Legislative History for Connecticut Act

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House 6888-6923, 9442-9452 (47)

Senate 5388-5391, 5536-5537 (6)

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SPEAKER ABATE:

Rep. John Atkin.

REP. ATKIN: (140th)

Yes, Mr. Speaker, I'd like to thank the House and perhaps mention that I can now no longer be trusted, since I'm over 30, and perhaps a few members of the House could verify that for me.

SPEAKER ABATE:

Are there additional points of personal privilege?

At this time, the Chair would like to exercise one of its privileges. It has been an honor to serve as your Speaker, these last couple of years. It's a privilege that I really respect. Since the years, when the rules have provided for a Deputy Speaker to be appointed by the Speaker, we have not had an occasion where the Speaker has extended the privilege to members of this assembly, other than the Deputy Speaker.

I would, however, like to extend the privilege of presiding over this House of Representatives to some of our members who have served in this Chamber for an extended period of time. I would at this time like to extend the opportunity to preside over the next bill to Rep. Leo Flynn. (applause)

CLERK:

Calendar No. 221, Substitute for House Bill No. 7359, AN ACT ADOPTING THE REVISOR'S CORRECTIONS TO THE GENERAL STATUTES,

Favorable Report of the Committee on Judiciary.

REP. TULISANO: (29th)

Mr. Speaker.

ACTING SPEAKER FLYNN:

Rep. Richard Tulisano.

REP. TULISANO: (29th)

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

ACTING SPEAKER FLYNN:

The question is on acceptance and passage. Will you remark?

REP. TULISANO: (29th)

Yes, Mr. Speaker. The Clerk has an amendment, LCO 7505.

ACTING SPEAKER FLYNN:

The Clerk has an amendment, LCO 7505, designated House Amendment Schedule "A". Would the Clerk please call the amendment.

CLERK:

LCO No. 7505, designated House Amendment Schedule "A", offered by Rep. Tulisano of the 29th District.

REP. TULISANO: (29th)

Mr. Speaker.

ACTING SPEAKER FLYNN:

Rep. Tulisano.

REP. TULISANO: (29th)

May I have permission to summarize?

ACTING SPEAKER FLYNN:

Is there any objections? Hearing none, it is so ordered.

REP. TULISANO: (29th)

Mr. Speaker, the amendment before us is a technical amendment, although it's some 30 odd pages long, the contents of which I hold before you in the same manner in which I will hold the file copy. I state that this is one that has been prepared and the revisor's correction is prepared by LCO to correct any inconsistencies and match together language that has passed during this pending General Assembly, and as they find errors within the statutes themselves, they provide them to us.

I take this on faith in what's in it, and I ask that you do the same, and move its adoption.

ACTING SPEAKER FLYNN:

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

REPRESENTATIVES:

Aye.

ACTING SPEAKER FLYNN:

Those opposed, nay.

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

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House Amendment Schedule "A".

Delete section 91 and insert the following in lieu thereof:

"Sec. 91. Subsection (f) of section 51-297 of the general statutes is repealed and the following is substituted in lieu thereof:

(f) As used in this chapter "indigent defendant" means (1) a person is formally charged with the commission of a crime punishable by imprisonment (or) AND WHO DOES NOT HAVE THE FINANCIAL ABILITY AT THE TIME OF HIS REQUEST FOR REPRESENTATION TO SECURE COMPETENT LEGAL REPRESENTATION AND TO PROVIDE OTHER NECESSARY EXPENSES OF LEGAL REPRESENTATION AND (2) a child who has a right to counsel under the provisions of subsection (a) of section 46b-135 and who does not have the financial ability at the time of his request for representation to secure competent legal representation and to provide other necessary expenses of legal representation."

After line 3548, insert the following new sections and renumber the remaining sections accordingly:

"Sec. 113. Section 1-1e of the general statutes is repealed and the following is substituted in lieu thereof:

Nothing in sections 1-1d, 3-91, 7-6, 7-51, 7-53, 7-54, 7-56, 7-1471, 7-172, 9-12, 10-364, 14-14, 14-36, 14-38, 14-40a, 14-41, 14-44, 14-61, 14-73, 14-214, 14-276, 17-32a, 17-51, 17-62, 17-82, 17-82e, 17-295, 17-295a, 17-320, 17-324, 17-410, 18-73, 18-87, 19-593, 20-10, 30-17, 20-130, 20-146, 20-170, 20-188, 20-213, 20-217, 20-236, 20-250, 20-252, 20-270, 20-282, 20-283, 20-291, 20-316 20-361, 26-38, 27-140g, 29-156a, 30-1, 30-45, 30-86a, (30-88), 31-20, 31-222,38-92d,38-166, 38-221, 38-225, 45-43, 45-66, 45-96, 45-96a, 45-101, 45-104, 45-107, 45-109a, 45-162a, 46-5g, 52-572, 53-304, 53,330, 53a-70, 53a-74, 53a-77 or 53a-87 shall impair or affect any act done, offense committed or right accruing, accrued or acquired, or an obligation, liability, penalty, forfeiture or punishment incurred prior to October 1, 1972, and the same may be

enjoyed, asserted and enforced, as fully and to the same extent and in the same manner as they might under the laws existing prior to said date, and all matters civil or criminal pending on said date or instituted thereafter for any act done, offense committed, right accruing, accrued, or acquired, or obligation, liability penalty, forfeiture, or punishment incurred prior to said date may be continued or instituted under and in accordance with the provisions of the law in force at the time fo the commission of said act done, offense committed, right accruing, accrued, or acquired, or obligation, liability, penalty, forfeiture or punishment incurred.

Sec. 114. Section 1-86 of the general statutes is repealed and the following is substituted in lieu thereof:

Any public official or state employee who, in the discharge of his official duties, would be required to take an action that would affect a financial interest of himself, his spouse, parent, brother, sister, child or the spouse of a child of a business with which he is associated, other than an interest of a de (minimus) MINIMIS nature or an interest that is not distinct from that of the general public, shall be excused from voting or deliberating or taking action on the matter if he so requests, but if he does not make such request, he shall take the following actions: (a) Prepare a written statement signed under penalty of false statement describing the matter requiring action and the nature of the potential conflict; state why despite the potential conflict, he is able to vote and otherwise participate fairly, objectively and in the public interest; and (b) deliver a copy of the statement to the commission and if he is a member of a legislative or state regulatory agency, he shall deliver a copy of the statement to be recorded in the journal or minutes of the body or (c) if he is not a member of a legislative of state regulatory agency, he shall prepare a written statement signed under penalty of false statement describing the matter requiring action and the nature of the potential conflict and deliver a copy of the statement to his immediate superior, if any, who shall assign the matter to another employee, or if he has no immediate superior, he shall take such steps as the commission shall prescribe or advise to remove himself from influence over actions and decisions on the matter.

