

Legislative History for Connecticut Act

HB 7347 1981 P.A. 81-451 1981
Planning + Development - P. 687-695,
708, 714-719 16P.
House - P. 3996-4005, 8253-8259,
8426-8429. 21P.
Senate - P. 3874-3878, 4030-4033,
4075-4076, 5698-5699,
5788-5790. 16P.
Total 53P.

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JOINT
STANDING
COMMITTEE
HEARINGS

PLANNING &
DEVELOPMENT
PART 2
412-733

1981

MS. PEARSON: (Continued)

Connecticut State Taxpayers Association. Thank you, Mr, Chairman and Committee members and staff for conducting the hearing.

Our state-wide Taxpayers Association is very much concerned with local government. I work with 70 local taxpayers associations and they are very much involved with Charter Revision and concerned with their local municipal statutes that relate to them.

In January, 1980, I spoke at the Public Hearing that you had in Bridgeport regarding the Bill as it originally appeared, 155 or some pages, and I had many concerns and objections to the proposal at that time and voiced some of them.

Before us tonight are the two Bills 7346 and 7347 that I now see that the Committee is considering. I did receive a copy of the Interim Committee Report and I did go over that, but I didn't have a copy of any legislation at that time to know exactly what your intention was. I really wasn't quite sure if it was going to be the massive changes as in the bill you had considered last year.

Many of our local associations contacted the legislators and raised objections then to that proposal and followed you along as you did propose the Committee, the Interim Committee for the study. So we really didn't know exactly what your proposals were.

I have copies of the two bills now that I will go over a little more carefully. My concerns rested mainly with what were the proposals. I really didn't know. We had someone going to be at the Norwalk Hearing and our understanding was that there was no bill ready at that time. I don't know if the Bill was ready at the Groton Hearing last night, but I am happy to have a copy of it tonight.

My opinion, I mean my understanding is, rather, that these two Bills cost the Commission \$5,000 to prepare, to date. I am assuming from Interim Reports that the Commission now wants another \$60,000 to continue revising the rest of the chapters that the Commission wants to work with. It appears to us to be rather expensive since you seem to have so many of those changes already incorporated into the 155 page bill.

MS. PEARSON: (Continued)

We are certainly not -- someone is putting in a lot of time, we notice the name Ruth Stockton. I am not sure who she is, but I guess she has put in a lot of time on this, and we are certainly in no way objecting to that type of expertise, but it did seem like a rather large amount to us.

One of the questions we had regarding the Municipal Charter process was an area that was used as a major concern last year by your Committee which was a Recall, providing that for all municipalities on a local level. I didn't see anything in this in regard to that. I don't know if you still intend to provide that municipalities where there is a question on whether their Recall rights are actually effective on the local level because some of them are adopted under Special Acts and some are adopted under Charter changes.

We would like to see that retained. As I said, I don't see it in here, so I don't know if someone could advise me whether the Commission or Committee intends to leave that in. Many municipalities have Recall provisions in their Charter. It has been used in many municipalities and we haven't found that it has been abused from the little study that we have done regarding it and we think that it should be retained. And we wouldn't like to see the process turned into a legal process whereby it would become part of the judicial system's decision rather than the local elected officials, the local electors.

We would like to see some type of public initiative put into the proposal. We do understand that a Charter revision may be proposed by petition of people requesting such or by the local governing body. We would like to see it somewhere because you are talking about making this process more easier access to the law, I think is what the terminology was in your report. So that, the public would be able to initiate proposals other than those that were just in the petition so that they could put questions on the machine.

We would like to see an opportunity for the public at large to be able to get on the Commission, maybe perhaps, some type of primary system, some opportunity so it wouldn't just be those that were appointed by the administration in

MS. PEARSON; (Continued)

power. People should have a right to get signatures and perhaps go through a petition process and to be able to get on this Commission, because this is a Commission where I think the public would like to have a little more input.

There was some mention of the section where the administration could reject all of the work that the Charter Commission had completed. We realize this, but I think, under the current statutes can also happen now. But we would like to see that the Charter Commission's work do go to a referendum and shouldn't be able to be rejected by the appointing authority.

The other section, and mind you, I really wasn't sure on everything that was in the Bill, so I am probably not covering what some of you would like me to, but you do have something here about people being allowed to remove their signature, if they signed a petition requesting that proposals be -- a Charter Revision Commission be appointed. We don't think that people should be allowed to be able to remove their signature. When someone signs a document of this nature and it is on file, it should remain as such within as -- as well as any other petition that our understanding is that when someone primaries to run for office, or what have you, the name I don't believe are removed. Maybe someone could correct me, if that is so. But, we don't think that they should be allowed to remove their names here. We have -- we are aware that there are political pressures when people sign petitions, for example, on a Recall where it might be a very close amount of signatures that are needed and a political party might pressure people to take their names off. That has happened, and we think that if a person signs, it should stay as is and that they shouldn't be in a position of being pressured by the political party that happens to be in power, or whatever political party, to then take their names off and have them go forth and appear and ask to have their names removed.

As I said, I didn't have the Bill earlier and it is difficult for me to comment and I will try and read it over tonight. The public initiative aspect we would like to see, the opportunity for people to get on the Charter Revision Commission, we think is very important also.

MS. PEARSON: (Continued)

It is important to open up this. Well, I would just probably say in summing up, I didn't have the Bill earlier. It was difficult for me to comment. It is very important for people to get on these Charter Revision Commissions, through a primary process. The Recall provisions we would like to see left in. There are probably other sections too, but I don't want to ramble on without being specific in taking up the Committee's time. I will review it again.

I do have -- I wonder if these two bills are going to go forth to be presented to the Legislature if the Committee approves it this year and is it the intention that all the other sections would also be brought up this year or are you preparing those for next year? Does anyone like to (interrupted by Sen. Smith).

SEN. SMITH: Both.

MS. PEARSON: Both.

SEN. SMITH: Another thing is, Ms. Pearson, I think you ought to know that the membership of the Commission on Local Government, you can easily say not only is it my policy, it does have citizen input.

Do you know the membership of the Commission on Local Government?

MS. PEARSON: Uh, no, I followed it along when the bill was passed in the Legislature as to at the time, the names that were appointed and I read them.

SEN. SMITH: And by whom?

MS. PEARSON: What?

SEN. SMITH: Well, for example, the Ranking Minority Member; it has a Ranking Minority Member from both the House and the Senate; they have legislative appointees from both parties; the Connecticut Public Expenditure Council; the Council of Small Towns; the Connecticut Conference of Municipalities; the League of Women Voters; they all have a membership on the Commission.

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MS. PEARSON: We are well aware of that. We don't and that is why we are testifying, to try and add a little area, some of the areas that we have concerns in and some of those that I expressed this evening. And if we can, perhaps, gather some more information and express concerns in some of the other areas that were not touched or that we felt should have provided more access. We are looking for more access for the citizen and we think that, of course, that many of these other appointees were looking out for those concerns also, but maybe ours went a little further. I don't know if these organizations were as concerned with the Recall as we were; we didn't see it in here tonight. That's why I mentioned that specific area.

SEN. SMITH: Well, there will be Commission meetings in the future and they're always made public, and I am sure that if you are interested, you know when they are.

