

Legislative History for Connecticut Act

SB 966      enterprize zones      PA 81-445      1981

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150; 163      (8 p)

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5823-5824      (22 p)

House: 9190-9232      (43 p)

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SP 1067      LAW/LEGISLATIVE REFERENCE  
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JOINT  
STANDING  
COMMITTEE  
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PLANNING &  
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REP. GARAVEL: (continued)

be there for members of the committee to look at also. So it will have as great an impact as if you present it to us today.

We are working under time constraints, and I would like to remind you that we do have about 20 more speakers, so I would try to ask you to be as brief as you possibly can without saying the same things that have been said over and over.

The next speaker is James Lash.

JAMES LASH: Thank you, Mr. Speaker. My name is James Lash. I'm president of the Environ Company, which is the planning company the specializes in combining environmental planning in the planning of developments. If you look at the hair on my head or the lack thereof, it may not be surprising if I mention that I have been involved with housing development since 1944 and my first act, public act in favor of the land conservation made here, was in 1947. Since 1970, I have been actively involved as a professional planner in trying to combine the protection of the environment with land development, particularly for housing.

I mention those facts because I would urge you to support and actually to develop the bill for a conservation and development zone, which I will have to look up. 966 Introduced, I believe, by Representative Smith.

I speak of this first, because I think it is probably the most far-reaching of any of the bills that are before you. It is a measure that was recommended by the task force on the three-year housing plan, established by the Department of Housing, to help formulate that plan, as directed by the Legislature. The Department chose not to include the recommendation in its three-year housing plan, and the Commissioner of Housing stated the reason for not including it was because the Department did not want to interfere with the autonomy of local zoning.

Let us put that to rest first. Inasmuch as the proposal is for an amendment to zoning enabling legislation, which is voluntary, with every community of the state, and in no way interferes or is a mandatory action so far as local communities are concerned.

MR. LASH: (continued)

The purpose of the measure was to further both conservation and development in the manner that was done in the state and the state formulation in the Legislature's adoption of the State plan of conservation and development.

The pre-requisite if you will to the formulation of that plan, were analyses of the State's economy, its population, its land and the attributes of its land, particularly having to do with water. The objectives of the plan are set forth in terms of conservation, for the future of our state, the future of our population, but also for different forms of development. And in relation to housing in particular, the plan calls for a more imaginative forms of housing development and for housing development that will serve all needs for all the people of the state.

The Achilles' heel of the state plan is local land-use control. The State plan's actual effect is very limited. This measure was proposed as again, I say, on a voluntary basis, to enable communities to carry out those objectives of the State plan and to receive assistance of State agencies in doing so.

Before application of the zone, the same kind of analyses, particularly of the land, but also of the local economy, and of the local population, would be required. Once that was done and the zones were applied, in other words, an area were re-zoned as a conservation and development zone, then what could be done, what could be developed there, would be in terms of performance and certain objectives, rather than in terms of specification, which most of our zoning and other regulation calls for today.

One of the things that the measure would particularly address that really has come up since the State plan was formulated, was the matter of make-use development, particularly for energy conservation, which wasn't so important to us when the State plan was being formulated as it is now. By make-use, we mean the kind of development that enables people to walk everywhere instead of having to drive their automobiles.

I won't elaborate further because of the time constraint. But I would urge the committee's attention to the Conservation and Development Zone measure as it was set forth by the Task Force on the Three-Year Housing Plan. I forgot particularly

MR. LASH: (continued)

to your attention in that connection that the measure as proposed called upon the Department of Housing, but also the Department of Environmental Protection, the Department of Transportation and other departments to formulate performance standards that local communities could adopt in place of their specification standards to enable developers and their planners and architects to be even more imaginative in the kind of plans for land use that would include both conservation and development.

The second measure that I would like to speak to and urge you to adopt, is 5695, that others have already spoken to, and that is the act for a private community sewage systems. First I would like to recommend your adoption of the language of last year's bill, as Representative McCluskey urged upon you earlier today. And just to try to clarify if that should be necessary, I'd like to just display to you a situation to which this bill would apply.

This is a 65 acre parcel that our firm has worked on. And if you are able to see it from where you sit, most of the land is not suitable for on-lot septic systems, other than to have build-up septic systems that would require lots considerably larger than the present zoning.

On the other hand, that one section indicated by a scientist as being a glacial out-wash and of permeable materials, has been examined by deep test bits and by percolation tests and has been found to be excellent for such surface sewage disposal.

It is of sufficient size to take all the sewage from at least 50 homes and to provide a reserve area, normally required. What this means, in this situation is, that by utilizing that disposal site and taking advantage of the town's very modest provisions for running units the running units can be concentrated on the upper side of the site by modest reduction in lot size and the lower part of the site which is the environmentally sensitive part of the site, can be left entirely alone as common open space.

We have found there are a good many instances where individual land parcels have circumstances similar to this. The sole purpose of this bill is to provide a fiscally responsible entity to take care of the maintenance and management of such

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MS. STANDEN: (continued)

more and more unrealistic. There is a need to trim unnecessary requirements for building a home. Health and safety standards and building codes are protection enough for both the owner and the neighbor. We strongly urge this Committee to act positively on this issue.

This next part of my testimony concerns land use bills impacting on housing. SB 515 concerning inclusionary zoning and regulations, SB 966 concerning a conservation and development zone and SB 967 concerning the transfer of development rights. The two (inaudible) introduce creative ways to allow more housing for moderate and low income persons and overall least cost housing to be built without prejudicing the retention of farmlands, open space and the value of existing homes. 515 aims at increasing the availability of housing for moderate and low income families, by enabling zoning legislation giving towns the opportunity to include the consideration of housing needs of those very families and stressing these are enabling zoning legislation. It's a permissive zoning regulation which gives the town the possibility to introduce housing that would be for moderate and low income families.

The League strongly supports this concept but would like to see some incentives built into this enabling legislation so that municipalities would really enact inclusionary zoning practices. 966 in our opinion, offers the most creative approach to increased housing opportunities for moderate and low income persons. It, like the other two Bills, gives towns the opportunity to adjust their zoning regulations. It is hoped that municipalities will take advantage of this opportunity by establishing a conservation and development zone, local planning and zoning commissions would be provided with a housing development alternative in conformance with the State plan of conservation and development. The zone would encourage planned mixed use development based on pre-planning analysis and performance standards and Mr. Davis before, talked about performance standards and the change from performance standards rather than specification standards which are normally used. Such performance standards would result in cost effective development by, for example, achieving privacy by design rather than distance. The coexistence

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MS. STANDEN: (continued)

in close proximity of dwelling units of varying size and cost makes for an economically healthier community since separation or even segregation by economic class. There are such developments existent in some towns where subsidized homes for low income elderly and other low income persons are in near proximity to high income homes and it has been found that price difference up to 400 percent has not been adverse to the individual home values of the homes that are existing.

Technical assistance by DOH and DEP and other agencies in the development and administration of such zones, would be feasible without additional cost. I'm thinking of the environmental review teams that have worked so well on environmental practice where their housing specialists could be included. The conservation and development zone would be applicable to existing developed areas as well as to new developments. The flexibility of this zone is most attractive and we strongly support this concept as one means to increase the availability of affordable housing to all income groups.

And now, just a word regarding SB 967, concerning transfer of development rights. Giving towns the explicit power to permit the transfer of development rights from one area to another, would facilitate the application of the conservation development zone in addition to creating more housing opportunities where a town has not created such a zone. Thank you for your attention.

SEN. SMITH: Thank you. Are there any questions by Committee members? Representative Meyer.

REP. MEYER: I was wondering (not using mike) legislation which would say that there could be no minimum floor area zoning regulations. This affects the 40 towns in the State. As a member of the League of Women Voters myself, I am concerned that the League should turn to the State to mandate this. Why should not the League be looking to put pressure on their own local communities to do this? Every other Bill that you have supported has been of a permissive nature for the community to do it where your people are desirous of doing particular things. I was wondering if you knew

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REP. MEYER: (continued)

what the State League's thinking was on the other?

MS. STANDEN: Well, we have tried for many years, to, through local Leagues, to put pressure, locally on changing attitudes in regard to housing. First of all, the League does not have local Leagues in every community. I wish we had, but we don't. We don't quite have all the person power, I should say. On the--to me, and I think I do speak for the State League--I'm their Housing Specialist, I think it is also a moral concept that you cannot outlaw, so to say, housing for people who cannot afford the Cadillac. And many, many towns have this regulations in their zoning regulations. Really, it's a function of the building code and it is not a function of a zoning commission to put the interior measurements of a house. As long as the size of the unit would be not--would make it dangerous as fire is concerned and safety in general and health. There is absolutely no reason that there should be such a regulation and that is why we are supporting this Bill in particular.

REP. MEYER: Thank you.

SEN. SMITH: Any more questions by Committee members? Hearing none, thank you very much. The next speaker would be Mr. Bruce Hoben.