Sec. 115. Section 3-76g of the general statutes is repealed and the following is substituted in lieu thereof:

In order to secure the payment of the special obligation bonds issued pursuant to this part, the treasurer may, on behalf and in the name of the state, include in any bond determination or determinations describing or relating to such bonds, provisions, which shall constitute a part of the contract of the state with the holders thereof, as to:

(a) The pledging, or the application, use and disposition, of all or any part of the trust receipts, the municipal refunding bonds, and the moneys derived therefrom, of all or any part of account of the municipal refunding trust fund, including bonds in priority to payments on account of other such bonds or for payments therefrom on account of the state to repay appropriations thereto or for payments therefrom on account of municipalities in proportion to the principal amount of municipal refunding bonds sold to the state, and the proceeds of the special obligation bonds, and the moneys then or thereafter payable into any municipal reserve account established by the treasurer, the municipal refunded bond escrow fund or into any other fund or account established or created under authority of this part;

(b) (To covenant) COVENANTS against pledging all or any part of its trust receipts, municipal refunding bonds or other investments or property, or against permitting or suffering any lien on those trust receipts, municipal refunding bonds or the municipal refunding trust fund or the municipal refunded bond escrow fund;

(c) (To covenant) COVENANTS as to the use and disposition of any payments of principal or interest received by the state with respect to municipal refunding bonds or other investments held in the municipal refunding trust fund of the municipal refunded bond escrow fund;

(d) (To covenant) COVENANTS as to establishment of municipal reserve accounts, other reserve accounts or sinking funds, the making of provision for them, and the regulation, maintenance and disposition thereof;

(e) (To covenant) COVENANTS with respect to limitations on any right to sell or otherwise dispose of its municipal refunding bonds or other investments or any of its property in the municipal refunding trust fund or municipal refunded bond escrow fund;

(f) (To covenant) COVENANTS as to any special obligation bonds to be issued and their limitations and their terms and conditions and as to the custody, application and disposition of their proceeds;

(g) (To covenant) COVENANTS as to the issuance of additional special obligation bonds or as to limitations on the issuance of additional special obligation bonds and on the incurring of other debts;

(h) (To covenant) COVENANTS as to payment of the principal of or interest on the special obligation bonds, as the sources and methods of payment, as to the rank of priority of any such bonds with respect to any lien or security or as to the acceleration of the maturity of any such bonds;

(i) (To provide for the) THE replacement of lost, stolen, destroyed or mutilated bonds;

(j) (To covenant) COVENANTS against extending the time for the payment of such bonds or interest thereon:

(k) (To covenant) COVENANTS as to the redemption of such bonds and privileges of exchange thereof for other special obligation bonds of the state to be issued pursuant to this part;

(l) (To covenant) COVENANTS as to any fees or charges to be established, charged, and collected, the amount to be raised each year or other period of time by charges or other revenues and as to the use and disposition to be made thereof;

(m) (To covenant) COVENANTS to create or authorize the creation of special funds or moneys to be held in pledge or otherwise for operating expenses, payment or redemption of such bonds, reserves or other purposes and as to the use and disposition of the moneys held in those funds;

(n) (To establish) ESTABLISHMENT OF the procedure, if any by which the terms of any contract or covenant with or for the benefit of the holders of such bonds may be amended or abrogated, the amount of such bonds the holders of which must consent thereto, and the manner in which the consent may be given;

(o) (To covenant) COVENANTS as to the custody of any of its properties or investment, the safekeeping thereof, the insurance to be carried thereon, and the use and disposition of insurance moneys;

(p) (To covenant) COVENANTS as to the time or manner of enforcement or restraint from enforcement of any rights of the state arising by reason of or with respect to nonpayment of any principal or interest or any municipal refunding bonds;

(q) (To provide for the) THE rights and liabilities, powers and duties arising upon the breach of any covenant, condition or obligation and (to prescribe) the events of default and the terms and conditions upon which any or all of such bonds or other special obligations of the state issued pursuant to this part shall become or may be declared due and payable before maturity and the terms and conditions upon which the declaration and its consequences may be waived;

(r) (To vest) VESTING in a trustee or trustees within or without the state such property, rights, powers and duties in trust as the treasurer may determine, which may include any of the rights, powers and duties of any trustee appointed by the holders of any such bonds and POWER to limit or abrogate the right of the holders of any such bonds to appoint a trustee under this part of (limiting) LIMITATIONS ON the rights, powers and duties of the trustee;

(s) (To pay) PAYMENT OF the costs or expenses incident to the enforcement of such bonds or of the resolution or of any covenant or agreement of the state with the holders of its special obligation bonds;

(t) (To agree) AGREEMENT with any corporate trustee which may be any trust company or bank having the powers of a trust company within or without the state, (as to) CONCERNING the pledging or assigning of any trust receipts, funds, municipal refunding bonds or other investments to which the state has any rights or interest pursuant to this part and (may further provide) PROVISIONS for such other rights and remedies exercisable by the trustee as may be proper for the protection of the holders of any special obligation bonds of the state and not otherwise in violation of law, and which agreement may provide for the restriction of the rights of any individual holders of such bonds of the state;

(u) (To appoint and to provide for) APPOINTMENT, AND PROVISION FOR the duties and obligations of, a paying agent or paying agents, or such other fiduciaries as the determination may provide within or without the state;

(v) (To limit) LIMITS UPON the rights of the holders of any such bonds to enforce any pledge or covenant securing such bonds;

(w) (To provide for the) THE sale by the trustee of the

municipal refunding bonds or other investments pledged as security for the payment of the principal of and interest on such bonds of the state upon default in the payment of such principal or interest; and

(x) (To make covenant) COVENANTS other than and in addition to the covenants herein expressly authorized, of like or different character, and (to make convenants) COVENANTS to do or refrain from doing such things as may be necessary or convenient and desirable, in order to better secure bonds or which, in the absolute discretion of the treasurer, on behalf of the state, will tend to make bonds more marketable, notwithstanding that the covenants or things may not be enumerated herein.