MS. PEARSON: Certainly, we will try to follow along with you. We are fearful of changes that would require additional signatures, I think I mentioned these before to your Committee. There are other areas we are always interested in not seeing that it is more difficult for the public to be involved in Charter Revision. We are looking for them to have more of a chance.

SEN. SMITH: All right.

MS. PEARSON: Thank you, Senator.

SEN. SMITH: Any questions from Committee members.

MS. BOBBIE LAUDER (League of Women Voters): One thing I would like
(this portion inaudible due to coughing, moving of chairs and the fact that Ms. Lauder spoke from her chair - not into the microphone).

MR. ROD MC KENZIE: Mr. Chairman?

SEN. SMITH: Yes.

MR. MC KENZIE: If I could just make more dialogue and also explain to some of the Committee members - Rod McKenzie, a member of the Commission.

MR. MC KENZIE: (Continued)

The Recall we put off at this stage from the Commission viewpoint. We will study that and bring it up at the end of the month from the Commission viewpoint.

My concern is with members of the public at large trying to get on the Commission. I really don't know the mechanism that we can use to allow these people to get on the Commission. It is very difficult for me to see that concept. What we have done instead is to try and protect these people, members of the public at large, rather than appointees, by having so many Public Hearings required by allowing the appointing authority to separate the provisions of the report into as many questions as possible, and if the appointing authority rejects those questions, to allow the members of the public to petition to have those questions put on the ballot.

We are really almost bending over backwards to allow the public as much access to the process and as much say, even to the final point of having a vote on a change in the Charter, as possible. How we can get into the normal nominating process, petition primary, that I am not really too sure if you could come up with a proposal that would be acceptable to us that we would really consider it.

We have removed the section as to removal of signatures. You are not allowed anymore to remove signatures. You sign the petition and it stays.

MS. PEARSON: Good.

MR. MC KENZIE: We thought that was a concern and we just said it stays. But both of these are basically -- we felt we are ready on. We are continuing on with our study and we report back to the Committee next session as is required by statute. And the \$5,000 that you are concerned about has not been spent and will probably not be even half spent by the end of the year.

SEN. SMITH: All right. I am going to have to stop this at this point. I am sure that you can find out, you know, any information you like at a later date.

MS. PEARSON: Okay.

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SEN. SMITH: The staff would be made available to you if you so desired.

MS. PEARSON: Oh, thank you.

SEN. SMITH: Thank you. Charles McCarthy.

MR. MCCARTHY: My name is Charles McCarthy. I'm the Assistant Town Manager for the Town of Manchester. I'm here to speak tonight on House Bill 7347. I've served during the year on the Home Rule Study Committee at CCM and watched from some distance, the work of the local government committee and I'm just terribly impressed. I have one problem with this bill that I want to talk to you about tonight. Section 4-B of 7347.

SEN. SMITH: What line is that?

MR. MCCARTHY: It is line 25.

SEN. SMITH: Alright, go ahead.

MR. MCCARTHY: This section permits the appointing authority which is described -- defined earlier as the local legislative body to give a charge to a charter revision commission or to place the petition before a charter revision commission. On the other hand, it gets a little vague at this point -- it allows the charter revision commission to report back on its charge and also to report back to the appointing authority on any matter that concerns the charter revision commission and I've discussed this matter with a number of local government officials; Sue Hutchinson for example, served on the local government committee, was concerned about this provision. First selectman Russell Stoddard -- had a long discussion with the local government committee at a meeting -- at a hearing held on February 26th this year. I know in talking with the mayor of my community about this -- he pointed out to me that the possibility of the charter revision commission getting involved in the -- in deciding what to look at and investigate and report back on is a matter that is handled ordinarily by the -- by the local elected officials -- those people who are elected as described in the act -- the appointing authority and he believes rather strongly that the charge should be given by the appointing authority to the committee -- to the commission and that

MR. MCCARTHY: (continued)

if any problem comes up about the need for looking at other matters in the charter weren't anticipated initially, the charter revision commission could go back to the appointing authority for additional authority to look in at other sections of the charter and to do it at the time when they have encountered the problem and they have the concrete need to look at other sections and can so describe the reasons for their need to expand the charge to the appointing authority.

I remember when this was discussed with the local government committee on February 26, the -- this suggestion was made but it was -- it was argued against on a technical basis because someone indicated that that would mean that the -- that if the charter revision commission went back to the appointing authority the whole time trigger would be set off again in the act and I think it's really -- that's a technical problem and should be addressed in making the change but I think it can be indicated in Section 4B when the charter revision commission does go back to the appointing authority for additional -- for an additional charge that they are still in the same time sequence as initially -- as the act initially triggered.

I'm impressed with all of the work that the local government committee has done and I was asked belatedly tonight by CCM to leave a statement by Sue Hutchinson that was to be presented by Sue Hutchinson with your committee and I'm asking your approval Mr. Chairman, to leave this report with your committee.

SEN. SMITH: Alright, it's part of the -- your testimony?

MR. MCCARTHY: It's part of my testimony and it's the official CCM statement.

SEN. SMITH: Alright, thank you. Are there any questions by committee members?

MR. MALEY: I'm interested in the process that you stated was the process that occurs now. Why do you believe that that's the process that the statute calls for now? Can you point to something in the statute that would tell me that the appointing authority -- the right to set the limit

MR. MALEY: (continued)
of the charter commission?

MR. MCCARTHY: I have seen it done on at least two occasions
in the community that I'm in now.

MR. MALEY: O.K., that wasn't my question. My question was
not whether it's done, but whether it's supposed to be
done rather.

MR. MCCARTHY: I have not looked at the statute -- at the
current statute -- I have not looked at that, but

MR. MALEY: I think if you did, you might find that there's
an absence of discussion of the process that you have
outlined.

MR. MCCARTHY: But, I have also talked with local officials
who feel that they can charge a charter revision commiss-
ion and the charter revision commission must deal with
their charge.

MR. MALEY: Alright, well, again I'm not prepared to date
this but let me just say that that is far from clear
that that is accurate the way the statute was intended
to operate, and my personal opinion is that is not at
all the way this statute is intended to operate, at the
moment. Thank you.

SEN. SMITH: Alright, thank you very much. Mr. Podolsky.

MR. PODOLSKY: My name is Raphael Podolsky. At this point, I'm
not clear as to how much the committee is still here but
I'm testifying on Senate Bill No. 1387. This is a bill
that has been addressed by the committee in different
ways under different numbers. What you've got right now
is two bills. Mr. Chairman, what you have right now are
two bills on Relocation Assistance. The Bill No. 1387
which is before you today, the Bill No. 1049 which has pre-
viously been heard and which the committee has voted to
draft. They are essentially similar in approach except
1049 presumes that the municipality makes the payment while
1387 attempts to have the State make the payment. Both of
them, however, have the same defect and I think it's impor-
tant that the bill be rewritten so as to eliminate the defect.

MR. SACHS: (continued)

That word -- flexibility -- is the one I want to leave you with as the key. We want to offer municipalities of flexibility to conduct their programs as they see fit. If we were to start with a clean slate, we'd not even enumerate the administrative alternatives conducting this program. We'd give each municipality complete freedom in that regard, but having enumerated the alternatives in Chapter 130, we do no more in this bill than to offer municipalities a further alternative, and we make it possible for them, having originally opted for one such alternative, now to switch to another, as changing needs dictate.