MR. BRUCE HOBEN: My name is Bruce Hoben. I'm the Town Planner in Farmington and serve as the Chairman of the Legislative Committee of the Connecticut Chapter of the American Planning Association. The American Planning Association is a nationwide organization of both professional and lay planners who are interested in good land use decision making. There are about 20,000 members nationwide and within Connecticut, we have about 300 members. The Legislative Committee of the Connecticut Chapter is charged with coming up with legislation that promotes good land use decision making, as well as reviewing pending legislation.

I'd like to speak to some Bills that are before the Committee at this time. The first one is Senate Bill 961 which would prohibit specifying minimum floor areas within zoning regulations. You've heard a good deal of testimony on this

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MR. WEINER: (continued)

wetlands regulations are often enforced by communities wetlands enforcement officers. I believe that the enforcement officer, the wetlands enforcement officer should be given the power to issue cease and desist orders, not simply the--or not just the inland wetlands agency itself. It does create time problems when the enforcement officer must go to the agency to get them to issue the cease and desist order before anything can happen further.

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Bills 966 and 967 which would allow for conservation and development zones and for the transfer of development rights, I support the concept. I think the legislation is unnecessary. I believe towns can already do these things to say in the statutes that they can do it, I believe is somewhat redundant. I am opposed to requiring an appellant to post a bond concerning a ZBA appeal. This is Bill 6984. I believe that to deny citizens the right to an equitable utilization of the law. I think if anyone can decide the frivolity of an appeal, I believe we can leave that to the court, but I would support, however, the Bill that would require, 6236, which would require an appellant who lost his court case, to pay a town's legal fees. I think that may accomplish the same purpose.

I am also opposed to Bill 6600 which would not require sub-division approvals on existing streets. I believe Mr. Hoben addressed that particular Bill quite well.

I would also oppose Bill 6481 which would provide a delay in zone change away from multi-family. I believe that makes multi family housing sacrosanct and I--while I appreciate the concern, I see it's ramifications. It may have adverse ramifications. As a final comment, I think some of the pieces of legislation are an attempt to kill a fly with a sledge hammer. There are problems in various towns with various planning and zoning matters. I think the State legislature is being asked to do the work that some of the municipalities should be doing. I have no further comments. Thank you.

SEN. SMITH: Are there any questions by members of the Committee? Representative Meyer. Take the mike please.

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SEN. SMITH: Did you write this? You must be a doctor.

MR. SCALZA: Yes, I'm a doctor. I am a doctor. (Laughter)  
I'm a doctor of housing - I'm a housing doctor.

Mr. Chairman, Members of the Committee. I'm Jack Scalza. I'm a home builder from Newington. I'm one of the people that a lot of these bills are being proposed for to possibly help out between myself as a builder and the people that we're trying to build for. I support Bill Nos. 6984, 6597, 6496, 6487, 5695, 6481, 6490, 6494, 6485, 6483, 6994, 966, 5213, 5215, 5697, 7046, 967, and 6980.

I'd like to address just a couple of these bills from a personal experience. Bill No. 6481, Multi-Family Zone Change. I'd just like to relate a situation that happened to me in the passed year. I purchased 35 acres of land and a town obtained a zone change for multi-family condominiums. I went out and borrowed the money to purchase the land at today's rates, and you know what they are, went out and did all the engineering, architectural drawings, land planning and all the various things that have to be accomplished in getting an approval from the town. I also obtained the final permits to do the job. At this point in time, the town decided that they wanted to change the zone, and the town's can do this after all the efforts I went through, the town can, and we went through this with testimony at the public hearings. The town can take the zone and even though I had the permit, and went through all the agencies from the DPZ agency, to the Wetlands, and so forth, the town has the right to change a zone.

I think there's a lot of people that really don't know about this because if they did, they would never buy a piece of property, invest their dollars like I did, and go out and try to put a job together like this. The bill 6481, it would be a start. I can see this bill being - going further than what it's stating here, but it would be a start to encourage more builders to do multi-family work. But, as I said, a lot of builders don't even now this exists. It just so happens I got caught in a town where they decided that they did not want any more multi-families, and I had already purchased the property. It wasn't a piece of property I was sitting on, that my father gave me 20 years ago, so I had no investment in the property.

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Tuesday, April 28, 1981

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Judiciary. Substitute Senate Bill 1399. AN ACT CONCERNING STATUTES  
RELATING TO TRUSTS AND PROBATE MATTERS.

Table for the calendar and printing.

PETITION RECEIVED BY THE CLERK - APRIL 28, 1981

Finance, Revenue and Bonding. Senate Bill 966. AN ACT ENTITLED ENTER-  
PRISE ZONES. (PETITION 57).

Appropriations. Senate Bill 145. AN ACT ESTABLISHING A STATLSTICAL  
DIVISION IN THE WORKER'S COMPENSATION COMMISSION. (PETITION 58).

Appropriations. Senate Bill 1082. AN ACT CONCERNING A PROGRAM FORMAT  
FOR THE GOVERNOR'S BUDGET. (PETITION 59).

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THE CHAIR:

Senator Schneller, do you want to make a motion on the Agenda.

SENATOR SCHNELLER:

Yes, Mr. President. I move all items on the Agenda page 4 dated  
April 28th be acted upon as indicated and that the Agenda be incorporated  
by reference into the Senate Journal and the Senate Transcript.

THE CHAIR:

Is there any objection, so ordered. The Clerk will proceed to call  
the consent calendar for today.

THE CLERK:

The Clerk has three additional items, Petition No. 57, In accordance  
with the provisions of joint rule 19, the Committee on Finance is respect-  
fully requested to report to the Senate Bill No. 966, entitled Enterprise  
Zones.

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THE CLERK:

Senate Petition No. 57. Cal. 601, File 819.  
Substitute for Senate Bill 966. AN ACT CONCERNING  
ENTERPRISE ZONES.

Unfavorable Report of the Committee on  
Finance, Revenue and Bonding.

The Clerk has an amendment.

THE PRESIDENT:

Senator Wilbur Smith.

SENATOR WILBUR SMITH: (2nd)

Mr. President, I move to reject the committee's  
Unfavorable Report.

THE PRESIDENT:

The motion is to reject the committee's unfavorable  
report. Do you wish to remark?

SENATOR WILBUR SMITH:

Yes, Mr. President. It is my understanding that  
Finance had not received a final copy of this bill which  
is the revised amendment which, in fact, would substitute  
what is the file copy of the bill, and in the last flurry  
of activity, the bill was not reported out. I talked with  
both chairmen and members of the Finance Committee and  
they have no opposition to this bill and we would like  
to debate this bill on the floor.

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THE PRESIDENT:

Thank you. Will you remark further? All those in favor of the motion to reject the unfavorable report will say Aye. Those opposed Nay. THE MOTION IS CARRIED.

The matter is before us.

SENATOR WILBUR SMITH:

There is an amendment, Mr. President.

THE PRESIDENT:

The matter is before us and the Clerk has an amendment.

THE CLERK:

Senate Amendment Schedule A. LCO 6937 offered by Senator Smith and Senator Post. Copies have been distributed.

THE PRESIDENT:

Senator Wilbur Smith.

SENATOR WILBUR SMITH: (2nd)

Yes, Mr. President. I move adoption of the amendment.

THE PRESIDENT:

Will you remark?

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SENATOR WILBUR SMITH:

Yes, Mr. President. This measure has been some time in the drafting and in the writing and I think I would like to preface my remarks with pointing out that at least some of us who attend conferences attempt to try to come back with some suggestions and ideas to share without our colleagues. This is one such idea. My first sight, thinking, I thought about an enterprise zone concept, of course. I came back during the campaign of the presidential election when it was mentioned along with our present president's economic policies or hopes for the future of American cities. The next information we received was a convention held in Atlanta, Georgia on February 19, when I, and members of our staff, attended that conference and we were very enthused about what went on and thought that such a measure, particularly in light of the fact that the Congress is presently considering such legislation as this on a national level, which would have some meaningful effect on our state, if adopted. We thought that we would also propose such a measure for this state, and also discovering at the same time of Senator Post's interest

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we then simply became co-sponsors of this bill, having many, many meetings together with the Department of Labor officials, the Department of Economic Development and also Representatives of the cities of New Haven and Waterbury and Hartford to get some local input into it.

I also want to draw the circle's attention to an addendum to the fiscal note. Without going into the explanation of how we came about with the addendum, I want to call the circle's attention to the initial fiscal note which the Office of Fiscal Analysis had attached to the bill. It explains that twenty-eight thousand dollars would be needed for the administration of zone identification program which would be administered by the Department of Economic Development. We have been assured and it is on the addendum of the fiscal note that the Department of Economic Development has indicated that the administration of this identification program could be absorbed within the Department's existing appropriation. Although it explains that the Department of Labor indicates that costs associated with the administration of the voucher system and for funding of job training programs, the cost which cannot

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be absorbed within the Department's existing appropriation, it said, however, the Department was unable to arrive at a cost estimate.