Sec. 116. Section 3-76h of the general statutes is repealed and the following is substituted in lieu thereof:

In addition to the powers and authority conferred upon the treasurer by this part and any other general statutes, public act or special act of the general assembly, the treasurer may:

(a) Employ such officers, agents and employees as may be necessary to carry out the provisions of this part and retain and employ consultants and assistants on a constract or other basis for rendering legal, financial, professional, technical or other assistance and advice;

(b) (To make) MAKE and enter into all contracts or agreements with municipalities (including) CONCERNING the collection of fees and charges and other provisions necessary or convenient or desirable for the purposes of this part or pertaining to any loan to a municipality or any purchase or sale of municipal refunding bonds or other investments or to the performance of his duties and execution or carrying out of any of his powers under this part;

(c) (To fix) FIX and prescribe any form of application or procedure to be required of a municipality for the purpose of any loan or the purchase of its municipal refunding bonds, and (to) fix the terms and conditions of any such loan or purchase and (to) enter into agreements with municipalities with respect to any such loan or purchase;

(d) Except as otherwise permitted or provided by this part, (to) invest any funds or moneys or funds received by the state pursuant to the provisions of this part in the same manner as permitted for investments as provided in section 3-31a;

(e) (To borrow) BORROW money and issue the special obligation bonds as provided herein and (to) provide for an secure the payment thereof and (to) provide for the rights of the holders thereof, and (to) purchase, hold and dispose of any of such special obligation bonds;

(f) (To fix) FIX and revise from time to time and charge and collect fees and charges for the use of the services of the state hereunder, and for the establishment or provision of reserves to secure the special obligation bonds;

(g) (To accept) ACCEPT gifts or grants of property, funds, money, materials, labor, supplies or services from the United States of America or from any governmental unit or any person, firm or corporation, and (to) carry out the terms or provisions or make agreements with respect to, and gifts or grants, and (to) do any and all things necessary useful, desirable or convenient in connection with procuring, acceptance or disposition of gifts or grants;

(h) (To enforce) ENFORCE all contracts necessary, convenient or desirable for the purposes of this part of pertaining to any loan to a municipality or any purchase or sale of municipal refunding bonds or other investments or to the performance of his duties and execution of carrying out of any of his powers under this part;

(i) (To purchase) PURCHASE or hold municipal refunding bonds at such prices and in such manner as he deems advisable consistent with the purposes of this part and (to) sell municipal refunding bonds acquired or held in the municipal refunding trust fund at such prices without relation to cost and in such manner as he deems advisable or necessary to assure the payment of the special obligation bonds;

(j) (To establish) ESTABLISH any terms and provisions with respect to any purchase of municipal refunding bonds, including the date or dates of such bonds, the rate or rates and maturities of such bonds, provisions as to redemption or payment prior to maturity, and in any other matter which are necessary, desirable or advisable in the judgment of the treasurer;

(k) To the extent permitted under its contracts with the holders of the special obligation bonds, (to) consent to any modification of the rate of interest, time and payment of any instalment of principal or interest, security or any other term of bond, contract or agreement of any kind to which the state is a party;

(1) (To do) DO all things necessary, convenient or desirable to carry out the powers expressly granted or necessarily implied in this part.

Sec. 117. Subsection (b) of section 5-274 of the general statutes is repealed and the following is substituted in lieu thereof:

(b) If, upon all the testimony, the board determines that a prohibited practice has been or is being committed, it shall state its findings of fact and shall issue and cause to be served on the party committing the prohibited practice an order requiring it or him to cease and desist from such prohibited practice, and shall take such further affirmative action as will effectuate the policies of sections 5-270 to 5-280, inclusive, including but not limited to: (1) Withdrawal of certification of an employee organization established or assisted by any action defined in said sections as a prohibited practice; (2) reinstatement of an employee discriminated against in violation of said sections, with or without back pay; or (3) if either party is found to have refused to bargain collective in good faith, ordering fact find and directing the party found to have refused to bargain to pay the full costs of fact finding under section (5-278) 5-277 resulting from the negotiations in which the refusal to bargain occurred.

Sec. 118. Section 9-133a of the general statutes is repealed and the following is substituted in lieu thereof:

Any elector who is entitled to vote in a primary of a party under section 9-431 and who is unable to appear at his polling place during the hours of voting at any primary of such party to be held in any municipality or such political subdivision thereof because of (1) being in active service with the armed forces of the United States, or (2) absence from the state during all of the hours of voting at such primary, or (3) absence from the town of his voting residence during all of such hours because of his status as a student in a college, university, nurses training school, or any other institution of higher learning located within this state other than such town of his voting residence or because he is the spouse of, and lives with, such a student, or (4) because of absence from the town of his voting residence during all of such hours because he has a temporary place of abode in a town other than the town of his voting residence because of membership in a religious community, or (5) because of illness, or (6) because of physical disability, or (7) because the tenets of his religion forbid secular activity, or (8) because of absence

from the town of his voting residence during all of such hours because of his confinement in a correctional facility in a town other than the town of his voting residence, provided his privileges as an elector are not forfeited, may cause his vote to be cast at such primary (in the manner and subject to the conditions hereinafter stated) BY ABSENTEE BALLOT.

Sec. 119. Section 9-135 of the general statutes is repealed and the following is substituted in lieu thereof:

Any elector who is unable to appear at his polling place during the hours of voting of any state, municipal or special election, (1) because of absence from the state during all of the hours between the opening of the polls in the town of his voting residence in the morning and the closing thereof in the evening of the day of such election, or (2) because of absence from the town of his voting residence during all of such hours because of his status as a student in a college, university, nurses' training school or any other institution of higher learning located within this state other than such town of his voting residence, or because he is the spouse of, and lives with, such a student, or (3) because of absence from the town of his voting residence during all of such hours because he has a temporary place of abode in a town other than the town of his voting residence as a result of his membership in a religious community, or (4) because of illness, or (5) because of physical disability, or (6) because the tenets of his religion forbid secular activity, or (7) because of absence from the town of his voting residence during all of such hours as a result of his confinement in a correctional facility in a town other than the town of his voting residence, provided his privileges as an elector are not forfeited, may cause his vote to be cast at such election (, in the manner and subject to the conditions hereinafter stated) BY ABSENTEE BALLOT.

Sec. 120. Section 9-168 of the general statutes is repealed and the following is substituted in lieu thereof:

In any town not divided into voting districts, the place of holding elections may be determined by the legislative body of such town. In towns divided into voting districts the place of holding elections shall be determined as provided in section 9-169 or any special act, whichever applies. Except as provided in section (9-169) 9-169a, state elections shall be held at the usual place or places of holding elections in the town or the voting districts thereof, as the case may be, unless the registrars of voters, in writing, have designated to the clerk of such town, at

least thirty-one days before any such state election, a different place or places for holding such election. Unless otherwise provided by special act, the place of holding city or borough elections shall be determined by the legislative body of such city or borough. Any provision of any charter or special act to the contrary notwithstanding, the place or places of holding an election shall be determined at least thirty-one days prior to such election, and such place or places shall not be changed within the period of thirty-one days prior to such election except that, if the municipal clerk and registrars of voters of a municipality unanimously find that any such polling place within such municipality has been rendered unusable within such period, they shall forthwith designate another polling place to be used in place of the one so rendered unusable and shall give adequate notice that such polling place has been so changed.