I appreciate your committee's attention and I urge approval of Committee Bill 1375. Thank you very much Mr. Chairman.

REP. FARRICIELLI: Thank you. Attorney Sachs, just a question first. I know, the other members here might have them but I have them myself. I'm not sure if you've seen 7346 and 7347 which are proposals to change the charter positions of the municipality.

MR. SACHS: I saw it for the first time this evening.

REP. FARRICIELLI: Okay, thanks. I just bring that to your attention because just as a note of review, I think also would reinforce what 1375 would do.

MR. SACHS: When we started to consider what our course of action should be, we were aware that Title 7 was being revised but we of course felt we had to go forward with our own bill.

REP. FARRICIELLI: No that's fine and I just wanted to bring it to your attention so you can get a chance to look at it and you may find that that also can accomplish so you'd have two bites of the apple so to speak.

MR. SACHS: It wouldn't be the first time that that's happened.

REP. FARRICIELLI: Okay, are there are any other questions.

REP. TRIPP: Attorney Sachs, do you specifically document you speak of flexibility throughout your whole testimony.

MR. SINGERMAN: (continued)

is Phillip Singerman. I'm representing the Connecticut Conference of Municipalities. I'm here to speak on behalf of CCM in regards to five bills. I will first discuss raised Committee Bill 7347 and 7346 on charter reform in municipalities. Then I will discuss Bill 1375 and 1387, bills relating to housing and community development functions and then I will turn briefly to Bill 7322, pilot funds for housing authorities.

Last week at your Public Hearing in Hartford, copies of our testimony I believe were submitted to the committee and perhaps they were discussed briefly by speakers. I'd like to review those and present some new information to highlight the points that CCM is particularly interested in.

First, on behalf of CCM and personally, I would like to commend the State Commission on Local Government, the Planning and Development Committee and the staff for their diligent and conscientious and excellent work in regard to these two Bills 7346 and 7347. I have been privileged to work with the commission and with the staff in an unofficial capacity and I will commend to you and to the audience here the excellent staff analysis and conscientious work that the commission and members of the staff have conducted. That's both an official statement and a personal statement.

CCM endorses the recommendation of the commission's interim report, that the legislature clarify and strengthen the power granted to municipalities to organize and strengthen their governments in a manner best meeting local needs and concerns. The commission has made an excellent start, but it must continue its work and complete its mandate to carry out a thorough review of all the general statutes and special acts relating to local government. The work plan proposed in the interim report as subsequently amended provides a clear guide for those efforts. CCM supports raised Committee Bill 7347 as amended by a number of proposed changes and urges that the Planning and Development Committee favorably report the bill.

I would now like to read a supplementary memo to the material that was distributed to you last week which

MR. SINGERMAN: (continued)
clarifies the first point, the scope of the Charter Commission Authority.

In our statement we stated that the scope of the Charter Commission authority should be limited by the resolution of the appointing authority. This memo is intended to supplement the language that was contained in that draft.

Section 4(b) provides in part that the Charter Commission may consider, in addition to the recommendations made by the appointing authority or by petition, such other items that it deems desirable or necessary.

Some municipal officials consider this too broad a charge and I would like to call your attention to a letter that has been submitted to your committee by Jim Trout, town manager of Watertown, on behalf of the Connecticut Town and City Managers Association who says that the CTCMA has recently discussed the commission's draft report. We feel that the legislative body of a town should not give carte blanche permission to a charter revision commission to review any matter.

We think that the commission should review only those subjects contained in the specific charges given by the legislative body.

I read that to indicate the depth and the intensity of opinion among some municipal officials.

When reviewing an earlier draft of the commission's report, CCM's Home Rule Study Committee, composed of 20 representatives of diverse municipalities in the state, voted to limit the scope of the Charter Commission to issues directly related to its charge. This was on an early draft.

The proposed bill takes steps to clarify and strengthen the role of the appointing authority in the charter process, for example, by requiring the commission to comment on each recommendation, by allowing line item approval of provisions of the final report, and providing that the appointing authority prepare the ballot for submission to the electors. The commission is to be

MR. SINGERMAN: (continued)

commended for its efforts in this direction, which may resolve some concerns of municipal officials.

We do not have a uniform position on this. We wanted to bring to your attention the diversity of opinion among our membership but also to indicate that if I believe that if I -- I cannot speak for our committee, but I believe that if the committee were meeting again today considering the final bill that has emerged, it would be much more comfortable with all of the provisions that are contained in that bill regarding the scope of the Charter Commission. I wanted to bring that to your attention.

However, as our statement stated last week there is some sentiment among our membership that if a Charter Commission wishes to revise its charge, it should go back to the appointing authority.

REP. FARRICIELLI: Mr. Singerman, excuse me...

MR. SINGERMAN: Am I running long?

REP. FARRICIELLI: No, no, that isn't it. I know you've clarified the position that CCM is taking, but I don't understand your last statement of the number four. CCM does not feel that a charter revision commission should have the ability to get into any other area beyond the scope of its charge, am I correct?

MR. SINGERMAN: There was strong, there was divided feeling among the members of CCM Home Rule Study Committee. Some members felt that the charge should be limited precisely by the appointing authority. Other members felt that the charter commission should be able to discuss items relevant to the charge. That is, it could go beyond the charge. And other members felt that -- although it -- and this was a more recent thinking -- that although the charter commission should be restricted by the resolution of the appointing authority, it could return to the appointing authority to revise its charge.

REP. FARRICIELLI: Is that something that they are suggesting should be put into the legislation then? Or is that something that they're assuming they would do on their

REP. FARRICIELLI: (continued)
own internally?

MR. SINGERMAN: No. That is something they were proposing that be put into the legislation, that's the strong, I'm trying to give you clear indications, but I can't give you a single position. One position is that the charge be constrained by the appointing authority, but that the charter commission should be able to go back to revise its charter.

And another position was that the commission, charter commission should also be able to go beyond the charge but into related areas only, and yet a third position is to be comfortable with what you've done. Thank you.

REP. FARRICIELLI: Thank you.

MR. SINGERMAN: I've clarified it by being a little more diverse. I would like to highlight some of the other major points. The bill now clearly states that to approve a charter at special election, the majority of the voters, which equals at least 15% of the total electors in the town is required for approval. This clarifies the section of the statutes which are currently ambiguous and subject to differing interpretations.

On the whole, municipal officials feel that this is a satisfactory standard. However, at the federal appointed six special workshop, some municipal officials were, requested that a study be affected, that the standard be undertaken. And I would like to say that
been provided a very interesting and speedy analysis of the provisions of the experience of municipalities as this provision applied for them. And I would like to go one step further to bring to your attention some additional analysis on that point.

Aside from my notes, according to the analysis, 26 charters of 63 special referendum held a charter revision 26 lost because they failed to get a majority of 15%. Of these 26, 15 failed because they failed to achieve the 15% turn-out, 10 had more than 10%, 10 of

MR. SINGERMAN: (continued)

the 15 had more than 10%, the effect, what her analysis shows that you reduced, that if you reduced the criteria from 15% approval to 10% approval, which I believe was one of the issues that was raised at the municipal workshop, 10 of the 26, and I think it's 10 of the 26, special referendum charter revisions would have passed.

That's one of the areas that people have concern about and I wanted to bring it to your attention because that, we don't have a position on that, but I think you may find that useful in your deliberations in the next couple of days.