I want to explain to you that it does not require or rather I would turn your attention to page two of the fiscal note which would be item number six and the second sentence, of course, explains that this program would be funded through already existing employment training programs, and it would provide certification of the employability of job applicants who reside within or without an enterprise zone for firms located within the zone.

Finally, that explains the estimated two hundred thousand dollars that Fiscal Analysis placed on it not knowing, really, what they were estimating.

Now the tax abatement on the corporate income of fifteen thousand dollars simply is an amount arrived at which has been figured on something of a hundred thousand dollar, I'm sorry, this is the sales tax exemption for replacement parts of seven thousand five hundred dollars which would assume a hundred thousand dollars in replacement parts. Both the fifteen thousand tax abatement on the corporate income,

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that was figured on a corporate income investment of something like six hundred thousand dollars of which the additional twenty-five percent up to fifty percent of the corporate tax break which would be forgiven of that firm. It would amount to fifteen thousand dollar cost quote to the state in that sense, the one thousand dollar employee incentive, assuming two hundred new jobs at two hundred thousand dollars and of course they had a total cost of four seventy-eight five hundred.

On page two of the summary, it would explain to you that the five hundred dollars, this item four, the five hundred dollars for new employee grant presently available under the Urban Jobs Program would be increased to one thousand dollars for firms located within an enterprise zone.

In effect, members of the circle, what we have before us is basically a program which is being offered which when we talk about the taxes that would be forgiven would not be taxes only and if a corporate business in fact moved in and/or expanded. In any such case, if the business did not move in or did not expand within an enterprise zone, we wouldn't be concerned about taxes

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and jobs or anything else.

Now, I would like to delve into the program itself. The amendment that we have before us would provide that municipalities with the approval of the commissioner of economic development be permitted to designate an area of the municipality as an enterprise zone. Such area would be required to consist of one to two United States Census tracts that are zoned for commercial and industrial activity and in which one or more of the following exists: (a) twenty-five percent or more of the populations have income below the poverty level (b) twenty-five percent or more of the population is dependent on income maintenance funds or (c) twenty-five percent or more of the labor force is unemployed.

Further, the commissioner of economic development would be required to approve the designation of six such zones with a maximum of three being in towns with populations greater than eighty thousand and a maximum of three with populations of less than eighty thousand. The commissioner would be required to adopt regulations with regard, rather, to any additional qualifications for the designation of enterprise zones

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as he determines to be necessary. The commissioner would be empowered to remove the designation of an area as an enterprise zone in the event that it no longer meets the criteria, but no sooner than ten years after this designation as such. Under this proposal, the program would be set up whereby venture capital loans would be granted to those persons seeking to establish small businesses within the enterprise zone, funded through a one million dollar revolving loan fund which would also be administered by the commissioner of economic development.

Another provision of this bill would require that the Department of Labor set up an employment training benefits voucher program which would provide certification of the employability of job applicants who reside within or without an enterprise zone for firms located within the zone and would assure the employers of the availability of subsidies for on-the-job training. That would be from the existing federal-funded job training programs.

A third aspect of this bill is the five hundred dollar for new employee grant available under the Urban Jobs program would be increased to one thousand

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dollars for firms located within a enterprise zone.

A fourth aspect, which many of us believe is one of the most important and which will be central in the federal legislation, would be our suggestion that we set up a commission on the state level to study the state's regulatory policies especially its licensing policies to determine to what extent such policies are necessarily restricted to development of entrepreneurial activities.

Now, members of the circle, evidence shows that smaller firms generally provide the greatest number of all net new jobs and expanded operations. A survey of central cities shows that small firms in central cities are the least likely to increase employment and expand operations. It is our feeling that the time has come for a programmatic focus to be placed on the central cities in an effort to reduce labor costs, financing costs and taxes so that there can be an overall upgrading of the quality of life through improved school services and public facilities.

Now the population in the central cities have shown steadily increasing proportions of unskilled workers, the unemployed and distressed families, Nationally, of

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the total population below the poverty level, thirty-eight percent were living in the major cities by 1977, compared with twenty-three percent in the suburbs which is up four percent since 1974. The importance of this bill in revitalizing the economics of our central cities by creating incentives that will restore our cities as places where business can be pursued effectively, profitably and in an environment that is personally helpful.

At this time, I would like to yield to Senator Post.

THE PRESIDENT:

Senator Post.

SENATOR POST: (8th)

Thank you, Mr. President. Thank you, Senator Smith. I would like to join with him in supporting this proposal and speak very briefly. If you believe, as I do, that we have problems in our inner cities and that we need to provide incentives in those cities, and if you believe as I do that it is appropriate wherever possible to encourage the private sector to make those improvements, then I hope that you will, as I will, vote for this proposal.

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Senator Smith has outlined in great detail and I would just add to that, there are additional incentives provided here in the area of taxation that will make it attractive, hopefully, for the private sector to come to the aid of our cities. The corporate business tax, the credit currently allowed under the Urban Jobs Program would be increased from twenty-five percent to fifty percent for businesses locating within the enterprise zone, property taxes would be frozen for a period of time within the enterprise zone, sales tax would be waived on replacement parts within the enterprise zone and these three incentives hopefully will make it easier and more attractive for the small businessman to go into the most depressed areas of our state and to the private sector help reverse the deterioration now taking place.

I might add and compliment Senator Smith and his staff who have done an extraordinary amount of research in putting together elements and pieces of this concept to present it to the Senate and the House and would like to join with him in support for this program and suggest that if there is no objection it be placed on the Consent Calendar.

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THE PRESIDENT:

Senator, we are talking about the adoption of Senate Amendment Schedule A, I believe. Will you remark further on amendment Schedule A? Senator Beck.

SENATOR BECK: (29th)

Mr. President, just speaking in support of Senator Smith's legislation. The Finance Committee had not seen this final version. It is an excellent proposal and certainly has the support of at least the people in this room.

THE PRESIDENT:

Will you remark further on the adoption of Amendment Schedule A? All those in favor signify by saying Aye. Those opposed Nay. The Ayes have it.

SENATE AMENDMENT SCHEDULE A IS ADOPTED.

Senator Wilbur Smith.

SENATOR WILBUR SMITH: (2nd)

Yes, Mr. President. Thank you. I move for adoption of the bill as amended.

THE PRESIDENT:

Do you wish to remark?

SENATOR WILBUR SMITH:

No, Mr. President.

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THE PRESIDENT:

Senator Matthews.

SENATOR MATTHEWS: (26th)

Mr. President, I have no objection and I rise in full support of this wonderful idea. I think it has the deepest need in this area of particularly Hartford center city but also all areas of the state which are in need of help.

I would like to point out to the circle that you may recall in discussing the unemployment situation which we took up the other day that I made the comment that I thought that government, management and labor had to work together on projects in order to retain and expand the business opportunities in this state, and I think this bill will give you an idea of what can be done if we will work together. There is no reason to penalize anyone group if we can all see the need and work together on projects such as this one is, and we have a fine opportunity to help.

Now I know there is a financial burden that may come out of this but in the long run the financial burden will be removed because the dignity of working on a job by the people who cannot and have not been

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employed for many years will repay itself many times over in dollars and cents. Thank you very much.

THE PRESIDENT:

Will you remark further? Senator, are you moving this to the CONSENT CALENDAR?

SENATOR WILBUR SMITH:

No, Mr. President. I would like to move for adoption of the bill as amended by Senate Amendment Schedule A, and I would like to move for suspension of the rules.

THE PRESIDENT:

Well, we have to adopt the bill as amended, and you want an independent vote, a roll call on it. Very well. The Clerk please make an announcement for an immediate roll call.

THE CLERK:

An immediate roll call in the Senate. Will all senators please take their seats. An immediate roll call has been called for in the Senate. Will all senators please be seated.

THE PRESIDENT:

The question before the chamber is adoption of Cal. 601, Senate Petition 57, Substitute for Senate Bill

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966. File 819, as amended by Senate Amendment Schedule A. The machine is open. Please record your vote. Has everyone voted? The machine is closed. The Clerk will take a tally.

RESULT OF THE VOTE: 36 Yea - 0 Nay. THE BILL AS AMENDED IS PASSED.

Senator Wilbur Smith.

SENATOR WILBUR SMITH: (2nd)

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

THE PRESIDENT:

Without objection, so ordered.

THE CLERK:

Cal. 655, File 868. Senate Resolution 21.  
RESOLUTION PROPOSING APPROVAL OF A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE STATE OF CONNECTICUT JUDICIAL DEPARTMENT AND THE CONNECTICUT STATE EMPLOYEES ASSOCIATION, NONPROFESSIONAL UNIT.

Unfavorable report of the Senate Committee on Appropriations.

THE PRESIDENT?

Senator Fahey.

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special election that the election would be cancelled and that writeins must register as well and that a special election for the General Assembly must be called within ten days if it occurs during the even year. With respect to House B, that deletes section 19 in the file because 19 has duplicated an already existing law. I'd ask if there is no objection that it be placed on Consent.