Sec. 121. Subsection (a) of section 9-348h of the general statutes is repealed and the following is substituted in lieu thereof:

(a) Except as provided in subsection (e) of this section, each principal campaign treasurer, and each campaign treasurer of a political committee, or an organization political committee formed for the purpose of a single primary or election or a political issue committee shall file, on the second Thursday in the months of January, April, July and October, on the seventh day preceding an election and on the seventh day preceding a primary, a sworn statement with the proper authority in accordance with the provision of section 9-336a. Such statement shall be complete as of seventy-two hours immediately preceding midnight of the day preceding the required filing day, and shall cover a period to begin with the first day not included in the last filed statement. In the event such filing day falls on a Saturday, Sunday, or a legal holiday, such sworn statement shall be filed on the next business day thereafter. The statement shall include, but not be limited to: (1) An itemized accounting of each contribution, if any, including the full name and complete address of each contributor and the amount of the contribution; (2) in the case OF anonymous contributions, the total amount received and the denomination of the bills; and (3) an itemized accounting of each expenditure, if any, including the full name and complete address of each payee, the amount of the expenditure and the purpose of the expenditure, together with a statement of the balance on hand or deficit, as the case may be. Contributions from a single individual to a campaign treasurer or principal campaign treasurer in the aggregate totalling thirty dollars or less need not be principal campaign treasurer, but a sum representing the total amount

of all such contributions made by all such individuals during the period to be covered by such report shall be a separate entry, identified only by the words "total contributions from small contributors." Such principal campaign treasurer or campaign treasurer of a political committee shall include in such report an itemized accounting of the receipts and expenditures relative to any testimonial affair held under the provisions of section 9-348n or any other fund-raising affiar. In the case of a primary or an election, such statements shall remain public records of the state from the day of filing until the expiration of the term of the office sought by the candidate to whom they relate, or for three years, whichever period of time is greater. In the case of a constitutional amendment or questions voted upon at any election, such statements shall remain public records of the state from the day of filing until one year and thirty days after the vote on such amendment or question.

Sec. 122. Section 10-115 of the general statutes is repealed and the following is substituted in lieu thereof:

The board of trustees of the state colleges shall continue the state college educational extension fund. Said fund shall be used for the operation of the state college educational extension program and its summer school sessions and for the purchase of such equipment as is required for use in the operation of said program and sessions. All proceeds derived from the operation of the educational extension program and of the summer school sessions shall be credited to and become a part of the resources of said fund. All direct expenses incurred in the conduct of said educational extension program and summer sessions shall be charged, and any payments of interest and principal of bonds or any sums transferable to any fund for the payment of interest and principal of bonds and any cost of equipment for such operations may be charged, against said fund on order of the state comptroller. Any balance of receipts above expenditures shall remain in said fund to be used for its educational extension program and summer school session program, and for the acquisition, as provided by section 4-26, alteration and repairs of real property for educational extension facilities, except such sums as may be required to be transferred from time to time to any fund for the redemption of bonds and payment of interest on bonds, provided repairs, alterations or additions to educational extension facilities costing fifty thousand dollars or less shall require the approval of the (public works commission) COMMISSIONER OF ADMINISTRATIVE SERVICES, and capital projects costing over

fifty thousand dollars shall require the approval of the general assembly or, when the general assembly is not in session, of the finance advisory committee.

Sec. 123. Section 10-215 of the general statutes, as amended by section 1 of substitute house bill 6006 of the current session is repealed and the following is substituted in lieu thereof:

Any local or regional board of education may establish and operate a school lunch program for public school children, may operate lunch services for its employees, may establish and operate a school breakfast program, AS PROVIDED UNDER FEDERAL LAWS GOVERNING SAID PROGRAMS, or may establish and operate such other child feeding programs as it deems necessary (, as provided under the federal laws governing said programs and services). Charges for such lunches, breakfasts or other such feeding may be fixed by such boards and shall not exceed the cost of food, wages and other expenses directly incurred in providing such services. When such services are offered, a board shall provide free lunches, breakfasts or other such feeding to children whose economic needs require such action under the standards promulgated by said federal laws. Such board is authorized to purchase equipment and supplies that are necessary, to employ the necessary personnel, to utilize the services of volunteers and to receive and expend any funds and receive and use any equipment and supplies which may become available to carry out the provisions of this section. Any town board of education may vote to designate any volunteer organization within the town to provide a school lunch program, school breakfast program or other child feeding program in accordance with the provisions of this section.

Sec. 124. Section 10-226f of the general statutes is repealed and the foblowing is substituted in lieu thereof:

The state board of education shall select one of its employees to assume responsibility, in addition to whatever other duties said board may prescribe, as coordinator of intergroup relations, and shall prescribe duties for such coordinator and for any other of its employees as may be necessary to carry out effectively the purposes of subsection ((c)) (b) of section 10-145a, this section and section 10-226g. On or before February fifteenth of each year, said board shall report to the joint standing committee on education of the general assembly on the progress and accomplishments of programs in intergroup relations, including programs conducted by the state board of education, and

shall make recommendations for legislation to improve such programs.

Sec. 125. Section 10-226g of the general statutes is repealed and the following is substituted in lieu thereof:

Each regional and local board of education may, in accordance with such regulations as may be prescribed by the state board of education, provide a program in intergroup relations training for all teachers employed in the public schools of the district. In addition, each such board may select one of its employees to assume responsibility as coordinator of intergroup relations. No regulation of the state board of education shall require a local or regional board of education to hire new personnel to carry out the purposes of subsection ((c)) (b) of section 10-145a, section 10-226f and this section. Each such coordinator shall, utilizing local resources to the extent available, with the assistance of the coordinator of intergroup relations for the state board of education: (1) Provide for the conduct of workshops and training programs in intergroup relations for all teachers in each school; (2) evaluate, and recommend the use of textbooks and curricula material concerning racial and cultural minorities; and (3) introduce and implement programs of intergroup relations in such schools.

Sec. 126. Section 12-119 of the general statutes is repealed and the following is substituted in lieu thereof:

When it is claimed that a tax has been laid on property not taxable in the town or city in whose tax list such property was set, or that a tax laid on property was computed on an assessment which, under all the circunstances, was manifestly excessive and could not have been arrived at except by disregarding the provisions of the statutes for determining the valuation of such property, the owner thereof or any lessee thereof whose lease has been recorded as provided in section 47-19 and who is bound under the terms of his lease to pay real property taxes, prior to the payment of such tax, MAY, in addition to the other remedies for the judicial district in which such town or city is situated. Such application may be made within one year from the date as of which the property was last evaluated for purposes of taxation and shall be served and returned in the same manner as is required in the case of a summons in a civil action, and the pendency of such application shall not suspend action upon the tax against the applicant. In all such actions, the superior court shall have

power to grant such relief upon such terms and in such manner and form as to justice and equity appertains, and costs may be taxed at the discretion of the court. If such assessment is reduced by said court, the applicant shall be reimbursed by the town or city for any overpayment of taxes in accordance with the judgement of said court.

Sec. 127. Subsection (e) of section 13b-42 of the general statutes, as amended by senate bill 1425 of the current session, is repealed and the following is substituted in lieu thereof:

(e) The commissioner may, IN THE NAME OF THE STATE, purchase, (or) take (and, in the name of the state, may) OR acquire (in whole or in part) any interest, IN WHOLE OR IN PART, in land, buildings, equipment or facilities that he has sold, leased or granted in any STATE airport, (or) STATE airport site or any part thereof pursuant to subsection (b) of this section. The commissioner's determination that (a) SUCH purchase, (or) taking OR ACQUISITION is necessary shall be conslusive. (The) ANY taking shall be in a manner prescribed in section 13a-73 for the taking of land for highway purposes.

