

Legislative History for Connecticut Act

SB 626	(PA 331)	1978
House	3732-3738	7
Senate	1635-1636, 1668, 2991-2992, 3011	6
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Transcripts from the Joint Standing Committee Public Hearing(s) and/or Senate
and House of Representatives Proceedings

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CONNECTICUT
GEN. ASSEMBLY
HOUSE

PROCEEDINGS
1978

VOL. 21
PART 9
3566-3969

House of Representatives

Thursday, April 27, 1978 50
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the Clerk will take a tally. Clerk, please announce the tally.

THE CLERK:

Total number Voting.....	144
Necessary for Passage.....	73
Those voting Yea.....	143
Those voting Nay.....	1
Those absent and not voting.....	7

THE DEPUTY SPEAKER:

The bill as amended is PASSED.

THE CLERK:

Cal. 951, Sub. for Sen. B. 626, File 449, An Act Concerning the Revisors' Corrections to the General Statutes and 1977 Public Acts. Favorable report of the Committee on Judiciary.

REP. ABATE (148th):

Mr. Speaker, I move acceptance of the Joint Committee's favorable report and passage of the bill in concurrence with the Senate.

THE DEPUTY SPEAKER:

The question is on acceptance of the Joint Committee's favorable report and passage of the bill. Would you remark, sir?

REP. ABATE (148th):

Mr. Speaker, the Clerk has an amendment LCO No. 3837. Would the Clerk please call the amendment and in view of its extreme length, may I be allowed to summarize?

THE DEPUTY SPEAKER:

The Clerk has LCO No. 3837 in his possession which shall be designated as House Amendment Schedule A. Will the Clerk please call.

THE CLERK:

House Amendment, Schedule A, LCO 3837.

THE DEPUTY SPEAKER:

Any objection to the gentleman from 148th to summarize this amendment? Please proceed, sir.

REP. ABATE (148th):

Thank you, Mr. Speaker. ladies and gentlemen. The file before you, File 449 entitled An Act Concerning the Revisors Corrections to the General Statutes and 1977 Public Acts is a bill which attempts remedy deficiencies which have been found to exist in the statutes and in the public acts enacted last year and in fact in public acts enacted even during this session. It has been a responsibility incumbent upon the chairman of the Judiciary Committee to bring this bill to your attention for action. What this bill does is it covers technical amendments covering the entire breadth of the statutes, a review of the file copy would reflect that fact to the reader. House amendment already designated Schedule A gives a technical amendment. It reflects deficiencies found to exist in the statutes and in the public acts since the publication of File 449. I think if one were to look through the amendment, they would clearly see that the deficiencies that are being corrected are in most instances, the correction of misspelled words, grammatical errors where you see what appears to be new language, what has happened is in the publication of the statutes, language existing in the public acts was dropped and this amendment and the file copy merely puts back into the public into the statutes what was dropped in the publication process. I move adoption of the amendment, Mr. Speaker.

THE DEPUTY SPEAKER:

The question is on adoption of House Amendment, Schedule A. Will you remark; If not, all those in favor of House A. Rep. Hanzalek.

REP. HANZALEK (61st):

Mr. Speaker, a question through you, to the proponent of the amendment. Rep. Abate, the copy of the amendment which I received LCO 3837 appears to have a misprint on page 18. It's a misprint which was pointed out to the Chairman of the Judiciary Committee yesterday and I was under the impression that that was going to be corrected. The members of the Chamber will note that Line 545 reads where Sec. a new word or new sentence beginning with the word "the". Then there is a closing bracket, there being no opening bracket further up on that page. Then there are two newly printed capitalized words that the, and then the language continues as in the existing statute. Obviously, that is a misprint and I thought I would ask the Chairman of the Judiciary Committee if that change had been made and if not, whether it could be made now.

REP. ABATE (148th):

Mr. Speaker, through you, yes. The change has in fact been accepted. It's been accepted through the computer. The Clerk's copy was corrected and we consulted with a member of your leadership in reference to that change and the change has been effected.

REP. HANZALEK (61st):

Thank you, Mr. Speaker, as long as the change has been affected, I'm not too concerned who you consulted with as long as

you've done it. Thank you.