THE CHAIR:

Hearing none, so ordered.

THE CLERK:

The next Bill is a Finance, Revenue and Bonding Bill, Substitute for Senate Bill 966, AN ACT CONCERNING ENTERPRISE ZONES, as amended by Senate A and House A.

THE CHAIR:

Senator Wilber Smith.

SENATOR WILBER SMITH:

Yes, Mr. President. I move acceptance of the Joint Committee's Favorable Report and for passage of

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this Bill as amended by Senate A and in concurrence with the House A.

THE CHAIR:

Do you wish to remark?

SENATOR WILBER SMITH:

Yes, Mr. President. As we recall, Senate A is the Bill per se. House A in line 24 of the Amendment, adds the word 'contiguous' to the definition of the United States census tracts to which the Bill would refer. Also, it amends, on line 25, it clarifies that the 1980 United States Census is to be used. Also in line 26 of this Amendment, it states that a portion of the zone shall be zoned to allow commercial and industrial activity as opposed to our Bill, Senate A, which could have been interpreted to mean the entire zone would have to be commercial, zoned for commercial and industrial activity.

The other Amendment, Mr. President, states that the Act should take effect from its passage except sections one through nine inclusive which will take

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effect July 1st, 1982. We are in concurrence with this. We agree with the House inasmuch as the leeway that we have left with the Department of Economic Development and the time that it would have taken for the Department to develop guidelines and regulations and then submit them to Regulations and Review, we felt that all of this activity would take about approximately eight to nine months or even possibly a year so this does not seriously hamper the Bill at all.

While I'm on the floor, Mr. President, I sent a letter to the Senators that this Bill meant quite a bit to myself and Senator Post who has worked together on this Bill and we have thanked the Senators for their support and also those House members because this was a pretty tough thing to ask them to do inasmuch as we fashioned this Bill in two and a half months of activity, but in any event, hopefully the Governor will sign this Bill. We think it will be a major step and we just wanted to thank the Senators on the record for all their

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help and assistance they gave us with this Bill. If there is no objection, Mr. President, I would move this Bill to Consent.

THE CHAIR:

Senator Post, do you wish to remark?

SENATOR POST:

I certainly don't intend to object, Mr. President. I just wanted to join in the remarks made by Senator Smith, and to thank him. I thoroughly enjoyed working with him on this project and the work and consideration given by the members of the staff of his Committee, the Senate and the House. Thank you.

THE CHAIR:

Without objection, this matter is placed on the Consent Calendar.

THE CLERK:

The Clerk at this time has House Joint Resolution 104, RESOLUTION CONFIRMING THE NOMINATION OF MRS. LUCILLE RITVO OF WOODBRIDGE TO BE A MEMBER OF THE JUDICIAL REVIEW COUNCIL.

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THE CHAIR:

Senator Schneller.

SENATOR SCHNELLER:

Mr. President, there's one item that I would like to pull off the Consent Calendar and that's Calendar 600, Senate Bill 1082 and once we finish the Consent Calendar, I'd like to comment on that particular item.

THE CHAIR:

Mr. Clerk.

THE CLERK:

The Clerk would like to call the following on the second Consent Calendar. You'll find them on the Senate Agenda dated Tuesday, June 2nd, 1981. Senate Bill 1388, Substitute for Senate Bill 533 and Finance Revenue and Bonding, Substitute for Senate Bill 966, and that concludes the call of the second Consent Calendar.

THE CHAIR:

Clerk please make an announcement for an immediate Roll Call.

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THE CLERK:

An immediate Roll Call has been called for in the Senate. Will all Senators please take their seats. An immediate Roll Call will be called for in the Senate. Will all Senators please be seated.

THE CHAIR:

The machine is open. Please record your vote. Has everyone voted? The machine is closed. Clerk please tally the vote.

The result of the vote:

35 YEA

0 NAY

The second Consent Calendar has been adopted.

SENATOR SCHNELLER:

Mr. President, the reason that I asked that Calendar 600 be removed from the Consent Calendar is SB1082 that there is a question as to whether or not the action taken by the House in House Amendment A which was the adoption of a program budget, had the effect of totally negating Senate A which was the study or which is the

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PROCEEDINGS  
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Would the Clerk please announce the tally?

CLERK:

Motion to accept the Report of the Committee on Conference in reference to House Bill No. 7363 as amended.

Total number voting	138
Necessary for Passage	70
Those voting Yea	138
Those voting Nay	0
Those absent and not Voting	13

SPEAKER ABATE:

The report of the Committee on Conference is accepted.

CLERK:

Calendar page 4. Unfavorable reports. Matter is reported in accordance with petition. Calendar No. 690. Substitute for Senate Bill No. 966. AN ACT CONCERNING ENTERPRISE ZONES. As amended by Senate Amendment Schedule "A". Unfavorable report of the Committee on Finance, Revenue and Bonding.

REP. STOLBERG: (93rd)

Mr. Speaker.

SPEAKER ABATE:

Rep. Stolberg.

REP. STOLBERG: (93rd)

Mr. Speaker, I move acceptance of the Committee's unfavorable report and rejection of the bill.

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SPEAKER ABATE:

The question is on acceptance of the Joint Committee's unfavorable report and rejection of the bill. Will you remark, sir?

REP. STOLBERG: (93rd)

Yes. Mr. Speaker, this bill or actually bill draft -- what we have before us was amended in the Senate. It originated in the Planning Committee, came to the Finance Committee quite late, the concept of the enterprise zones, and it was not acted on by the Finance Committee.

It was then petitioned from the Finance Committee. Senate "A" was adopted and the bill is now before us. Mr. Speaker, the Office of Fiscal Analysis has a fiscal note on this bill that basically is the work of the Department of Economic Development. The Office of Fiscal Analysis apparently being unable to complete its own analysis of the cost of this enterprise zone bill. Largely for this reason, this is a gigantic concept. Those of you who are familiar with the work done federally by Rep. Kemp and others are aware of the fact that this is a complex bill that has the support of some urban legislators and some legislators dedicated to cutting business taxes as their first priorities.

That's an important combination of support, but the concept is so huge that the Finance Committee has not had a chance to analyze it. Clearly, the Office of Fiscal Analysis has

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not had a chance to analyze it. The economic development analysis comes up with a cost of about \$478 million dollars in the first year -- \$478,000 , excuse me. It is my opinion that this could cost a great deal more in the first year and subsequent years in terms of a loss of revenue. Many different taxes would be affected by this, the property tax and the sales tax, just to mention two. I think this concept does warrant study, but certainly it's not ready for enactment at this point, and it is for that reason, Mr. Speaker, that I recommend the acceptance of the unfavorable report.

SPEAKER ABATE:

Will you remark further on the motion?

REP. GARAVEL: (110th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Paul Garavel.

REP. GARAVEL: (110th)

Thank you, Mr. Speaker, I would object to the motion to accept the unfavorable report made by Rep. Stolberg. I believe that a lot of work has gone into this bill by the Planning and Development Committee, and I believe that we should debate the merits of this bill tonight in this Chamber, and Mr. Speaker, I would urge a no vote on the motion to accept the unfavorable report and when the vote is taken, Mr. Speaker, I would ask that

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it be taken by roll.

SPEAKER ABATE:

The question is on a roll call vote. For the information of the members, the Chair would, on a motion to reject a bill or to accept a Joint Committee's unfavorable report, because the vote is possibly final action on the bill, the Chair would have the motion voted on by roll. In view of the fact that the gentleman has put the question to the Chamber, I will put the question to you. All those in favor, please indicate by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER ABATE:

In the opinion of the Chair, the requisite twenty percent having been satisfied, when the vote is taken, it will be taken by roll. Will you remark further on the motion?

REP. MILNER: (7th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Thirman Milner.

REP. MILNER: (7th)

Mr. Speaker, I also rise to oppose rejection of this bill. Throughout my terms here, I have heard constantly how much it costs to maintain our blighted cities through such things as

monies for substandard housing, additionally for unemployment, for welfare and other supportive services and on top of this comes the constant cry for tax relief through budget cuts. We cannot cut taxes if we have to continue to support but not help our blighted areas, especially those in high density areas. This enterprise zone bill is an effort to achieve the development of vital economic infrastructure in the blighted areas and to begin to address the burden of these areas on our entire state.

And I, for one, believe that it will work. Every business man or woman in this House knows that it takes money to make money. We constantly argue that so-called give away programs such as some parts of our federal CETA program that hires, trains and employs for fifteen to eighteen months, then the program ends with no industry to pick up the work force. So we now have a new class of trained, skilled people added to our unemployment welfare rolls. One of our colleagues earlier stated that our papers are full of want ads, not because people like unemployment compensation or welfare, but because they lack the skills and education to manage the personal department -- personnel department's requirements.

The enterprise zone concept is set up to begin to address this problem in our blighted areas on a limited trial basis.