Sec. 127. Subsection (a) of section 19-4j of the general statutes is repealed and the following is substituted in lieu thereof:

(a) The commissioner of health services shall adopt uniform rules of procedure, consistent with chapter 54, for hearings and other proceedings to be conducted by the boards and commissions identified in subsection (b) of section (19-4b) 19-4o, and for the giving of notice to persons affected by such proceedings.

Sec. 129. Section 19-4K of the general statutes is repealed and the following is substituted in lieu thereof:

The boards and commissions listed in subsection (b) of section (19-4b) 19-4o may conduct hearings on any matter within their statutory jurisdiction. Such hearings shall be conducted in accordance with chapter 54 and the regulations established by the commissioner of health services. In connection with any such hearing, any member of a board or commission, upon being designated by the board or commission, may administer oaths, issue subpoenas, compel testimony and order the production of books, records and documents. If any person refuses to appear, to testify or to produce any book, record or document when so ordered, a

judge of the superior court may make such order as may be appropriate to aid in the enforcement of this section.

Sec. 130. Subsection (b) of section 19-73k of the general statutes is repealed and the following is substituted in lieu thereof:

(b) Any data submitted to or obtained or compiled by the commission with respect to its deliberations under sections 19-73i to 19-73o, inclusive, with respect to nursing homes, licensed under chapter 367, shall be made available to the department of health services (and the board of licensure of nursing home administrators).

Sec. 131. Subsection (b) of section 19-524e of the general statutes, as amended by public act 81-179, is repealed and the following is substituted in lieu thereof:

(b) If the commissioner determines that a municipal landfill shall be closed within five years of the effective date of this act, the municipality in which such landfill is located, through a municipal or regional authority, shall submit a solid waste management plan, including provisions for source separation, to the commissioner and the regional planning agency to whose jurisdiction such municipality is designated in the state's solid waste management plan for their review. Such proposed plan shall be consistent with the provisions of this chapter. If the commissioner finds, after consultation with the appropriate regional planning agency, that such proposed plan is consistent with the provisions of this chapter, the commissioner shall notify the municipality or regional authority having submitted the plan for review that such proposed plan is approved. If the commissioner finds after consultation with the appropriate regional planning agency, that such proposed plan is consistent with the provisions of this chapter, the commissioner shall notify the municipality or regional authority having submitted the plan for review that such proposed plan is approved. If the commissioner finds after consultation with the appropriate planning agency that such proposed plan is not in compliance with the provisions of this chapter, the commissioner shall communicate the existence and extent of the deficiencies to the municipal or regional authority which submitted the plan for review. The municipality, through its municiapl or regional authority, and after consultation with the commissioner and the appropriate planning agency, shall thereafter make such revisions in its

proposed plan as may be necessary to correct the deficiencies enumerated by the commissioner. If the municipality, through its municipal or regional authority, makes the revisions required by the commissioner to correct such deficiencies, the commissioner shall thereafter approve the plan.

Sec. 132. Section 19-591 of the general statutes is repealed and the following is substituted in lieu thereof:

As used in sections 19-591 to 19-601, inclusive (:),

((a) "Nursing" "NURSING home" means an institution licensed under this chapter (;) AND

((b) "Nursing) "NURSING home administrator" means the person in general administrative charge of a nursing home (; and

(c) "Board" means the board of licensure of nursing home administrators). All nursing homes licensed under this chapter shall be under the supervision of a licensed nursing home administrator.

Sec, 133. Section 2-54 of the general statutes is repealed and the following is substituted in lieu thereof:

No person other than those described in section 2-57 and those to whom a license has been reissued as provided by section 20-59 shall engage in the practice of podiatry in this state until he has presented to the department satisfactory evidence that he has had a high school education or its equivalent, has received a diploma or other certificate of graduation from some reputable school or college of chiropody or podiatry approved by the board of examiners in podiatry with the consent of the commissioner of health services nor shall any person so practice until he has obtained a LICENSE from the department of health services (a license as provided in section 20-58) AFTER MEETING THE REQUIREMENTS OF THIS CHAPTER. A graduate of an approved school of chiropody or podiatry subsequent to July 1, 1947, shall present satisfactory evidence that he has been a resident student through not less than four graded courses of not less than thirty-two weeks each in such approved school and has received the degree of D.S.C., Doctor of Surgical Chiropody, or Pod. D., Doctor of Podiatry, or other equivalent degree; and, if a graduate of an approved chiropody or podiatry school subsequent to July 1, 1951, that he has completed, before beginning the study of podiatry, a course of study of an academic year of not less than thirty-two weeks' duration in a college or scientific school approved by said board with the consent of the commissioner of health services. which course included the study of chemistry and physics or biology; and if a graduate of an approved college of podiatry or podiatric medicine subsequent to July 1, 1971, that he has completed a course of study of two such pre-podiatry college years, including the study of chemistry, physics or mathematics and biology, and that he received the degree of D.P.M., Doctor of Podiatric Medicine.

Sec. 134. Section 20-68 of the general statutes is repealed and the following is substituted in lieu thereof:

Said board shall meet semiannually at a time and place to be designated by the board. Said board shall administer the provisions of this chapter, The commissioner of health services, with advise and assistance from the board, may adopt bylaws and regulations for the transaction of the business of the board and the management of its affairs and for the conduct of examinations. Three memebers of said board shall constitute a quorum and special meetings shall be called upon the request of any three members. The board shall keep a record of its proceedings under this chapter and of all persons registered under the provisions of section (20-49,) 20-70 or 20-71. On request of said board, the commissioner of administrative services shall provide a suitable room for its meetings. The place and time of examination shall be at the discretion of the board and held annually or more often as, in the discretion of the board, the need requires. Said board shall keep a list of all physical therapy schools which are approved by it as maintaining the standard for education in physical therapy as established by said board, with the consent of the commissioner of health services.

Sec. 135. Section 20-265 of the general statutes is repealed and following is substituted in lieu thereof:

Any person who violates any provision of sections 20-251 to (20-264) 20-263, inclusive, for the violation of which no other penalty is provided, shall be fined not more than one hundred dollars and, upon a second conviction, shall be fined not more than one hundred dollars or imprisoned not more than sixty days or both.

Sec. 136. Subsection (d) of Section 20-427 of the general statutes is repealed and the following is substituted in lieu thereof:

(d) All certificates issued under the provisions of this chapter except those issued during the period commencing July 1, 1980, and ending June 30, 1981, shall expire annually on the first day of the month corresponding to the individual applicant's last name or, if the applicant is a partnership, firm, company or corporation, corresponding to the first name of such applicant excluding the words "a", "an", or "the", in the following schedule:

Month	First Letter of Name
January	M
February	S
March	L
April	Q, R
May	U, V, W, X, Y, Z
June	A, D

July	B
August	C, E
September	F, G
October	H, N
November	I, T
December	J, K, O, P

The fee for renewal of a certificate shall be the same as the fee charged for an original application.