THE DEPUTY SPEAKER:

Further remarks on Schedule A. If not, all those in favor, please indicate by saying Aye. Those opposed. House A is adopted, ruled technical. Remark further on the bill as amended.

REP. ABATE (148th):

Mr. Speaker, the Clerk has an amendment LCO 3854. Would the Clerk please call the amendment and may I be allowed summarization?

THE DEPUTY SPEAKER:

The Clerk has LCO 3854 in his possession designated as House Amendment, Schedule B. Would the Clerk please call the amendment?

THE CLERK:

House Amendment, Schedule B, LCO 3854.

THE DEPUTY SPEAKER:

Any objection to the gentleman from the 148th summarizing this amendment from any member of the Chamber. Please proceed sir.

REP. ABATE (148th):

Thank you, Mr. Speaker. Ladies and gentlemen. those of you who recall the debaté on the technical amendments bill last year might remember that I indicated to the Assembly that I don't feel it is a bill that one should use as a vehicle for attacking amendments which are substantive to it. This is clearly a technical amendment bill and should only reflect either in its main body or by amendment, technical changes to the statutes

and public acts. LCO 3854, recently designated as House Amendment, Schedule B might appear to one to be a substantive amendment and because it has that appearance, I feel that I ought to specifically indicate what the rationale behind the amendment is. What this amendment does is it removes from the statutes the prohibition that a boxing or wrestling match be held on Sunday. In other words, the amendment would make it permissible for boxing and wrestling to be conducted on Sunday. I am told by the (record 8)
Dept. of Consumer Protection that when the blue laws bill was passed by this Legislature in the past, certain sporting events were included as being permissible on Sunday. Just about any sporting event was but because boxing and wrestling are in a different section of the statutes, there was not a repeal of that section at the time that the other bill was passed. This bill corrects that apparent oversight by eliminating the prohibition for boxing and wrestling on Sunday. I move its adoption.

THE DEPUTY SPEAKER:

Adoption of House Amendment, Schedule B. Remark.
If not, all those in favor, please indicate by saying Aye. Those opposed. House B is Adopted, and ruled technical. Will you remark further on the bill as amended.

REP. ABATE (148th):

Mr. Speaker, the Clerk has an amendment, the final amendment, LCO No. 3358. Would the Clerk please call the amendment and in lieu of his reading, may I be allowed summarization.

THE DEPUTY SPEAKER:

The Clerk has LCO 3358 in his possession which shall be designated as House Amendment Schedule C. Will the Clerk please call.

THE CLERK:

House amendment, Schedule C LCO 3358.

THE DEPUTY SPEAKER:

Any objection to the gentleman from the 148th summarizing this amendment. Please proceed, sir.

REP. ABATE (148th):

Thank you, Mr. Speaker. Ladies and gentlemen, this amendment is also strictly technical. What it does is it corrects a deficiency which exists in the statutes now as a result of the enactment of Public Act 77-603 and 77-609. Public Act 77-603 was an act having to do with the uniform administrative procedures act. You might recall that we made all administrative procedures for all agencies last year, we made those procedures uniform. One of the procedures that we sought to make uniform was the period of time within which an appeal must be brought from the decision of an administrative agency. We made that period of time 30 days instead of 15 days, for example, with reference to the Freedom of Information Commission. Then with Public Act 77-609, a later public act relating to ~~not~~ to the uniform procedures act but to the Freedom Information Commission. We neglected to bracket the provision relative to the 15 day appeal period. Since this is a later public act, it in effect, negated the substance of public act 77-603 to that limited expense. This amendment corrects that deficiency by requiring that appeals be brought from the decision of Freedom of Information Commission within 30 days just as it is with all other administrative agencies instead of within 15 days. I move the adoption of the amendment.

THE DEPUTY SPEAKER:

The question is on adoption of House Amendment, Schedule C. All those in favor, please indicate by saying Aye. Those opposed. House C is Adopted. Remark further on the bill as amended by House A, B, and C.