REP. TRIPP: I do have a question. You don't happen to know the size of those communities, do you? we're talking about a major city.

MR. SINGERMAN: I can, Ruth's analysis contains the names of the communities so we can very easily go through it and provide you with those names. I'd be glad to do it. I have copies of my testimony that I will submit to the Commission. It raises about 10 general, 10 points of some substantial importance and a number of minor points, word changes, typographical errors, changes that may change media which, I think, the Commission and the staff and the Committee should review before passing a final bill.

We believe that the bill is substantially acceptable and that the effective date of the entire bill should be October 1, 1981. (gap in belt)

Belt 4

they voted that Section 191 or 192, part of this bill should be approved with an effective date of October 1, 1981. We feel that substantially, there's some minor changes, but it is in substantially adequate shape and we would support an effective date for all sections of 7347 for October 1, 1981. And I complete my testimony on that. I'll be very brief on 7346, CCM commends the Commission for its efforts to reorganize and codify the statutes. This is an important and necessary the first step in the full review of all the statutes. We would like to call the attention of the Commission and

MR. SINGERMAN: (continued)

the Committee to several important points which have been raised in discussions among municipal officials. Reports should be an option available to local government. The relationship of local governments and boards of education need to be carefully examined. Municipalities should be given the broadest possible discretion and authority when operating under charter.

We urge the Commission and the Committee to add clear statutory language directing the Connecticut Courts to interpret the powers granted to Connecticut municipalities broadly. The concept of statewide concern which can supersede local law should be more clearly specified. However, there is a great deal more work as the Commission and the Committee recognize. To fully analyze and recodify and reorganize the statutes that pertain to municipalities.

And on 7346, accordingly, we urge the Commission to continue its work, but that a bill at this time, not be favorably recorded, which is I believe consistent with the Commission's final vote, until the next legislative session. I have copies of my testimony and I would have copies, I would deliver them to the Commission. Do you want to ask any questions on these two bills?

REP. FARRICIELLI: No, that's fine, thank you. You'll leave us copies?

MR. SINGERMAN: Yes. CCM always has copies. This is in regard to Bill 1375 and 1387, bills that would assist local communities to carry out their housing and community development functions. CCM strongly supports raised Committee Bill 1375 with proposed amendments and urges that the Committee issue a favorable report. This will would give municipalities additional statutory authority to reorganize housing and community development functions.

It would give local communities flexibility in determining their own administrative arrangements for local programs. CCM strongly supports this bill, but believes that it

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CONNECTICUT
GEN. ASSEMBLY
HOUSE

PROCEEDINGS
1981

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CLERK:

Calendar page 2. Calendar No. 184. Substitute for
House Bill No. 7347. AN ACT CONCERNING THE MUNICIPAL CHARTER
PROCESS.

Favorable Report of the Committee on Planning and Development.

REP. FARRICIELLI: (102nd)

Mr. Speaker.

DEPUTY SPEAKER FRANKEL:

Rep. Farricielli.

REP. FARRICIELLI: (102nd)

I move acceptance of the Joint Committee's favorable
report and passage of the bill.

DEPUTY SPEAKER FRANKEL:

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

REP. FARRICIELLI: (102nd)

Yes, Mr. Speaker. There are two amendments I would like
to call first. The amendment is LCO 6286 and can the Clerk please
call and read.

DEPUTY SPEAKER FRANKEL:

The Clerk has an amendment LCO No. 6286 designated House
Amendment Schedule "A". Would the Clerk please call and read.

CLERK:

LCO No. 6286 offered by Rep. Farricielli of the 102nd
District. In line 442, after the word "shall" strike the words

CLERK:

Calendar page 2. Calendar No. 184. Substitute for
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call and read.

DEPUTY SPEAKER FRANKEL:

The Clerk has an amendment LCO No. 6286 designated House
Amendment Schedule "A". Would the Clerk please call and read.

CLERK:

LCO No. 6286 offered by Rep. Farricielli of the 102nd
District. In line 442, after the word "shall" strike the words

"HAVE THE". In line 443, strike the words "POWERS PROVIDED BY AND".

DEPUTY SPEAKER FRANKEL:

The amendment is in your possession. What is your pleasure.

REP. FARRICIELLI: (102nd)

Mr. Speaker, I move adoption of the amendment.

DEPUTY SPEAKER FRANKEL:

The question is on adoption of House Amendment Schedule "A". Will you remark on its adoption, Rep. Farricielli.

REP. FARRICIELLI: (102nd)

Yes, Mr. Speaker, thank you. In this bill what we have tried to do is to explain or to make it absolutely clear that municipalities are able to form whatever boards and commissions that they need for the orderly process of their communities but the wording in 442 and 443 seems to be confusing in that it was felt by some people that it may have given them additional powers and we did not mean to give them additional powers but we did want to give them the right to use the powers giving them in any manner that they so chose.

Therefore, the deletion of these words would make that very clear and I support the amendment.

DEPUTY SPEAKER FRANKEL:

Will you remark further on the adoption of House Amendment Schedule "A". Will you remark further on its adoption. If not,

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all those in favor please signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER FRANKEL:

Those opposed nay.

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

REP. FARRICIELLI: (102nd)

Yes, Mr. Speaker.

DEPUTY SPEAKER FRANKEL:

Rep. Farricielli.

REP. FARRICIELLI: (102nd)

There is another amendmnet, LCO 5837. I would ask the Clerk to please call and I ask permission to summarize.

DEPUTY SPEAKER FRANKEL:

The Clerk has an amendment LCO No. 5837 designated House Amendment Schedule "B". Would the Clerk please call.

CLERK:

LCO No. 5837 offered by Rep. Meyer of the 135th District.

DEPUTY SPEAKER FRANKEL:

The gentleman seeks leave of the Chamber to summarize in lieu of Clerk's reading. Is there objection to the motion. Hearing none, you may proceed, sir.

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REP. FARRICIELLI: (102nd)

Yes, Mr. Speaker. This is very technical amendment. It just provides that when we refer to the Constitution, we are referring to the Constitution of the State and it clarifies the word departments that was left out in line 441. I move adoption of the amendment.

DEPUTY SPEAKER FRANKEL:

The question is on adoption of House Amendment Schedule "B". Will you remark on its adoption. Will you remark. If not, all those in favor please signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER FRANKEL:

Those opposed nay.

The ayes have it. The amendment is adopted and ruled technical.

House Amendment Schedule "B".

In line 26, after the word "CONSTITUTION", insert the words "OF THE STATE"

In line 313, after the word "THE", strike the words "ELECTROS" and insert in lieu thereof "ELECTORS"

In line 441, after the comma, insert "DEPARTMENTS,"

DEPUTY SPEAKER FRANKEL:

Will you remark further on this bill as amended by House Amendment Schedules "A" and "B".

REP. FARRICIELLI: (102nd)

Yes, Mr. Speaker.

DEPUTY SPEAKER FRANKEL:

Rep. Farricielli.

REP. FARRICIELLI: (102nd)

Yes, Mr. Speaker. This bill before us now is a result of a year of a commission that was formed by this General Assembly last year. The commission was comprised of members of the Public Expenditures Council, CCM, the League of Women Voters, The Connecticut Bar Municipal Law Section and members of the Planning and Development Committee and a few other legislators from the General Assembly.