Sec. 137. Subsection (e) of section 22a-117 of the general statutes, as amended by public act 81-221, is repealed and the following is substituted in lieu thereof:

(e) Any application for a permit to store or dispose of polychlorinated biphenyls, for a fee or other consideration, pursuant to sections 25-54hh and 25-54vv, pending as of the effective date of this act (,) or filed prior to July 1, 1981, shall not be acted on by the commissioner but shall be transferred on July 1, 1981, to the board designated to issue certificates of public safety and necessity in accordance with the provisions of this chapter.

Sec. 138. Subsection (d) of section 45-195 of the general statutes is repealed and the following is substituted in lieu thereof:

(d) Bond required of administrator. The court, upon granting any administration, shall take a probate bond from the administrator of any successor administrator appointed by the court of probate (in such amount as the court of probate finds proper).

Sec. 139. Subsection (f) of section 25-32 of the general statutes is repealed and the following is substituted in lieu thereof:

(f) The commissioner of health services shall adopt and from time to time may amend the following: (1) Physical, chemical, radiological and microbiological standards for the quality of public drinking water; (2) minimum treatment methods, taking into account the costs thereof, required for all sources of drinking water, including guidelines for the design and operation of treatment works and water sources, which guidelines shall serve as the basis for approval of local water supply plans by said commissioner; (3) minimum standards to assure the long-term purity and adequacy of the public drinking water supply to all residents of this state; and (4) classifications of water treatment plants and water distribution systems which treat or supply water used or intended for use by the public. On or after October 1, 1975, any water COMPANY which requests approval of any drinking water source shall provide for such treatment methods as specified by the commissioner of health services, provided any water company in

operation prior to October 1, 1975, and having such source shall comply with regulations adopted by said commissioner in conformance with The Safe Drinking Water Act, Public Law 93-523, and shall submit on or before February 1, 1976, a statement of intent to provide for treatment methods as specified by said commissioner, to said commissioner for his approval.

Sec. 140. Section 26-246 of the general statutes is repealed and the following is substituted in lieu thereof:

When the boundaries of lands or grounds not within the exclusive jurisdiction of the state, lawfully designated for the planting or cultivation of oysters, clams or mussels between adjoining proprietors, have been lost or become uncertain, or when the committee authorized to stake out such lands or ground has, in the designations or descriptions thereof, described such boundaries so as not to agree with or correctly locate the boundaries actually fixed by them, and such adjoining proprietors cannot agree to establish the same, one or more of them may bring a petition to the superior court for the judicial district in which such lands or grounds, or a (petition) PORTION of them, are situated, and said court many order such lost and uncertain bounds to be erected and established; and may appoint a committee of not more than three disinterested property owners, who shall give notice to all parties interested, as the same appear, in such lands or grounds, to appear before them, and having been sworn, shall inquire into the facts and erect and establish such lost and uncertain bounds, and ascertain the true line between such adjoining proprietors, and reestablish and relocate the same where the original committee marked and placed the same, and may employ a surveyor to assist them if necessary. Such committee shall report to the court the facts relating to such matters, and the original designations and descriptions of such lands and grounds, and of all their doings in the premises; and, if said court finds such parties were duly notified, it may confirm such doings and by its decree fix and locate such boundary lines between such adjoining proprietors, and certified copies of the report and decree shall be recorded in the oyster records of the town in which such lands are, or on which such original designations of such grounds are recorded, and the lines and bounds so erected and established shall be the bounds and lines between such adjoining proprietors. This section shall not apply to any designation of oyster ground which contains a map thereof, or which refers to such map lodged on file in the town clerk's office, or to oyster grounds within the exclusive jurisdiction of the state.

Sec. 141. Subdivision (3) of subsection (g) of section 31-225 of the general statutes is repealed and the following is substituted in lieu thereof:

(3) If the administrator at any time deems it necessary because of the financial condition of the organization, any nonprofit orgainization that elects to become liable for payments in lieu of contributions shall be required, within thirty days, to execute and file with the administrator a surety bond approved by the administrator or it may elect instead to deposit with the

administrator cash or securities. The amount of such bond or deposit shall be determined in accordance with the provisions of this subdivision. (A) The amount of the bond or deposit required by this subdivision shall be determined by the administrator byt shall not exceed a percentage of the organization's annual taxable payroll equal to the maximum rate that any employer liable for contributions during the year involved would have to pay FOR employment as defined in subsection (b) of section 31-222 for the four calendar quarters immediately preceding the effective date of the election, the renewal date in the case of a bond, or the biennial anniversary of the effective date of election in the case of a deposit of cash or securities, whichever date shall be most recent and applicable. If the nonprofit organization did not pay wages in each of such four calendar quarters, the amount of the bond or deposit shall be as determined by the administrator. The term "cash" includes certified or bank checks or other guaranteed insturments. (B) Any bond deposited under this subdivision shall be inforce for a period of not less than two taxable years and shall be renewed with the approval of the administrator, at such times as the administrator may prescribe, but not less frequently than at two year intervals as long as the orgainization continues to be liable for payments in lieu of contributions. The administrator shall require adjustments to be made in a previously filed bond as he deems appropriate. If the bond is to be increased, the adjusted bond shall be filed by the organization within thirty days of the date notice of the required adjustment was mailed or otherwise delivered to it. Failure by any organization covered by such bond to pay the full amount of payments in lieu of contributions when due, together with any applicable interest and penalties provided for in subdivision (2) (E) of this subsection, shall render the surety liable on such bond to the extent of the bond, as though the surety was such organization. (C) Any deposit of cash or securities in accorance with this subdivision, shall be retained by the administrator in an escrow account until liability under the election is terminated, at which time it shall be returned to the organization, less any deductions as hereinafter provided. The administrator may deduct from the cash deposited under this subdivision by a nonprofit organization or sell the securites it has so deposited to the extent necessary to satisfy any due and unpaid payments in lieu of contributions and any applicable interest and penalties provided for in subdivision (2) (E) if this subsection. The administrator shall require the organization within thirty days following any deduction from a cash deposit or sale of deposited securities under the provisions of this subparagraph to deposit sufficient additional cash or securities to make whole the organization's

deposit at the prior level. Any cash remaining from the sale of such securities shall be a part of the organization's escrow account. The administrator may, at any time, review the adequacy of the deposit made by any organization. If, as a result of such review, he determines that an adjustment is necessary, he shall require the organization to make additional deposit whin thirty days of writtennotice of his determination or shall return to it such portion of the deposit as he no longer considers necessary, whichever action is appropriate. Disposition of income from secutities held in escrow shall be governed by any applicable provision of state law. (D) If any nonprofit organization fails to file a vond or make a deposit, or to file a bond in an increased amount or to increase or make whole the amount of a previously made deposit, as provided under this subdivision, the administrator may terminate such organization's election to make payments in lieu of contributions and such termination shall continue for not less than the four-consecutive-calendar-quarter period beginning with the quarter in which such termination becomes effective; provided the administrator may extend for good cause the applicable filing, deposit or adjustment period by not more than fifteen days.