REP. ABATE (148th):

Mr. Speaker, on the bill as I indicated in my remarks relative to the amendment, this bill is strictly a technical amendments bill. The modifications that you find in this bill have their origination in the Legislative Commissioner's office and I move passage of the bill.

THE DEPUTY SPEAKER:

The question is on passage of the bill. Will you remark further. If not, will the members take their seats. Staff and guests please come to the well of the House and the machine will be opened. Have all the members voted and is your vote properly recorded. If so, the machine will be locked and the Clerk, please take the tally. Clerk, please announce the tally.

THE CLERK:

Total number Voting.....	146
Necessary for Passage.....	74
Those voting Yea.....	146
Those voting Nay.....	0
Those absent and not voting.....	5

THE DEPUTY SPEAKER:

The bill as amended is PASSED.

THE CLERK:

Cal. 1002, Sub. for S.B. 529, File 468.

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1263-1671

Tuesday, April 18, 1978 121.

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Hearing no objection, it will be passed retained.

SENATOR SANTANIELLO:

Thank you, Mr. President.

THE CLERK:

Continuing on page thirteen of the Calendar, Cal. 557, File 449. Favorable report of the joint standing Committee on Judiciary. Substitute for Senate Bill 626. AN ACT CONCERNING THE REVISORS' CORRECTIONS TO THE GENERAL STATUTES AND 1977 PUBLIC ACTS.

THE PRESIDENT:

Senator Santaniello.

SENATOR SANTANIELLO: (25th)

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

THE PRESIDENT:

Will you remark?

SENATOR SANTANIELLO:

Briefly, Mr. President, this bill would relieve the estates of deceased persons of having to file an amended succession tax return and pay an additional tax from the estate property discovered after the tax return has already been filed and the tax determined is five hundred dollars or less. If there is no objection, can this be placed on the Consent Calendar? (See p 1636 NOTE)

THE PRESIDENT:

Hearing no objection, it shall be done.

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THE CLERK:

Cal. 558, File 448. Favorable report of the joint standing Committee on Judiciary. Substitute for Senate Bill 424. AN ACT CONCERNING THE ASSESSMENT OF ESTATE TAX.

THE PRESIDENT:

Senator Santaniello.

SENATOR SANTANIELLO: (25th)

Again I would ask for acceptance of the joint committee's favorable report and passage of the bill.

THE PRESIDENT:

Will you remark?

SENATOR SANTANIELLO:

Yes, Mr. President. This is strictly a technical amendment, a technical change bill to the General Statutes and Public Acts of 1977 session. If there is no objection, Mr. President, I would ask that it be placed on the Consent Calendar. (See p. 1635)

THE PRESIDENT:

Hearing no objection, it shall be done.

(NOTE: I believe the explanation of the two previous bills has been reversed. roc)

THE CLERK:

Turning to page fourteen of the Calendar, top of the page, Cal. 561, File 125. Favorable report of the joint

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Page nine - HB 5840, SB 552, SB 278 SB 165 roc
 Cal. 471, 510 and 511. Page ten - Cal. 527.
 Page eleven - HB 5547, HB 5735 HB 5949
 Cal. 533, 534. Page twelve - Cal. 542. Page
SB 626 SB 424 HB 5776, HB 5163,
 thirteen - Cal. 557 and 558. Page fourteen - Cal. 561, 563,
HB 5612, HB 5794, HB 5306 HB 5887, HB 5497, HB 5754
 564, 565, 566. Page fifteen - Cal. 569, 570, 572. Page
HB 5157, HB 5796 HB 5595
 sixteen - Cal. 581 and 583. Page seventeen - Cal. 584.

The rest were roll called.

THE PRESIDENT:

The Clerk please announce an immediate roll call on today's Consent Calendar.

THE CLERK:

An immediate roll call on today's Consent Calendar. Would all senators please return to the chamber to vote on today's Consent Calendar.

THE PRESIDENT:

The machine is open on today's Consent Calendar. The machine is closed and locked. Senator Lieberman.

SENATOR LIEBERMAN:

Mr. President, while the vote is being tallied, the Senate will meet tomorrow at one o'clock. There will be a Democratic and I would guess a Republican caucus at 11:30.