And what we have done here is try to clarify and expand the powers of charter towns and we have also tried to streamline the charter process, the charter revision process and we have also dealt in clarification with consolidation. I believe that the bill over the period of the past two years has had much publicity and I urge everyone to support it. Thank you.

REP. BELDEN: (113th)

Mr. Speaker.

DEPUTY SPEAKER FRANKEL:

Rep. Belden.

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REP. BELDEN: (113th)

Thank you, Mr. Speaker. The Clerk has an amendment, LCO 6550. Would the Clerk please call and I be given permission to summarize.

DEPUTY SPEAKER FRANKEL:

The Clerk has an amendment, LCO NO. 6550 designated House Amendment Schedule "C". Would the Clerk please call.

CLERK:

LCO No. 6550 offered by Rep. Belden of the 133th District.

DEPUTY SPEAKER FRANKEL:

The gentleman seeks leave of the Chamber to summarize in lieu of Clerk's reading. Is there objection. Hearing none, you may proceed, sir.

REP. BELDEN: (113th)

Thank you, Mr. Speaker. Essentially what this amendment is on lines 204 and 208 and 209 of the file copy guarantees that the appointing authority shall make its recommendations within 45 days and send the recommendations back to the commission. The language in the bill is not 100 percent clear as to the number of public hearings that could be held and this is really just a clarifying amendment to insure that they can have as many public hearings as they want as long as they move the process along. I move adoption of the amendment, Mr. Speaker.

DEPUTY SPEAKER FRANKEL:

The question is on adoption of House Amendment Schedule "C".
Will you remark on its adoption.

REP. BELDEN: (113th)

I believe, Mr. Speaker, in summarizing I have covered the
issue.

DEPUTY SPEAKER FRANKEL:

Will you remark further on the adoption of House Amendment
Schedule "C".

REP. FARRICIELLI: (102nd)

Mr. Speaker.

DEPUTY SPEAKER FRANKEL:

Rep. Farricielli.

REP. FARRICIELLI: (102nd)

Mr. Speaker, I would like to support the amendment. I
think it further clarifies what may possibly be a question and
I do support it. Thank you.

DEPUTY SPEAKER FRANKEL:

Will you remark further on its adoption. If not, all
those in favor please signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER FRANKEL:

Those opposed nay. The ayes have it. The amendment is

adopted and ruled technical.

House Amendment Achedule "C".

In line 204, place opening and closing brackets around the word "thirty" and insert the words "FORTY-FIVE" after the closing bracket

In line 208, after the word "shall" and before the comma insert an opening bracket and after the word "within" insert a closing bracket and the following: "HOLD ITS LAST HEARING WITHIN FORTY-FIVE DAYS OF SUCH SUBMISSION. WITHIN"

In line 209, after the comma insert the following: "THE APPOINTING AUTHORITY SHALL"

DEPUTY SPEAKER FRANKEL:

Will you remark further on this bill as amended by House "A", "B", and "C".

REP. MEYER: (135th)

Mr. Speaker.

DEPUTY SPEAKER FRANKEL:

Rep. Meyer.

REP. MEYER: (135th)

Mr. Speaker, I rise to support this bill. I have been a member of the Commission on Local Government since its inception and we have been meeting most regularly with a group of people very representative of all the municipalities in this state as well as the elected officials, the general public. I feel that we have reached a very happy compromise on some problems that the municipalities faced, and I would therefore

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urge your acceptance of this bill. Thank you.

DEPUTY SPEAKER FRANKEL:

Will you remark further. If not, staff and guests please come to the well of the House. Would the members please take their seats. Staff and guests to the well of the House, please. The machine will be opened.

The House of Representatives is now voting by roll. Would the members please return to the Chamber. There is a roll call vote in progress in the hall of the House. Would the members return to the Chamber immediately.

Have all the members voted? Have all the members voted? If so, the machine will be locked. The Clerk will take the tally.

REP. MEYER: (135th)

Mr. Speaker.

DEPUTY SPEAKER FRANKEL:

Rep. Meyer.

REP. MEYER: (135th)

I'm not sure if my light is green or not.

DEPUTY SPEAKER FRANKEL:

Begging your pardon, Rep. Osler.

REP. OSLER: (150th)

It's hard to tell from here. I would like to vote green but I can't tell. I don't think it is on.

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REP. OSLER: (150th)

May I be reported in the affirmative. I can't make the light.

DEPUTY SPEAKER FRANKEL:

Would the Clerk please note that Rep. Osler casts her vote in the affirmative.

Would the Clerk please announce the tally.

CLERK:

House Bill No. 7347 as amended by House Amendment Schedules "A", "B", and "C".

Total number voting	141
Necessary for passage	71
Those voting yea	140
Those voting nay	1
Those absent and not voting	10

DEPUTY SPEAKER FRANKEL:

The bill is passed.

CLERK:

Calendar page 14. Calendar No. 420. Substitute for House Bill No. 5120. AN ACT CONCERNING EDUCATIONAL ASSISTANCE FOR NATIONAL GUARDSMEN.

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

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SPEAKER ABATE:

Will the Clerk please announce the tally.

CLERK:

House Bill 6242 as amended by Senate Amendment Schedule "A" and House Amendment Schedule "A".

Total number voting	97
Necessary for passage	49
Those voting yea	91
Those voting nay	6
Those absent and not voting	54

SPEAKER ABATE:

The bill passes.

CLERK:

Calendar No. 184, Substitute for House Bill No. 7347,
AN ACT CONCERNING MUNICIPAL CHARTER PROCESS, as amended by
House Amendment Schedules "A", "B", "C", and Senate Amendment
Schedule "A". Favorable Report of the Committee on Planning
and Development.

REP. GARAVEL: (110th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Paul Garavel.

REP. GARAVEL: (110th)

Thank you, Mr. Speaker. I move acceptance of the Joint

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Committee's Favorable Report and passage of the bill in concurrence with the Senate.

SPEAKER ABATE:

The question is on acceptance of the Joint Committee's Favorable Report and passage of this bill in concurrence with the Senate. Will you remark, Sir?

REP. GARAVEL: (110th)

Yes, thank you, Mr. Speaker. The Clerk has an amendment LCO No. 6944, I believe. Would the Clerk please call the amendment and may I be given permission to summarize?

SPEAKER ABATE:

The Clerk has in his possession an amendment, LCO No. 6944 previously designated Senate Amendment Schedule "A". Will the Clerk please call the amendment.

CLERK:

LCO No. 6944 previously designated Senate Amendment Schedule "A" offered by Senator Milano of the 36th District and Senator Matthews of the 26th District.

SPEAKER ABATE:

Is there objection to the gentleman summarizing this amendment in lieu of Clerk's reading? Is there objection? Hearing none, you may proceed with the summarization, Rep. Garavel.

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REP. GARAVEL: (110th)

Thank you, Mr. Speaker. Mr. Speaker, we do have another amendment which will be offered after this one so I'm going to move rejection of this amendment because it is our belief that it is technically incorrect.

SPEAKER ABATE:

Would the gentleman summarize this amendment before moving for rejection, Sir?

REP. GARAVEL: (110th)

Mr. Speaker, this amendment would prohibit the adoption over revised Home Rule Ordinance by any method established in such Home Rule Ordinance if the provisions of such method were, in effect on June 15, 1959. The other amendment will change the month. I move rejection of the amendment.