Mr. Speaker, I understand that there are those who oppose the bill

because their hand prints are not on it. Our Finance Chairman has more serious concerns over it, and I agree partially with what he is saying. I also understand these concerns. I do have them.

But this bill establishes a Legislative Commission to study the regulatory and licensing policies of state and local policies. The Commission reports back to our General Assembly who also have to act on it next year. The zones are permissive for a municipality and are designated only with the approval of the Commissioner of Economic Development.

As an enemy to new legislation, there are flaws, but the bill provides oversight by legislative commission, the legislative body of the General Assembly, the Commissioner of Economic Development and most importantly, the municipalities. This is one of the few trends that our federal government is moving toward that I feel will have a positive impact on the future and economy of our blighted areas, particularly our inner cities. Not only that, but it will also assist us on our entire state's because we will have less dependency when it comes to providing monies for these blighted areas in the future. I urge rejection of the bill. Excuse me, I oppose rejection of the bill.

SPEAKER ABATE:

Will you remark further on the motion which is to accept the Joint Committee's unfavorable report? Rep. Alice Meyer.

because their hand prints are not on it. Our Finance Chairman has more serious concerns over it, and I agree partially with what he is saying. I also understand these concerns. I do have them.

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SPEAKER ABATE:

Will you remark further on the motion which is to accept the Joint Committee's unfavorable report? Rep. Alice Meyer.

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REP. MEYER: (135th)

Thank you, Mr. Speaker. I, too, join to urge that you reject the unfavorable report. I feel that this is a concept that is exceedingly important to us. I think if you give us a chance to explain it, to perhaps put in some necessary amendments that this could be a very forward step in improving the economy of our blighted cities. Therefore, I urge you to reject the unfavorable report.

SPEAKER ABATE:

Will you remark further on the motion? Will you remark further on the motion?

REP. GOODWIN: (54th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Dorothy Goodwin.

REP. GOODWIN: (54th)

Thank you, Mr. Speaker. Through you, a question, I guess, to Rep. Stolberg.

SPEAKER ABATE:

State your question, please, Madam.

REP. GOODWIN: (54th)

Well, I was trying to think of who was the proponent of the bill, but we don't seem to have one that really is. The question that I have is was the relationship of this proposal to

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the GTB considered?

SPEAKER ABATE:

Rep. Stolberg, can you respond to that question?

REP. STOLBERG: (93rd)

Through you, Mr. Speaker. It was not considered in the Finance Committee. The bill was not considered in the Finance Committee. I would yield to Rep. Garavel for an answer from the Planning Committee where the bill was considered.

SPEAKER ABATE:

Rep. Garavel, will you accept the yield, sir?

REP. GARAVEL: (110th)

Yes, thank you, Mr. Speaker.

SPEAKER ABATE:

Proceed please.

REP. GARAVEL: (110th)

Mr. Speaker, I believe after we vote on the motion to accept the unfavorable report, I will offer an amendment, and at that time, we might be able to debate the merits of whether or not the GTB formula was taken into account.

REP. GOODWIN: (54th)

Through you, Mr. Speaker, I was seeking an answer to a question of fact. Was it taken into account?

SPEAKER ABATE:

Rep. Garavel, can you respond to the question?

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REP. GARAVEL: (110th)

Thank you, Mr. Speaker. Through you, Mr. Speaker, it was not considered in the Planning and Development Committee, and that is one of the reasons that we transferred it to Finance.

REP. GOODWIN: (54th)

Well, I don't want --

SPEAKER ABATE:

Rep. Goodwin, you have the floor, Madam.

REP. GOODWIN: (54th)

I would soon be out of order if I started talking too much about this. I guess I can wait for the amendment. I'm not happy about the bill.

SPEAKER ABATE:

Will you remark further on the motion?

REP. WOODCOCK: (14th)

Mr. Speaker.

SPEAKER ABATE:

Rep. John Woodcock.

REP. WOODCOCK: (14th)

Thank you, Mr. Speaker. Very briefly, I would like to join with the Chairman of the Finance Committee and move for rejection of the bill. In reviewing some notes on this proposal, I quickly come upon five different issues that fall within the demand of Finance, Revenue and Bonding Committee. Specifically,

this bill calls for corporation business tax credit. It talks for freezing property taxes. It talks for increasing the urban jobs program. It talks for suspending sales taxes, and it talks for eligibility with respect to corporate income tax benefits. I think this Chamber would be well served to have the input of the Finance, Revenue and Bonding Committee and to this date, I don't believe this is the case. I urge rejection.

SPEAKER ABATE:

Will you remark further on the motion?

REP. BROOKS: (95th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Walter Brooks.

REP. BROOKS: (95th)

Mr. Speaker, I rise to urge rejection of the motion to reject this primarily because I think there are some merits to the bill. I think that if we had ample time to discuss it here on the floor, that we could perhaps amend the bill to satisfy the great deal of concern, but I think if we do not allow the bill to come forward to have an ample discussion of it, it would be unfair. So, therefore, I would ask you to vote against the motion to reject.

SPEAKER ABATE:

Will you remark further?

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REP. JOHNSTON: (51st)

Mr. Speaker.

SPEAKER ABATE:

Rep. Kevin Johnston.

REP. JOHNSTON: (51st)

Mr. Speaker, I rise briefly to support the motion to accept the unfavorable report. This bill really has not been dealt with for that long a period of time in the Planning and Development Committee. In fact, it was passed on the last day, more as a concept, and I don't necessarily disagree with the concept of the bill, but it is a major program based on federal -- hopes that federal legislation will be coming down the road.

I think it has a serious impact on our whole system of attracting industry and business, but I really think that we ought to think it out a little bit more seriously than has already been done, and I would urge support for the motion.

SPEAKER ABATE:

Will you remark further on the motion?

REP. ROBERTI: (126th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Vincent Roberti.

REP. ROBERTI: (126th)

Yes. Mr. Speaker, I would urge -- I would be in favor, sir, of being against a rejection of the unfavorable report. I think, Mr. Speaker, contrary to what we are hearing here right now, this issue has been aired fully within the press and has been talked about for the last few months quite actively, and I think that the members of the Planning and Development Committee feel very strongly and have good reason to feel very strongly, that this bill should be debated today.

SPEAKER ABATE:

Will you remark further?

REP. MILNER: (7th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Thirman Milner.

REP. MILNER: (7th)

As I stated earlier, this bill does establish a commission that must report its findings to our General Assembly. I believe at that time, the Finance Committee and any other committee will have ample time for input and expertise. If one believes in the concept as Rep. Johnston stated, then there should be no reason why this Commission should not be allowed to become activated and study this thing and report back to the General Assembly to see if the concept is a good one or not. I again urge that this bill not be rejected.

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SPEAKER ABATE:

Will you remark further on the motion?

REP. BALDUCCI: (27th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Richard Balducci.

REP. BALDUCCI: (27th)

Mr. Speaker, again, just briefly. The motion to reject - I would support the motion to reject the favorable support. I think that this particular piece of legislation would do a great deal to revitalize the economics of our central cities and act as a creative incentive that will restore the cities to prosperity. And therefore, I would move to reject the unfavorable report, Mr. Speaker.

SPEAKER ABATE:

Will you remark further on the motion? Will you remark further on the motion to accept the unfavorable report and to reject the bill? The motion, again, is to accept the Joint Committee's unfavorable report and to reject the bill.

Will all the members please be seated? All the members please be seated. All staff and guests please come to the well of the House. The machine will be opened.

The House of Representatives is voting by roll at this time. Would the members please return to the Chamber immediately?

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The House is voting by roll at this time. Would the members please return to the Chamber immediately.

Have all the members voted? Will the members please check the roll call machine. The machine will be locked. The Clerk will take the tally. Will the Clerk please announce the tally.

CLERK:

Motion to accept the Committee's Unfavorable Report in reference to Senate Bill 966.

Total number voting	138
Necessary for passage	70
Those voting yea	38
Those voting nay	100
Those absent and not voting	13

SPEAKER ABATE:

The motion fails. The bill before us is a Favorable Report.

REP. GARAVEL: (110th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Paul Garavel.

REP. GARAVEL: (110th)

Mr. Speaker, I move acceptance and passage of the bill in concurrence with the Senate.

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SPEAKER ABATE:

The question is on acceptance and passage in concurrence with the Senate. Will you remark, Sir?

REP. GARAVEL: (110th)

Yes, thank you, Mr. Speaker. The Clerk has an amendment, Senate Amendment "A", LCO No. 6937. I would ask that the Clerk please call and I be permitted to summarize.

SPEAKER ABATE:

The Clerk has in his possession an amendment, LCO No. 6937 previously designated Senate Amendment Schedule "A". Will the Clerk please call the amendment.

CLERK:

LCO No. 6937 previously designated Senate Amendment Schedule "A" offered by Sen. Smith of the 2nd District and Sen. Post of the 8th District.