Sec. 142. Subsection (c) of section 31-225a of the general statutes is repealed and the following is substituted in lieu thereof:

(c) (1) For the purposes of this section, "qualified employer" means each employer subject to this chapter, with the exception of employers subject to a flat entry rate of contributions under subsection (b) of this section and employers who make reimbursement payments in lieu of contributions whose experience record has been chargeable with benefits throughout hte three consecutive years ending on such June thirtieth, provided an employer who has not been subject to this chapter for a period of the three-year chargeabilityrequirement shall be deemed to have met this requirement if his experience rating record has been chargeable with benefits for a period of at least one year ending on June thirtieth and who on the following September thirtieth has filed all required contribution reports and has paid contributions and any interest due on all wages so reported, and has paid any other contributions and interest assessed against him, unless an appeal from such assessment has been taken or the time for such appeal has not yet expired. Any employer who has failed to meet the reporting and payment requirements of this section shall make contributions at the maximum rate provided for in this section. (2) As of each June thirtieth, starting with June 30, 1973, the administrator shall calculate a benefit ration for each qualified employer. For the tax year 1976, the employer's benefit ratio

shall be calculated by converting, as hereinafter provided, his compensable separations chargeable during the experience period ending on June 30, 1975, and by dividing the total amount of such conversation by the total of his taxable wages paid during such experience period. For the tax year 1977, the employer's benefit ratio shall be calculated by adding the compensable separations, converted as hereinafter provided, charged to the employer's experience account for the experience years ended June 30, 1974, and June 30, 1975, and the total amount of benefits charged to his ecperience account for the experience year ended June 30, 1976, and dividing the sum so obtained by his taxable wages paid during the three-year experience period ended June 30, 1976. For the tax year 1978, the employer;s benefit ratio shall be calculated by adding the compensable separations, converted as hereinafter provided, for the experience year ended June 30, 1975, and the total amount charged to his experience account for the experience years ended June 30, 1976, and June 30, 1977, and dividing the sum so obtained by his taxable wages for the three-year experience period ended June 30, 1977. For the tax year 1979, and for each succeeding tax year, the employer's benefit ratio shall be calculated by dividing the total amount chargeable to his experience account during the experience period ending on June 30, 1978, and each succeeding June thirtieth by the total of his taxable wages paid during the same experience period ending on that June thirtieth. If the resulting quotient is zero, or less than five-tenths of one percent, the employer's benefit ratio shall be five-tenths of one percent. If the resulting quotient is not an exact multiple of one-tenth of one percent, the employer's benefit ratio shall be the nect higher such multiple. The amount chargeable to his experience account will be in accorance with the following table:

Employer's Charged Tax Rate Table

Employer's Benefit Ratio	Employer's Charged Tax Rate
.005 or less	.5% minimum subject
.006	.6% to fund
.007	.7% solvency
.008	.8% adjustment
.009	.9%
.010	1.0%
.011	1.1%
.012	1.2%
.013	1.3%
.014	1.4%
.015	1.5%
.016	1.6%

.017	1.7%
.018	1.8%
.019	1.9%
.020	2.0%
.021	2.1%
.022	2.2%
.023	2.3%
.024	2.4%
.025	2.5%
.026	2.6%
.027	2.7%
.028	2.8%
.029	2.9%
.030	3.0%
.031	3.1%
.032	3.2%
.033	3.3%
.034	3.4%
.035	3.5%
.036	3.6%
.037	3.7%
.038	3.8%
.039	3.9%
.040	4.0%
.041	4.1%
.042	4.2%
.043	4.3%
.044	4.4%
.045	4.5%
.046	4.6%
.047	4.7%
.048	4.8%
.049	4.9%
.050 & higher	5.0% maximum subject to fund solvency adjustment

With respect to the experience periods which include charges based on compensable separations, such charges shall be converted to dollar amounts by multiplying by fifteen the net compensable separations chargeable during such experience year or years to each employer's account.

Sec. 143. Subsection (f) of section 31-225a of the general statutes is repealed and the following is substituted in lieu thereof:

(f) (1) With respect to each benefit year commencing on or after July 1, 1978, notice of determination of the claimant's benefit entitlement for such benefit year shall include notice of the allocation of benefit charges of the claimant's base period employers and each such employer shall be mailed a copy of such notice of determination and shall be an interested party thereto. (2) The administrator shall, not less frequently than once each calendar quarter, mail a statement of charges to each employer to whose experience record any charges have been made since the last previous such statement, Such statement shall show, with respect to each week for which benefits have been paid and charged, the name and social security account number of the claimant who was paid the benefit, the amount of the benefits charged for such week and the TOTAL AMOUNT CHARGED IN THE QUARTER. (3) THE STATEMENT OF CHARGES PROVIDED FOR in subdivision (2) of this subsection shall constitute notice to the employer that it has been determined that the benefits reported in such statement were properly payable under this chapter to the claimants for the weeks and in the amounts shown in such statements. If the employer contends that benefits have been improperly charged due to fraud or error, a written protest setting forth reasons therefore shall be filed with the administrator within sixty days of the mailing date of the quarterly statement. An eligibility issue shall not be reopened on the basis of such quarterly statement if noticiation of such eligibility issue had previously been given to the employer under the provisions of section 31-241, and he failed to file a timely appeal therefrom or had the issue finally resolved against him.

Sec. 144. Section 31-301 of the general statutes which incorrectly appears as section 31-101 on page 431 of volume VI of the general statutes, revision of 1958, revised to 1981, shall continue to be known and cited as section 31-301.

Sec. 145. Subsection (c) of section 42-85 of the general statutes, as amended by section 15 of public act 81-158 and section 2 of public act 81-163, is repealed and the following is substituted in lieu thereof:

(c) The finance charge under subsections (a) and (b) of this section shall be computed on the principal amount financed as determined under chapter 657 AND the regulations adopted under that chapter. On contracts providing for instalment payments extending for a period which is less than or greater than one year, the finance chage shall be computed proportionately. The finance charge may be computed on the basis of a full month for any fractional month period in excess of ten days. A minimum finance charge of fifteen dollars may be charged on any retail instalment contract in which the finance charge, when computed at the rates indicated, results in a total charge of less than that

amount. Nothing contained in this chapter shall be construed to prohibit the computation of the interest component of the finance charge by application of an interest rate to the actual balance of such principal amount financed as may be outstanding from time to time.