SPEAKER ABATE:

The question now is on rejection of Senate Amendment Schedule "A". Will you remark further on the motion?

REP. FOX: (144th)

Mr. Speaker.

SPEAKER ABATE:

Rep. John Wayne Fox.

REP. FOX: (144th)

Mr. Speaker, will the Journal note that I am leaving the

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Chamber on this matter because of a potential conflict of interest.

SPEAKER ABATE:

The Journal will so note, Sir. Will you remark further on the motion? All those in favor please indicate by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER ABATE:

All those opposed nay. The ayes have it. The motion passes and the matter is rejected. Will you remark further on this bill?

REP. GARAVEL: (110th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Paul Garavel.

REP. GARAVEL: (110th)

Thank you, Mr. Speaker. At this time I would like to yield to Rep. Neil Hanlon for the purposes of an amendment.

SPEAKER ABATE:

Rep. Hanlon, will you accept the yield, Sir?

REP. HANLON: (70th)

Yes, Mr. Speaker. The Clerk has an amendment, Mr.

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Speaker, designated LCO 7638. I would ask that the Clerk call and I be permitted to summarize the amendment.

SPEAKER ABATE:

The Clerk has in his possession an amendment LCO No. 7638 designated House Amendment Schedule "D". Would the Clerk please call the amendment.

CLERK:

LCO No. 7638 designated House Amendment Schedule "D" offered by Rep. VanNorstrand of the 141st District.

SPEAKER ABATE:

The gentleman is seeking leave of the Chamber to summarize this amendment. Is there objection? Hearing none, you may proceed to do so, Rep. Hanlon.

REP. HANLON: (70th)

Mr. Speaker, the Senate Amendment that we just rejected, as explained by Rep. Garavel, there was a technical problem with that amendment. The House amendment that we presently have before us is identical to that Senate Amendment with one exception. It changes the date on line 22 of the Senate Amendment from June 15, 1959 to July 15, 1959. It is merely a technical amendment and I would urge adoption.

SPEAKER ABATE:

The question now is on adoption of House Amendment

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

REP. MEYER: (135th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Alice Meyer.

REP. MEYER: (135th)

Mr. Speaker, I rise in support of this amendment. Actually what happened was it was an oversight on the part of the Commission on Local Government which we had Grandfathered in some of the towns that have Home Rule Ordinances and we had not realized that they had a different method of amending their charter and this will correct that deficiency. So, I urge you all to support this amendment.

SPEAKER ABATE:

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

REPRESENTATIVES:

Aye.

SPEAKER ABATE:

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

REP. GROppo: (63rd)

Mr. Speaker.

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SPEAKER ABATE:

Rep. John Groppo.

REP. GROPPPO: (63rd)

Mr. Speaker, may this bill be passed temporarily, please.

SPEAKER ABATE:

Is there objection to the motion? Is there objection?
Is there objection that we pass this bill temporarily? Hearing
none, it is so ordered.

CLERK:

Favorable Reports. Calendar Pg. 3, Calendar No. 635,
Substitute for House Bill No. 5641, AN ACT CONCERNING FUNDS FOR
CONVENTION AND VISITORS COMMISSIONS AND COLISEUM AUTHORITIES AND
AN INCREASE IN SALES TAX ON HOTEL ROOMS. Favorable Report of
the Committee on Finance, Revenue, and Bonding.

REP. GELSI: (58th)

Mr. Speaker, I move acceptance of the Joint Committee's
Favorable Report and passage of the bill.

DEPUTY SPEAKER FRANKEL:

The question is on acceptance of the Joint Committee's
Favorable Report and passage of the bill. Will you remark, Sir?

REP. GELSI: (58th)

Mr. Speaker, the Clerk has an amendment LCO 6930. Will
the Clerk please call and may I be allowed to summarize?

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the members please return to the Chamber. There is a roll call in progress in the Hall of the House. Would the members return to the Chamber immediately?

Have all the members voted? If so, the machine will be locked and the Clerk will take a tally.

Would the Clerk please announce the tally?

CLERK:

Senate Bill No. 263 as amended by Senate Amendment Schedule "A"

Total number voting 143

Necessary for Passage 72

Those voting Yea 143

Those voting Nay 0

Those absent and not Voting 8

DEPUTY SPEAKER FRANKEL:

The bill as amended is passed.

CLERK:

Calendar page 9. Potential disagreeing action. Calendar No. 184. Substitute for House Bill No. 7347. AN ACT CONCERNING THE MUNICIPAL CHARTER PROCESS. As amended by House Amendment Schedule "A", "B" and "C" and Senate Amendment Schedule "A". Favorable report of the Committee on Planning and Development.

The House previously rejected Senate Amendment Schedule "A" and adopted House Amendment Schedule "B".

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REP. FARRICIELLI: (102nd)

Mr. Speaker.

DEPUTY SPEAKER FRANKEL:

Rep. Farricielli.

REP. FARRICIELLI: (102nd)

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

DEPUTY SPEAKER FRANKEL:

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

REP. FARRICIELLI: (102nd)

Yes. First, Mr. Speaker, may I yield to Rep. Fox?

DEPUTY SPEAKER FRANKEL:

Rep. Fox, do you accept the yield, Sir?

REP. FOX: (144th)

Yes, Sir. Thank you, Mr. Speaker. If the record will reflect the fact that I am excusing myself from the House because of a potential conflict --

DEPUTY SPEAKER FRANKEL:

The Journal will so note, Sir.

Rep. Farricielli, you have the floor.

REP. FARRICIELLI: (102nd)

Yes. Thank you, Mr. Speaker. Mr. Speaker, earlier today this Chamber rejected Senate "A" and adopted a new House Amendment

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which clearly recognizes what the Senate was trying to do and I think it is all proper and so, since the bill has been previously discussed, I would just move adoption and passage of the bill
Thank you.

DEPUTY SPEAKER FRANKEL:

Will you remark further on this bill as amended? Will you remark further? If not, staff and guests please come to the well of the House. Members please take their seats. The machine will be opened.

The House of Representatives is now voting by roll. Would the members please return to the Chamber. There is a roll call vote in progress in the Hall of the House. Would the members return to the Chamber immediately?

Have all the members voted? Have all the members voted? If so, the machine will be locked and the Clerk will take a tally.

Would the Clerk please announce the tally?

CLERK:

House Bill No. 7347 as amended by House Amendment Schedules "A", "B", "C", "D" and "E".

Total number voting	142
Necessary for Passage	72
Those voting Yea	142
Those voting Nay	0
Those absent and not Voting	9

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DEPUTY SPEAKER FRANKEL:

The bill is passed.

CLERK:

Favorable reports. Calendar page 2. Calendar No. 620,
Substitute for Senate Bill No. 535. AN ACT CONCERNING THE
REDUCTION OF THE COST OF ELECTIONS AND PRIMARIES. As amended by
Senate Amendment Scheules "A" and "B", Favorable report of the
Committee on Government Administration and Elections.

REP. FOX: (144th)

Mr. Speaker,

DEPUTY SPEAKER FRANKEL:

Rep. Fox.

REP. FOX: (144th)

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

DEPUTY SPEAKER FRANKEL:

The question is on acceptance of the Joint Committee's
favorable report and passage of this bill in concurrence with the
Senate. Will you remark, Sir?

