commenting on the remarks of Representative Stolberg, I would ordinarily agree on matters of procedure with the

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gentleman from New Haven but I don't quite understand that there are such things before this House as technical bills provided for in our rules to which we may not attach an amendment that is germane. And the issue on an amendment is whether or not it is germane, not whether or not it is a substantive amendment to a technical amendment's title bill.

The bill before us in the file deals with the whole subject of reorganization of state government. Now it is certainly germane to offer an amendment that makes a change in the Government Reorganization Bill which we passed last year and to stand on the floor of the House and say an amendment has merit but because we are calling it a technical bill we cannot accept a substantive amendment, I have never heard that argument put forth before and I don't think it finds any precedent in either debate or our rules. The amendment should be decided, one, on germaneness, and if that is conceded, on whether or not it is a good change. On the latter point, I would submit to the members of the House that the Chairman of the Committee does not speak as though the agency is understood. The agency I am talking about is a crisis intervention agency that deals, quite frankly, with poor people when they are in need of additional dollars for weatherization, for energy needs, for fuel needs. That is totally different than the Economic Development Office which we now have.

Put it in this context. How many in this House who are concerned with delivery of emergency dollars to people who are on welfare would today say that the Department of Commerce should have jurisdiction over those agencies? It's ludicrous and yet that's what we're doing under reorganization. It is the same as saying we will give the Department of Commerce the

right to deal with poverty funds. The two have different functions and the functions should be separate. That is why the amendment places it in a State Agency, Human Resources, that deals with the needs of people.

MR. STOLBERG (93rd):

Mr. Speaker, while not addressing the substantive remarks of the gentleman from the 119th, I would point out that the title of the bill, AN ACT CONCERNING THE CORRECTION OF TECHNICAL DEFECTS IN THE GOVERNMENT REORGANIZATION ACT OF 1977, I would suggest his amendment does not comply with that title of the bill and as much as I agree with the substance of his remarks, I would reiterate that in the past this Chamber has dealt with a number of bills with technical changes, and I think the Minority Leader will probably recall that on occasion items of substance have perhaps inadvertently slipped in to those technical amendment bills. Usually those were caught and were deleted as anything of substance should be deleted from this bill. I would suggest that amendments should comply with what is required of the substance of the bill and as much as the gentleman's remarks have merit and substance, I would suggest that they do fall short technically of complying with the title and the thrust of this bill,

THE SPEAKER:

Prepare to vote. Members please be seated. Staff and guests come to the well. The machine will be open. The question is on House Amendment Schedule "D", Calendar No. 786, in files is File No. 492. Have all the members voted. The machine is still open. The machine will be locked. The Clerk will take a tally.

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MR. LAWLESS (137th):

Mr. Speaker, in the negative, please.

THE SPEAKER:

The Clerk please note.

MR. CARRAGHER (5th):

Mr. Speaker, the negative, please.

THE SPEAKER:

The Clerk please note.

The Clerk please announce the tally.

THE CLERK:

Total Number Voting.....	128
Necessary for Adoption.....	65
Those Voting Yea.....	50
Those Voting Nay.....	78
Those Absent and Not Voting.....	23

THE SPEAKER:

House Amendment Schedule "D" FAILS.

Will you remark further on the bill as amended?

MRS. HENDEL (40th):

Mr. Speaker, I think the bill has been explained.

THE SPEAKER:

For further remarks on the bill as amended, the lady from the
40th,

MRS. HENDEL (40th):

Mr. Speaker, I'd like to just urge that we vote on the bill
now and vote on this technical amendment. Thank you.

THE SPEAKER:

Remark further on the bill as amended? If not, will the members

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be seated and the staff and guests come to the well. The machine will be open. Have all the members voted and is your vote properly recorded? The machine is still open and now the machine will be locked. The Clerk will take a tally.

The Clerk please announce the tally.

THE CLERK:

Total Number Voting.....	127
Necessary for Passage.....	64
Those Voting Yea.....	120
Those Voting Nay.....	7
Those Absent and Not Voting....	24

THE SPEAKER:

The bill as amended by House Amendment Schedules "B" and "C"
is PASSED.

THE CLERK:

Calendar No. 786, Substitute for H.B. No. 5644, File No. 492.

AN ACT CONCERNING AMENDMENTS TO THE CODE OF ETHICS FOR LOBBYISTS.

Favorable report of the Committee on Government Administration
and Policy.

MR. O'NEILL (34th):

Mr. Speaker, I move this item be passed retaining its place
on the Calendar.

THE SPEAKER:

Is there objection? Hearing none the matter is retained.

THE CLERK:

Page 9 of the Calendar. Calendar No. 787, Substitute for S.B.
No. 530, File No. 342. AN ACT CONCERNING MEDICAL INJECTIONS BY SCHOOL