THE PRESIDENT:

Today's Consent Calendar:

Those Voting	34
Necessary for Passage . . .	18
Voting Yea	34
Voting Nay	0

THE CONSENT CALENDAR IS PASSED.

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CONNECTICUT
GEN. ASSEMBLY
SENATE

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JUNE

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PART 8
2865-3320

Monday, May 1, 1978

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THE PRESIDENT:

The question now is on the motion to reject Senate A. All in favor say Aye. Opposed Nay. The Ayes have it. SENATE A IS REJECTED.

SENATOR PUTNAM:

Mr. President, I move passage of the bill in conjunction with the House, that's House Amendment Schedule A, and if there is no objection, I ask that it go on Consent.

THE PRESIDENT:

Without objection, it will be placed on Consent.

THE CLERK:

Continuing on page thirteen, a matter that had previously been marked passed temporarily, we will now take it up. Cal. 557, File 449, Favorable report of the joint standing Committee on Judiciary. Substitute for Senate Bill 626. AN ACT CONCERNING THE REVISORS' CORRECTIONS TO THE GENERAL STATUTES AND 1977 PUBLIC ACTS, as amended by House Amendment Schedules A, B and C.

THE PRESIDENT:

Senator DePiano.

SENATOR DEPIANO: (23rd)

Mr. President, I move for acceptance of the committee's favorable report and passage of the bill as amended by House Amendment Schedules A, B and C.

THE PRESIDENT:

Will you tell us about the amendments, Senator.

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SENATOR DEPIANO:

Well, I think they are all technical amendments and if there is no objection, I would move that it be placed on the Consent Calendar.

THE PRESIDENT:

The question now is on the adoption of Senate A or House A. All in favor? Opposed? The Ayes have it. House A IS ADOPTED.

House B. All in favor? Opposed? The Ayes have it. HOUSE B IS ADOPTED.

House C. All in favor, say Aye. Opposed No. The Ayes have it. HOUSE AMENDMENT C IS ADOPTED.

The Matter has been moved to Consent. Without any objection, we will place it on Consent, Senator. Thank you.

THE CLERK:

Continuing on page fourteen of the Calendar, top item on the page, Cal. 647, File 538. Favorable report of the joint standing Committee on Finance. Substitute for Senate Bill 541. AN ACT CONCERNING THE PURCHASE FOR THE STATE EMPLOYEES RETIREMENT FUND OF CERTAIN CONTRACTS, as amended by House Amendment Schedule A.

THE PRESIDENT:

Senator Beck.

SENATOR BECK: (29th)

Mr. President, I move acceptance of the committee's favorable report and acceptance of the bill as amended by House A.

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Page twelve - Cal. 531, 541. Page thirteen - Cal. 557.

Page fourteen - Cal. 647, 763, 773. Page fifteen - Cal. 780

and Cal. 478. Page sixteen - Cal. 920, 971 and 972.

That completes the Consent Calendar.

SENATOR LIEBERMAN:

Mr. President, I would move for adoption of the Consent Calendar.

THE PRESIDENT:

The machine is open. Please cast your vote. The machine is closed and locked. The Clerk will take a tally.

Total Voting	35
Necessary for Passage	18
Voting Yea	35
Voting Nay	0

THE CONSENT CALENDAR IS ADOPTED. SB 462, SB 50, HB 5703,
SB 82, SB 539, SB 560, SB 497, HB 5849, SB 626, SB 541, SB 371,
SB 4, SB 490, HB 5665, HJR 61, SJR 173, SJR 175,
 SENATOR LIEBERMAN: HB 5045 (See p. 3010 for Calendar nos.)

Mr. President, I move for suspension of the rules to allow for immediate transmittal to the House of all items that we have adopted today that should go to the House.

THE PRESIDENT:

Hearing no objections, it shall be done.

SENATOR LIEBERMAN:

Mr. President, on page seventeen, we had previously marked Cal. 760, AN ACT REFORMING CRIMINAL SENTENCING to take up today. I would like to ask now that that marking be changed to pass retaining.

Mr. President, on page eight, I would like to take up