REP. FOX: (144th)

Yes, Sir. Mr. Speaker, the Clerk has an amendment. It is
LCO No. 6685 also designated as Senate Amendment Schedule "A". I
would ask that it be called and I be allowed to summarize.

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and do the administration of those programs. We would always have those programs under our thumb in the State of Connecticut and properly checked on a regular basis, but nonetheless, doing the inspections on a mobil type of basis.

THE CHAIR:

Senator Johnson.

SENATOR JOHNSON:

Thank you very much. That clarifies my question. I have no objection to the bill going on consent.

THE CHAIR:

Hearing no objection, the matter is placed on the consent calendar.

THE CLERK:

The Clerk at this time would like to call your attention to an item that was previously passed temporarily on page 7, calendar No. 524, File 255, 756, Substitute for House Bill No. 7347. AN ACT CONCERNING THE MUNICIPAL CHARTER PROCESS (As amended by House Amendment Schedules "A", "B" and "C") with a Favorable Report of the Committee on Planning and Development.

THE CHAIR:

Senator Wilbur Smith.

SENATOR SMITH:

Yes, Mr. President. I move acceptance of the joint committee's favorable report and passage of the bill in concurrence with the House.

THE CHAIR:

Will you remark?

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SENATOR SMITH:

Yes, Mr. President. I'd like to explain the House amendments. "A" which deletes the provision which allowed the charter municipalities to apportion any powers granted to them under the general statutes among local officials, departments, boards, commissions and agencies as they desire. This has been one of the primary positions taken in opposition to this bill in allowing that. House Amendment "B" is technical and House Amendment "C" adds a forty-five day period within which an appointing authority must complete all public hearings after a draft report for the charter commission has been submitted. This bill, Mr. President, members of the circle, is the result of one to two years study by the Commission on Local Government which was established by the General Assembly. These are recommendations to make more uniform the bills which would clarify and simplify and reorganize and make various substantive changes in the home rule like statutes governing the adoption and revision of municipal charters and home rule ordinances. It allows charter petitions, it allows charter commissions to consider any changes where desirable and necessary, it removes the existing one year restriction on further charter action to allow rejected sections of a proposed charter or revision ^{to} be considered on a referendum petition signed by ten per cent of local residents. There is a great deal of information on the bill per se which is our Office of Legislative Research bill analysis. It's a six or seven page explanation. I believe that the bill, indeed, has been on the calendar and kept there purposely for a number of days so that those persons who were interested in what

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the bill proposed would, in effect, be changing and if there are no further questions on this bill, Mr. President, I would move it to the consent calendar.

SENATOR MORANO:

Mr. President.

THE CHAIR:

Senator Morano.

SENATOR MORANO:

Mr. President, I object to the bill. By coincidence there are only two towns, I believe, in Connecticut that now operate under the Home Rule Act without a charter and who have passed four special acts under the Home Rule Act to govern the changes necessary to run the towns as the local legislative bodies deemed fit and those two towns are Greenwich and Darien, and if this bill is passed today, this method that Greenwich uses, Darien uses, will cease to exist. This would mean that we are being told how to run our towns, destroying the local autonomy of those two particular towns, and I would hope that if we could do so, that we would reconsider this bill and grandfather the two towns that are operating under the present method. If this bill is passed, they'd have to adopt a charter and this would certainly, in my opinion, in my own town, would not be welcome in that we are very happy the way we are doing it. The way we are doing it I'm sure reflects in the fine government we have in our town and the model of the town is throughout the state in controlling all the legislative matters dealing in running the town, so for that reason I would hope that the good chairman, Senator Smith, would perhaps P.T. this so we could prepare an amendment to

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grandfather the town and I'm sure that Senator Matthews would agree that the Town of Darien should have the same privilege.

THE CHAIR:

Senator Wilbur Smith.

SENATOR SMITH:

Mr. President, I have no objection to P.T.ing this or pass retaining the bill if Senator Morano would like to offer an amendment. I explained that we purposely left this bill on the calendar for two weeks for that purpose. This bill has been three starred for two weeks now and it was precisely for that purpose. I think that Senator Matthews ought to be allowed to speak for himself. I think he's questioning why the reference is being made to him. This bill has been a long time in the, being considered by Commissioner of Local Government. Many government officials, particularly local officials, the Connecticut Conference on Municipalities has been a part. No one's trying to sneak this bill through and if you would like to introduce an amendment to it, go right ahead, Senator Morano. We'll let the bill stay on, through you, Mr. President to Senator Morano.

THE CHAIR:

In summary what Senator Smith has said that for the convenience of the circle he has left this matter on for three weeks and it would seem that an enlightenment has suddenly struck the minds of Senator Morano and Senator Matthews hasn't yet spoken, and you would like it P.R.'d.

SENATOR MORANO:

Mr. Chairman, lightning didn't strike.

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THE CHAIR:

No, I says enlightenment.

SENATOR MORANO:

Oh! Enlightenment. Enlightenment I can use at any time. However, the phone rang about five minutes ago from my town, the attorney of the town ...

THE CHAIR:

You got a late telephone call.

SENATOR MORANO:

I got a late telephone call and as for speaking for Senator Matthews ...

THE CHAIR:

I would say that reason is compelling. P.R. without objection.

SENATOR SMITH:

I'll P.R. it without objections, Mr. President.

THE CLERK:

Moving along on the calendar to page 8, calendar No. 549, File No. 794, Senate Bill No. 1450. AN ACT ALLOWING EXEMPTION FROM SALES TAX LIABILITY RELATED TO THE USE OF AIRCRAFT HELD FOR RESALE BY CERTAIN AIR CARRIERS with a Favorable Report of the Committee on Finance, Revenue and Bonding and the Clerk has some amendments.

SENATOR BECK:

Mr. President, could we ask that this be P.T.'d? We're waiting for the fiscal note which should be here shortly.

THE CHAIR:

You may P.T. it.

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THE PRESIDENT:

Senator Schneller.

SENATOR SCHNELLER:

Mr. President, at this time, I would like to ask for a three-minute recess. The Appropriations Committee has to meet in order to vote on a matter and we cannot be conducting business. So would all members of the Appropriations Committee meet over there while we recess for just three minutes.

THE PRESIDENT:

The Senate will stand in recess for three minutes, more or less.

(The Senate recessed at 4:10 p.m.)

AFTER RECESS

The Senate reconvened at 4:15 p.m., the President in the Chair.

THE PRESIDENT:

The Senate will come to order. Mr. Clerk.

THE CLERK:

Page five of the Calendar, Cal. 524, File 255,756.
Substitute for House Bill 7347. AN ACT CONCERNING THE
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Schedules A, B and C. Favorable report of the Committee on Planning and Development. The Clerk has an amendment.

THE PRESIDENT:

Senator Wilbur Smith will you please yield to Senator Rogers. Senator Rogers.

SENATOR ROGERS: (32nd)

Mr. President, might I be recorded as having voted erroneously on the last roll call. I wish to record my vote as affirmative rather than negative.

THE PRESIDENT:

The record will so note.

SENATOR ROGERS:

Thank you, sir.

THE PRESIDENT:

Senator Wilbur Smith.

SENATOR WILBUR SMITH: (2nd)

Mr. President, I move acceptance of the joint committee's favorable report and passage of the bill in concurrence with the House.