SPEAKER ABATE:

The gentleman has requested leave of the Chamber to summarize in lieu of Clerk's reading. Is there objection? Hearing none, you may proceed to summarize the amendment, Rep. Garavel.

REP. GARAVEL: (110th)

Thank you, Mr. Speaker. Under this amendment the municipalities, with the approval of the Commissioner of Economic Development, would be permitted to designate in their

area of the municipality, as an enterprise zone. Such an area would be required to consist of one or two United States Census tracts that are zoned for commercial and industrial activity and in which one or more of the following exists: 25% or more of the population have incomes below the poverty level, 25% or more of the population is dependent on income maintenance funds, or 25% or more of the labor force is unemployed.

Further, the Commissioner of Economic Development would be required to approve the designation of six such zones with a maximum of three being in towns with a population greater than 80,000 and a maximum of three with populations in a municipality with less than 80,000.

The Commissioner would be required to adopt regulations in occurrence with the Uniform Administrative Procedures Act. The Commissioner of Economic Development would be required to administer a program of ventured capital loans to persons seeking to establish small businesses within the enterprise zone. This program would be funded through a \$1 million revolving loan fund.

Corporation business tax credits for manufacturing facilities that is presently applicable to firms under the Urban Jobs Program would be increased from 25% to 50% for firms located within the enterprise zone.

Property taxes on rehabilitated commercial or residential structures located within the enterprise zone would be frozen at the assessed value of the property at the time of rehabilitation. The tax freeze would continue for a period of seven years.

The \$500 per new employee grant presently available under the Urban Jobs Program would be increased to \$1,000 for firms located within the enterprise zone.

Sales tax on repair or replacement parts would be suspended for firms located within the enterprise zone.

Also, firms located within the enterprise zone would be eligible for the Corporate Income Tax Benefit if 30% of the firm's employees are residents of the enterprise zone as of the last day of the fiscal year of the firm. Employee Training Benefits Voucher Program would be created within the Department of Labor. This program would be funded through already existing employment training programs.

And, finally, Mr. Speaker, a legislative commission would be created to study the state's regulatory policies especially its licensing policies to determine to what extent such policies unnecessarily restrict the development of entrepreneurial activities. Mr. Speaker, I have summarized the amendment, and I would move its adoption.

SPEAKER ABATE:

The question now is on adoption of Senate Amendment

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Schedule "A". Will you remark further on its adoption?

REP. GARAVEL: (110th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Paul Garavel.

REP. GARAVEL: (110th)

Thank you, Mr. Speaker. I think that evidence shows that smaller firms generally survive the greater number of new jobs and expanded operations. However, a survey of central cities shows that small firms in central cities are the least likely to increase employment and expand operations. It is my feeling that the time has come for a programmatic focus to be placed on the central cities in an effort to reduce labor costs, financing costs and taxes so that there can be an overall upgrading of the quality of life.

During the 1960's and 70's we have witnessed the migration from our cities of skilled workers and the affluent. The population in the central cities has shown steadily increasing portions of unskilled workers, the unemployed and the distressed families. Nationally, of the total population below the poverty level, 38% were living in the major cities by 1977 compared with 23% in the suburbs which is up 4% since 1974.

Mr. Speaker, the importance of this bill is to revitalize the economics of our central cities by creating incentives that

will restore our cities as places where business can be pursued effectively, profitably, and in an environment that is personally healthful. And at this time, Mr. Speaker, I would like to yield to Rep. Alice Meyer.

SPEAKER ABATE:

Rep. Meyer, will you accept the yield, Madame?

REP. MEYER: (135th)

Yes, thank you.

SPEAKER ABATE:

Proceed, please. Excuse me Rep. Meyer. Will the House of Representatives please come to order. Will the House please come to order. Will the members please be seated. The Chair realizes the hour is late, the hour will grow later unless we attend to our business.

REP. MEYER: (135th)

Just a few comments on the concept that is embodied in this enterprise zone. If you will remember back in the 60's and the early 70's, the whole idea of urban renewal was based on one clearance through the wholesale replacement of the old buildings and we used vast sums of federal monies especially in doing this. Some of you may well remember the Dixwell Project in the City of New Haven where probably more federal money per capita was poured in than any other place in the country. Buildings were torn down, new buildings were set up and the like,

and yet this did not really seem to solve the problems that existed in this area. What this enterprise zone concept embodies is really the idea that people are trapped in sort of a cycle of poverty and what they really need are jobs, jobs that will give them pride in being able to look after themselves and not having to be dependent upon the government for a hand out.

In the past, the government did all. It put in the money and it did a lot of the work. Now I feel it's time to seek a new way to bring life back to some of our devastated inner cities. The whole idea of creating a favorable economic climate in these areas probably comes out of the federal levels where two Congressman, Jack Kemp, a Republican of New York and Robert Garcia, a Democrat from New York, last year had introduced a bill that will very well probably become the basis of the Reagan Administration's Urban Development Program. And the whole idea of it is to target areas that currently produce virtually no tax revenue and try to build them up so that even though we are giving a great deal of tax credit, remember that these are in areas that are producing very little credit at the present time.

The key idea is to get people into jobs so that the government does not have to provide their food, housing, and other services. And this, we feel, is best done by incentives from the private sector and especially the encouragement of

small businesses, the giving of incentives for creating new jobs, and incentives for training programs. Now, I point out very quickly that this proposal deals not only with the big cities, in fact the idea is to set up fixed pilot areas, three of which would have to be in cities of under 80,000.

I think if some of you think of your older mill towns where industry has moved out, that these too could stand a great deal of infusion of new business that would create jobs for the people living in that area. Now I realize that this amendment is not perfect. I think we are -- if it is adopted, we will have another amendment that in my mind will improve this considerably and because it will postpone the implementation of the bill for another year, give us the chance to get some of the legislation passed on the federal level and the like, I feel would be a considerable improvement, but before we can amend it, we would have to pass this and I would urge passage of Senate Amendment "A". Thank you.

SPEAKER ABATE:

Thank you, Madame. Will you remark further on the adoption of Senate Amendment "A"? All those in favor of its adoption --

REP. POLINSKY: (38th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Janet Polinsky.

REP. POLINSKY: (38th)

I would like to ask a question or two of the proponent of this amendment for the purpose of legislative interest.

SPEAKER ABATE:

State your first question, please, Madame.

REP. POLINSKY: (38th)

Thank you. Through you, Mr. Speaker, could you tell me if in the first two lines of the amendment where reading through it and getting rid of some of the extraneous words, any municipality may, with the approval of the Commissioner of Economic Development, designate an area of such municipality as an enterprise zone. And then going on, and if such area is covered by zoning, a portion of it shall be zoned to allow commercial and industrial activity. What I would like to know, through you, Mr. Speaker, is if the intent here is to override local zoning, or if not, how this would work?

SPEAKER ABATE:

Rep. Garavel, can you respond to that question?

REP. GARAVEL: (110th)

Yes, thank you, Mr. Speaker. Through you, Mr. Speaker, the intent of the legislation is not to override local zoning in any way. It would be with the Commissioner of Economic Development to work out with the city who, at his own convenience, would then meet with the Zoning Commissioner to decide whether or

an enterprise zone was advantageous to its municipality.

SPEAKER ABATE:

Rep. Polinsky, you have the floor, Madame.

REP. POLINSKY: (38th)

Thank you. Just to make it perfectly clear, may I ask a couple more questions, through you, Mr. Speaker.

SPEAKER ABATE:

State your question, please Madame.

REP. POLINSKY: (38th)

Correct me if I'm wrong, I envision a municipality, assuming this is adopted, deciding and getting agreement with the Commissioner of Economic Development that they want an enterprise zone. They choose a tract or possibly two census tracts and if it is correctly zoned, that is a portion of it or some part of it being zoned commercial and/or industrial, everything's fine, nothing has to be done. Through you, Mr. Speaker, is that correct?

SPEAKER ABATE:

Rep. Polinsky, will you repeat your question?

REP. POLINSKY: (38th)

What I'll do is set up two situations and really all I need is an answer, yes or no.

In one case a community decides, and with the concurrence of the Commissioner of Economic Development, chooses a census

tract and it is correctly zoned. There is a portion of it that is either industrial or commercially zoned and therefore the municipality has to take no action as far as zoning goes. Am I correct there?

SPEAKER ABATE:

Rep. Garavel, will you respond, Sir.

REP. GARAVEL: (110th)

Yes, thank you, Mr. Speaker. Yes.

REP. POLINSKY: (38th)

Now, again, one more question, Mr. Speaker.

SPEAKER ABATE:

Proceed, Rep. Polinsky.

REP. POLINSKY: (38th)

Thank you. Where the municipality, and again they choose a census tract, only this time it is not correctly zoned, it is residential. And here I'm a little unsure of myself. May I assume that the intent of the bill is that in order to qualify, the local planning and zoning authority would have to rezone all or portions of that tract in order to qualify under the bill.

SPEAKER ABATE:

Rep. Garavel.

REP. GARAVEL: (110th)

Through you, Mr. Speaker. I would believe that that would be the case.

REP. POLINSKY: (38th)

One final question, Mr. Speaker, through you.

SPEAKER ABATE:

Proceed, Rep. Polinsky.

REP. POLINSKY: (38th)

And that if for whatever reason, the local zoning authority did not rezone a portion of that tract commercially or indutrially, the whole project could not go forward.

SPEAKER ABATE:

Rep. Garavel.

REP. GARAVEL: (110th)

Yes, through you, Mr. Speaker. That would be correct.

REP. POLINSKY: (38th)

Thank you, Mr. Speaker.

SPEAKER ABATE:

Thank you, Madame. Will you remark further on the adoption of Senate Amendment Schedule "A"?

REP. ALLEN: (143rd)

Mr. Speaker.

SPEAKER ABATE:

Rep. Yorke Allen, Jr.

REP. ALLEN: (143rd)

Several minutes ago, Rep. Stolberg, as Chairman of the Finance Committee, said that he was opposed to the bill because

the Finance Committee had not considered it. According to the Docket Manual Rules of Procedure here, page 14, the deadline for the Planning and Development Committee was March 19, 1981. Now it was on the last day I heard someone say that the Planning and Development Committee J. F.'d this bill to Finance, Revenue and Bonding which suggests by comparison of these deadline dates, that the Finance, Revenue and Bonding Commission had one month to consider this and my question, through you, Sir, to Rep. Stolberg is, how is it that the Finance, Revenue and Bonding Committee, having a month, did not consider it?

SPEAKER ABATE:

Rep. Stolberg, will you respond?

REP. STOLBERG: (93rd)

Through you, Mr. Speaker. The dealine date of the other committee does not indicate the date when those bills arrived in the Finance Committee. I am not sure when that did arrive at the Finance Committee, we could check the agendas and determine that. The agenda of the Finance Committee was determined by members of the Finance Committee requesting that any bills that came in go on our agendas, especially during the last few days that were quite taxed. I do not believe this bill went on our agenda. I do not recall it. I don't recall taking final action on it, I think our lack of action was then overcome by the petition from the Senate in which case the bill

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came out with an unfavorable report.

REP. ALLEN: (143rd)

Through you, Mr. Speaker, another question to Rep. Stolberg. Rep. Stolberg, are you suggesting this bill took one month to travel from Planning and Development to the Finance and Revenue Committee?

REP. MOYNIHAN: (10th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Timothy Moynihan, for what point do you rise, Sir?

REP. MOYNIHAN: (10th)

For a Point of Order. I beleive we're on Senate "A". I think the question of how it arrived here was dealt with in overturning the unfavorable report and I believe we're now on Senate "A", if my memory serves me correctly, Sir.

SPEAKER ABATE:

The Point of Order is well taken. The matter before the Chamber at this time is the question of the adoption of Senate Amendment Schedule "A". Will you remark further on the adoption of Senate "A"? Will you remark further on the adoption of this amendment? If not, all those in favor of its adoption please indicate by saying aye.

REPRESENTATIVES:

Aye.

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SPEAKER ABATE:

All those opposed nay.

REPRESENTATIVES:

No.

SPEAKER ABATE:

The ayes have it. The amendment is adopted. Will you remark further on this bill as amended?

REP. MOYNIHAN: (10th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Timothy Moynihan.

REP. MOYNIHAN: (10th)

Mr. Speaker, the Clerk has an amendment, LCO 7191. Will the Clerk please call it and may I be given permission to summarize?

SPEAKER ABATE:

The Clerk has in his possession an amendment, LCO No. 7191 designated House Amendment Schedule "A". Will the Clerk please call the amendment.

CLERK:

LCO No. 7191 designated House Amendment Schedule "A" offered by Rep. Moynihan of the 10th District.

SPEAKER ABATE:

The gentleman has requested leave of this Chamber to summarize the amendment in lieu of Clerk's reading. Is there

objection? Hearing none, you may proceed to summarize the amendment, Rep. Moynihan.

REP. MOYNIHAN: (10th)

Mr. Speaker, the amendment tries to address some of the concerns in the section of the bill that deals with the question of what zones it might be appropriate to establish as enterprise zones. It makes that following corrections. The bill speaks about two or more census tracts, this requires that they be contiguous, which I understand was the intention of the File.

It talks about census tracts, but it doesn't say which data you use. My amendment would make it the 1980 data. And it also talks about the need for the zone to be commercially and industrially zoned. That would rule out any other activity, such as the existence of housing from being within that zone, and that also is not the intention, as I understand it, so the amendment would change it to a portion of the designated zone would have to be industrial and commercially zoned.

More important, or at least as important a part, are several concerns raised. Everybody seems to have embraced the concept that we're addressing here this evening, but the Senate, the File Copy that we have before us, is the result of adoption of Senate "A". I think it deals more in concepts and less in fact or in terms of a bill that's operational and that was the concerns that Rep. Solberg mentioned and which I happen to

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concur with him on. I think it's important that the concept be given an impetus. The bill would provide two effective dates; one for the Commission that's established to deal with the issue and to report back to the General Assembly in February, and the second is that the effective date of the ballot of the File Copy would be July, 1982, which, hopefully, would allow this General Assembly to react to the concerns expressed by Rep. Goodwin, namely in the area of GTB, the property tax relief questions addressed properly by Rep. Stolberg, and also several other sections, particularly Section 3 that might be troublesome in terms of its administration.

I would urge us to go forward only on the basis of having this adopted, the amendment that I put before you this evening. Thank you, Mr. Speaker.

SPEAKER ABATE:

Thank you, Sir. Will you remark further on the adoption of House "A"?

REP. STOLBERG: (93rd)

Mr. Speaker.

SPEAKER ABATE:

Rep. Irving Stolberg.

REP. STOLBERG: (93rd)

Thank you. I urge acceptance of this amendment. There are a number of flaws in the bill. I will not go through them

because if this amendment is accepted, we'll have time through the Commission process, to correct the flaws which are many indeed. Again, I think this amendment does not correct all of the problems, but it does give us time. The Commission would be established, the effective parts of the legislation would be postponed a year, and we would have an opportunity to examine the revenue impact, to examine just the definition of zones a lot more precisely, to examine the GTB impact and try to offset it, and to at least give this concept a chance.

If this were enacted right away, Mr. Speaker, I think it would be so fraught with problems that it would be doomed to a certain failure. This at least will give the many individuals a chance to try to correct the problems and see if the concept can be worked out in the following year.

REP. CAPPELLETTI: (71st)

Mr. Speaker.

SPEAKER ABATE:

Rep. Norma Cappelletti.

REP. CAPPELLETTI: (71st)

Thank you, Mr. Speaker. Through you, Mr. Speaker, a few questions to the proponent of the amendment.

SPEAKER ABATE:

State your first question, please Madame.

REP. CAPPELLETTI: (71st)

Thank you, Mr. Speaker. Rep. Moynihan, in line 26 where you're concerned with describing the zoning, you say that a portion of it shall be zoned to allow commercial and industrial activity. My question is does that mean that a portion of it could be residential zoning, and therefore the city may have the option never to change that, it would be listed as residential. Is it only a portion of it that has to be commercial?

SPEAKER ABATE:

Rep. Moynihan, your response, Sir?

REP. MOYNIHAN: (10th)

Through you, Mr. Speaker, I believe that the intention of it is to establish a zone that may have housing and would wish to bring in industry and jobs to support the residents within that zone. So I believe that we should have zones that do have mixed usage in terms of zoning. I think it would be inappropriate to establish a zone strictly in an industrial area where nobody lives.

SPEAKER ABATE:

Rep. Cappelletti, you have the floor, Madame.

REP. CAPPELLETTI: (71st)

Thank you, Mr. Speaker. Also, in line 28 where you start mentioning three categories of 25% or more of the population, by the semi-colon there that delineates 1, 2 and 3,

25%, through you, Mr. Speaker, do you mean that all of these requirements have to be accomplished at the same time, or is it one or the other? Are we talking, in other words, of a total 75% in the three essential requirements at one time? Through you, Mr. Speaker.

SPEAKER ABATE:

Rep. Moynihan.

REP. MOYNIHAN: (10th)

Through you, Mr. Speaker.

SPEAKER ABATE:

Proceed please, Sir.

REP. MOYNIHAN: (10th)

The -- my amendment doesn't address that question at all but I'd be happy to answer it. It does clearly say -- excuse me, I'm off the air -- it clearly says on line 28, one of the following criteria. I might add, my amendment, while it repeats that language, it only repeats what's in the File Copy and I made no alteration whatsoever in that section of the File.

SPEAKER ABATE:

Rep. Cappelletti.

REP. CAPPELLETTI: (71st)

Thank you, Mr. Speaker. I see it now and I thank you for your indulgence. It means one of the following criteria. Thank you.

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REP. SWENSSON: (13th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Elsie Swensson.