THE PRESIDENT:

There is an amendment. The Clerk please call the amendment.

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THE CLERK:

Senate Amendment Schedule A. LCO 6944 offered
by Senator Morano. Copies have been distributed.

THE PRESIDENT:

Senator Morano.

SENATOR MORANO: (36th)

Mr. President, I move the adoption of the amendment and ask that the reading be waived so I can summarize.

THE PRESIDENT:

You may proceed.

SENATOR MORANO:

Mr. President, the amendment is a very simple matter. It allows two towns to continue, under the Home Rule Act that were effective as of June 15, 1959. It also would mandate that any municipality having such a home rule ordinance provide a single document, publish and provide a single document of any such home rule ordinance and shall make such ordinance available at a nominal cost to any member of the public.

I move adoption of the amendment.

THE PRESIDENT:

The motion is for the adoption of Amendment A.
Will you remark further? Senator Wilbur Smith.

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SENATOR WILBUR SMITH: (2nd)

Mr. President, I have no remarks. We support the amendment.

THE PRESIDENT:

All those in favor of the amendment signify by saying Aye. Those opposed Nay. The Ayes have it. THE AMENDMENT IS ADOPTED.

Senator Wilbur Smith.

SENATOR WILBUR SMITH:

Yes, Mr. President, I move acceptance of the bill as amended and passage in concurrence with the House Amendments.

THE PRESIDENT:

Do you wish to remark further or the remarks previously made applicable?

SENATOR WILBUR SMITH:

Yes, Mr. President. If there are no further remarks, we did discuss this bill yesterday before we P.R'd it for purposes of the amendment which we just passed.

If there is no objection, I would move it to the CONSENT CALENDAR.

THE PRESIDENT:

Hearing no objection, so ordered.

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indicated that they have to leave at this time and if you would, Mr. President, I would like the Consent Calendar for all items that have been passed up to this point to be called and then we can proceed with the balance of the Calendar.

THE PRESIDENT:

If there is no objection, the Clerk will proceed to call the Consent Calendar as we have it so far. The Clerk will make the appropriate announcement for a roll call.

THE CLERK:

An immediate roll call in the Senate. Will all senators please take their seats. An immediate roll call in the Senate. Will all senators take their seats.

THE PRESIDENT:

The Clerk will call the Consent Calendar.

THE CLERK:

Page two - Cals. 317, 395. Page three - Cal. 426. Page four - Cal. 486 and Cal. 493. Page five - Cal. 519, Cal. 524.

HB7016, SB1112,
SB1432, SB1330,
SB145, HB5290,
HB7347

THE PRESIDENT:

Is there any question or any objection to any

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matter called on the Consent Calendar? The machine is open. The machine is closed and locked. The Clerk will take a tally.

RESULT OF THE VOTE: Total Voting 36. Necessary for passage 19. Those Voting Yea 36. Those Voting Nay 0. THE CONSENT CALENDAR TO DATE IS ADOPTED.

THE CLERK:

Page two of the Calendar, on an item that was previously passed temporarily, Cal. 347, File 499. Substitute for Senate Bill 217. AN ACT CONCERNING THE EXTENSION OF THE TERM OF VARIABLE RATE MORTGAGES AND DEFERRAL OF AMORTIZATION OF MORTGAGE LOANS. Favorable report of the Committee on Judiciary. The Clerk has an amendment.

THE PRESIDENT:

Senator Sullivan.

SENATOR SULLIVAN: (16th)

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

THE PRESIDENT:

The Clerk will call the amendment.

THE CLERK:

Senate Amendment Schedule A. LCO 7399 offered by Senator Sullivan. Copies have been distributed.

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GEN. ASSEMBLY
SENATE

PROCEEDINGS
1981
TRAILER SESSION

VOL. 24
PART 18
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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 has been called for in the Senate. Will all Senators please be seated.

THE CHAIR:

You are voting on Calendar 487, File 733, 894, AN ACT CONCERNING THE PRE TRIAL ALCOHOL EDUCATION SYSTEM. The machine is open. Have all Senators voted? The machine is closed.

TOTAL NUMBER VOTING	35
NECESSARY FOR PASSAGE	18
VOTING YEA	32
NAY	3

The Bill is passed.

THE CLERK:

Continuing on the Calendar, Calendar 524, File 255, 756, at the bottom of page 3, Substitute for House Bill 7347, AN ACT CONCERNING THE MUNICIPAL CHARTER PROCESS, as amended by House Amendment, Schedules A, B, C and D and Senate Amendment, Schedule A, with a Favorable

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Report of the Committee on Planning and Development. The House rejected Senate Amendment, Schedule A on May 29th and it passed the Senate on May 20th.

THE CHAIR: (The President in the Chair.)

Senator Wilber Smith.

SENATOR WILBER SMITH:

Mr. President, I move acceptance of the Joint Committee's Favorable Report and for passage of this Bill as amended by House Amendment, Schedule A, B, C, and D, in concurrence with the House.

THE CHAIR:

Will you remark?

SENATOR WILBER SMITH:

Yes, Mr. President. The rejection of Senate Amendment Schedule A and replacing that with House Amendment Schedule D would simply change the month from June 15, 1959 to July 15, 1959. Senator Morano, who introduced Senate Amendment, Schedule A, of course, is, as I understand, in acceptance with this change. If there is no objection, I would move that the Bill be placed on the Consent Calendar.

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THE CLERK:

The next item is--

SENATOR SCHNELLER:

Mr. President--

THE CHAIR:

Senator Schneller.

SENATOR SCHNELLER:

Maybe at this time it would be advisable to call the Consent Calendar for those items that we've done to date and we might be able to convince the Minority Leader to suspend on some of these items.

THE CHAIR:

The Clerk will please call the matters that have been placed on the Consent Calendar. Please remain in your seats. We'll have a Roll Call immediately thereafter.

THE CLERK:

The Clerk is prepared to call today's Consent Calendar. Moving to page 1 of today's Calendar, Calendar 633; page 2, Calendar 687; page 3, Calendar 200, 361, 524. HB5316, 5455, SB337, 484, On page 6, Calendar 428 and an item that was reconsidered, HB7347, SB536

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from yesterday's Calendar, House Bill 5810, Calendar 672,
page 6, also on the Consent Calendar.

THE CHAIR:

Are there any errors or omissions? Senator
Schneller.

SENATOR SCHNELLER:

Mr. President, I believe there's also an item on
the Agenda that we've done so far this evening on Consent.

THE CLERK:

Yes. There's an item on today's Consent Calendar,
Senate Bill 1244.

THE CHAIR:

Are there any changes? Any errors or omissions?
Senator Fahey.

SENATOR FAHEY:

I just want to make sure, Calendar 542, on page 4.
We passed that Bill this afternoon; was it on Consent or
was it a Roll Call?

THE CLERK:

That was a Roll Call.

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SENATOR FAHEY:

Thank you.

THE CHAIR:

Clerk please make an announcement for an immediate Roll Call on the Consent Calendar.

THE CLERK:

An immediate Roll Call has been called for 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 CHAIR:

The question before the chamber is the Consent Calendar. The machine is open. Please record your vote. The machine is closed. Clerk please tally the vote.

The result of the vote:

35 YEA

0 NAY

The Consent Calendar is adopted. Senator Schneller.

SENATOR SCHNELLER:

Mr. President, I move for a suspension of the