REP. SWENSSON: (13th)

Thank you, Mr. Speaker. A question of Rep. Moynihan.

SPEAKER ABATE:

Please state your question, Madame.

REP. SWENSSON: (13th)

I notice in my File Copy I go up to Section 8 and I'd like to know when we delete 11, what would happen to 9 and 10.

REP. MOYNIHAN: (10th)

Through you, Mr. Speaker.

SPEAKER ABATE:

Rep. Moynihan.

REP. MOYNIHAN: (10th)

The File Copy has been replaced by Senate "A". If the distinguished lady from Manchester would review Senate "A" you would find that that goes through Section 11 and through line 157. The File Copy does not.

REP. SWENSSON: (13th)

Thank you.

SPEAKER ABATE:

Thank you, Madame. Will you remark further on the

adoption of House Amendment Schedule "A"?

REP. GOODWIN: (54th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Dorothy Goodwin.

REP. GOODWIN: (54th)

Thank you, Mr. Speaker. I believe that the amendment does take care of the problem posed by GTB at least in a preliminary sense and I would urge adoption of the amendment.

For those of you who may be puzzled as to why this is so terribly important, I might point out that one of the greatest problems with any distribution of grants on the basis of assessed value of property, you run into the problem of competitive underassessment and if this is not controlled, you have an immediate and major distortion of the grant distribution.

Now we control that here by making the assessments a centralized function. But in any case where permissive legislation permits lower than market value for any portion of the property on the Grand List, it creates a situation where a town reduces its apparent wealth and, therefore, under the GTB, it qualifies for additional funds. And in a situation where the GTB becomes a larger and larger portion of town budgets, the desirability of competitive lower assessments may actually be -- override because of the additional funds that will be coming through GTB, the

desire to protect the integrity of the towns Grand List. This is a problem we keep facing and it seems to be clear that these are very generalized approaches. I will, for my own point of view, try to see that the Equity Task Force addresses this question and I would hope that by the time we do get to full implementation of this bill, there will have been a general statute that addresses this that goes beyond what we did in the GTB amendments earlier this year in which we said that no matter what kinds of legislation of this sort we did, all towns would be handled alike.

That's awfully easy to override in special cases and I would like to see it pinned down more tightly.

SPEAKER ABATE:

Thank you, Madame.

REP. GARAVEL: (110th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Paul Garavel.

REP. GARAVEL: (110th)

Thank you, Mr. Speaker. I wish to support the amendment. I think that the first section makes some very important technical changes. I think that the last section of the bill will help give us time to really look at this concept more.

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REP. VAN NORSTRAND: (141st)

Mr. Speaker.

SPEAKER ABATE:

Rep. Van Norstrand.

REP. VAN NORSTRAND: (141st)

Mr. Speaker, I would like to ask one question. Not of the proponent, but of Rep. Garavel. The language repeated in this amendment from the file, that says, any municipality may line 20 on, or if you look at the, when I say file, you look at lines 20 through 24 of Senate "A", designate an area as an enterprise zone, and it goes on to say, it shall be zoned.

Who does that zoning, through you, Mr. Speaker.

SPEAKER ABATE:

Rep. Garavel.

REP. GARAVEL: (110th)

Through you, Mr. Speaker. Are you referring to who does the zoning in Senate "A"?

REP. VAN NORSTRAND: (141st)

Through you, either one, Mr. Speaker.

SPEAKER ABATE: you,

Rep. Garavel.

REP. GARAVEL: (110th)

Thank you, Mr. Speaker. Through you, Mr. Speaker. The track designated as an enterprise zone is already zoned, industrial

or commercial, then there would not be any zoning change necessary. But if it is not, then the zoning board or the board designated by that municipality would make that zone change.

REP. VAN NORSTRAND: (141st)

Through you, Mr. Speaker, this is really a foul up of what Rep. Polinsky asked earlier.

Are you telling me, that if the municipality determines that it's going to have an enterprise zone at a given place, that that is a mandate that the planning and zoning commission shall zone that property for industrial or commercial property, even though it makes no sense whatsoever from any planning concept or imagination?

SPEAKER ABATE:

Rep. Garavel.

REP. GARAVEL: (110th)

Through you, Mr. Speaker, I believe that if the zoning commission rejected the zone change, then the municipality would not be eligible for an enterprise zone.

REP. VAN NORSTRAND: (141st)

Through you, Mr. Speaker, I think I'd like to pursue it. Almost repeat it, so I can get closer to an answer to the question I asked. Do you regard this as a mandate to the planning and zoning commission, shall zone that property. It shall be zoned.

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SPEAKER ABATE:

Rep. Garavel.

REP. GARAVEL: (110th)

Through you, Mr. Speaker. I do not regard it as a mandate by the municipality, the zoning commission to zone it industrial or commercial.

REP. VAN NORSTRAND: (141st)

Thank you. Through you, Mr. Speaker.

SPEAKER ABATE:

Rep. VanNorstrand.

REP. VAN NORSTRAND: (141st)

Up in line 20 of the amendment, or 20 of Senate "A", any municipality may, and in the next line, says designate. How does the municipality do that? Through you, Mr. Speaker. Who in fact does the designating?

SPEAKER ABATE:

Rep. Garavel.

REP. GARAVEL: (110th)

Through you, Mr. Speaker. I believe that the legislative body of the municipality would do that.

REP. VAN NORSTRAND: (141st)

Through you, not the planning and zoning commission?

SPEAKER ABATE:

Rep. Garavel.

REP. GARAVEL: (110th)

Through you, Mr. Speaker. That is correct.

REP. VAN NORSTRAND: (141st)

Thank you, Mr. Speaker. And thank Rep. Garavel through you. I will support this amendment. It is the only thing I think that keeps this from the thin line for recommit. I wish I had rethought perhaps my earlier response to Rep. Stolberg's motion, but the fact remains we are what we are, and this amendment is crucial.

SPEAKER ABATE:

Will you remark further on the adoption of House Amendment Schedule "A"? If not, all those in favor of its adoption, please indicate by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER ABATE:

All those opposed, nay.

REPRESENTATIVES:

No.

SPEAKER ABATE:

The ayes have it. It's adopted.

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House Amendment Schedule "A"

Strike subsection: (a) of section 1 and insert in lieu thereof the following:

"(a) Any municipality may, with the approval of the commissioner of economic development, designate an area of such municipality as an enterprise zone. Any such area shall consist of one or two contiguous United States census tracts as determined in accordance with the 1980 United States census and, if such area is covered by zoning, a portion of it shall be zoned to allow commercial and industrial activity. Any such area shall also meet at least one of the following criteria: (1) Twenty-five per cent or more of the population of such area shall have incomes below the poverty level, as defined by the United States department of labor; (2) twenty-five per cent or more of the population of such area shall be dependent on funds administered by the Connecticut department of income maintenance as their major source of income; or (3) twenty-five per cent or more of the labor force in such area shall be unemployed."

Strike section 11 and substitute in lieu thereof the following:

"Sec. 11. This act shall take effect from its passage, except that sections 1 to 9, inclusive, shall take effect July 1, 1982."

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SPEAKER ABATE:

Will you remark further on this bill as amended by House Amendment Schedule "A", and Senate Amendment Schedule "A"?

REP. MILNER: (7th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Thirman Milner.

REP. MILNER: (7th)

Mr. Speaker, this bill as amended takes in the concerns of many, that is, introduced new legislation that has not been properly studied and debugged.

This act establishes a commission, but delays implementation

enterprise zone concept until July 1, 1982, five months after the report to the General Assembly, five months to iron out any of the concerns raised. And five months to give any member of this body time to decide, whether to accept or reject the concept as proposed by that commission. I urge passage of this bill as amended.

SPEAKER ABATE:

Will you remark further on this bill as amended? If not, would all the members please be seated. Would the members please be seated. Would all staff and guests please come to the well of the House. The machine will be opened.

The House of Representatives is voting by roll at this time. Would the members please return to the Chamber immediately. The House of Representatives is voting by roll at this time. Would all the members please return to the Chamber immediately.

Have all the members voted?

Would the members please check the roll call machine to determine if their vote is properly recorded.

The machine will be locked.

The Clerk will take the tally.

Would the Clerk please announce the tally?

CLERK:

Senate Bill 966, as amended by Senate Amendment Schedule "A", and House Amendment Schedule "A".

Total number voting	138
Necessary for passage	70
Those voting yea	138
Those voting nay	0
Those absent not voting	13

SPEAKER ABATE:

The bill as amended passes.

At this point the Chair will entertain points of personal privilege. Are there any points of personal privilege?

REP. DYSON: (94th)

Mr. Speaker.

SPEAKER ABATE:

Rep. William Dyson.

REP. DYSON: (94th)

Mr. Speaker, I'd like the record to show that Rep. Dyson was absent from the Chamber earlier today because of legislative business, and not picking up gas.

REP. RITTER: (6th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Tom Ritter.