Sec. 146. Subsection (e) of section 45-26 is repealed and the following is substituted in lieu thereof:

(e) (1) On or before January thirty-first of each year, each person required to make payment under this section shall estimate such annual net income and shall advise the probate court administrator thereof, upon such forms and pursuant to such regulations as said administrator shall promulgate. (2) EACH PERSON WHO TAKES OFFICE AS A JUDGE OF PROBATE AFTER FEBRUARY FIRST OF ANY CALENDAR YEAR, AS THE RESULT OF DEATH, RETIREMENT, RESIGNATION OR REMOVAL OF THE IMMEDIATELY PREVIOUS INCUMBENT OF THAT OFFICE, SHALL FILE HIS ESTIMATE OF ANNUAL NET INCOME WITH THE BROBATE COURT ADMINISTRATOR AND SHALL MAKE THE NECESSARY PAYMENT TO THE STATE TREASURER IN ACCORDANCE THEREWITH NOT LATER THAN SIXTY DAYS AFTER TAKING OFFICE.

Sec. 147. Subsection (f) of section 45-26 of the general statutes is repealed and the following is substituted in lieu thereof:

(f) (1) Each person who takes office as judge of probate after February first of any calendar year, as the result of the death, retirement, resignation or removal of the immediately previous incumbent of that office, shall file his estimate of annual net income with the probate court administrator and shall make the necessary payment to the state treasurer in accordance therewith not later than sixty days after taking office. (2) If, based upon such estimate, the amount payable shall be less than one hundred dollars, the payment thereof shall be made in one payment on or before December thirty-first of the applicable year. Otherwise, the amount payable shall be made in four substantially equal instalments payable on or before the last day of March, June, September and December of the applicable year. The estimated payment may be amended and changed at any time during the year in which it is payable by increasing or decreasing the amount. The amount of such increase or decrease shall be paid for or adjusted in the instalment or payment due at the time the estimated assessment is next payable after such amendment.

Sec. 148. Subsection (b) of section 45-681 of the general statutes is repealed and the following is substituted in lieu thereof:

(b) If, after due diligence, the agency or department is unable to locate the parents in order to obtain CONSENT, THEN, THE

PETITIONER SHALL BE NOTIFIED BY the court that for any further search by the agency or department on his behalf, the agency or department may charge the petitioner the customary amounts, subject to the approval of the court.

Sec. 149. Subsection (d) of section 46b-38 of the general statutes, as amended by section 1 of substitute house bill 7364 of the current session, is repealed and the following is substituted in lieu thereof:

(d) No order of the court shall exceed ninety days, except that an order may be extended by the court upon motion of the applicant for such additional time as the court deems necessary (,) to protect the applicant from bodily harm or, if an action for legal separation or dissolution has been commenced by either party, such relief shall continue unless modified by the court or modified by the parties by a written agreement filed with the court. If THE respondent has not appeared upon the initial application, service of a motion to extend an order may be made by first-class mail directed to the respondent at his or her last known address.

Sec, 150. Section 51-202 of the general statutes is repealed and the following is substituted in lieu thereof:

The clerk of said court for the fudicaial district of Hartford-New Britain shall keep the docket of said court and appeals shall be placed thereon by judicial districts, in the following order: Fairfield, Windham, Litchfield, New London, New Haven, Middlesex, Tolland, Hartford-New Britain, Ansonia-Milford, Waterbury (and), Danbury AND STAMFORD-NORWALK.

Sec. 151. Subsection (a) of section 53a-46b of the general statutes is repealed and the following is substituted in lieu thereof:

(a) Any sentence of death imposed in accordance with the poovisions of section 53a-46a shall be reviewed by the supreme court pursuant to its rules. In addition to its authority to correct errors at trial, the supreme court shall either affirm the sentence of death or vacate said sentence and remand for imposition of a (class A felony) sentence IN ACCORDANCE WITH SUBDIVISION (1) OF SECTION 53a-35a.

Sec. 152. Section 53a-123 of the general statutes, as amended by section 2 of substitute senate bill 932 of the current session is repealed and the following is substituted in lieu thereof:

(a) A person is guilty of larceny in the second degree when: (1) The property consists of a motor vehicle, (2) the value of the property or service exceeds five hundred dollars, (3) the property, regardless of its nature or value, is taken from the person of another, or (4) the property is obtained by drfrauding a public community, and the value of such property is (less than) two thousand dollars OR LESS.

(b) Larceny in the second degree is a class D felony.

Sec. 153. Substitute house bill 7375 of the current session shall take effect from its passage.

In line 3549, delete "Section" and insert "Sections" in lieu thereof and after "5-201a" insert "and 22-131a"

In line 3550, delete "is" and insert "are" in lieu thereof

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REP. TULISANO: (29th)

Mr. Speaker.

ACTING SPEAKER FLYNN:

Rep. Tulisano.

REP. TULISANO: (29th)

Mr. Speaker, I have this opportunity to yield to Rep. Krawiecki.

ACTING SPEAKER FLYNN:

Rep. Krawiecki, will you accept the yield?

REP. KRAWIECKI: (78th)

Yes, Mr. Speaker. Mr. Speaker, the Clerk has an amendment LCO No. 6576. Would he please call and may I be allowed to summarize, Sir?

ACTING SPEAKER FLYNN:

The Clerk has an amendment LCO 6576 designated House "B". Will the Clerk please call the amendment.

CLERK:

LCO No. 6576 designated House Amendment Schedule "B" offered by Rep. Krawiecki of the 78th district.

ACTING SPEAKER FLYNN:

Is there any objection to summarization? Hearing none, you may proceed.

REP. KRAWIECKI: (78th)

Thank you, Mr. Speaker. Mr. Speaker, members of this House, this amendment is another technical change. What it does is merely correct the description in a piece of property which the state attempted to transfer last year in Special Act 80-78. The subject parcel is a triangular piece of property designated as Parcel B on a map entitled Preliminary Land Proposal - Milldale Road, Cheshire, Connecticut. I move the adoption of the amendment.

ACTING SPEAKER FLYNN:

The question is on the adoption of House Amendment "B". Will you remark? If not, all those in favor say aye.

REPRESENTATIVES:

Aye.

ACTING SPEAKER FLYNN:

Those opposed nay.

REPRESENTATIVES:

No.

ACTING SPEAKER FLYNN:

The Chair is in doubt. We will put the question to you again. All those in favor indicate by saying aye.

REPRESENTATIVES:

Aye.

ACTING SPEAKER FLYNN:

Those opposed nay.

REPRESENTATIVES:

No.

ACTING SPEAKER FLYNN:

Instead we'll have a roll call vote. (Laughter) Will all the members please be seated. Please be seated. Staff and guests come to the well of the House. The machine will be opened.

The House of Representatives is now voting by roll. Will the members please return to the Chamber. The House of Representatives is now voting by roll. Will the members please return to the Chamber.

Have all the members voted? Check the machines to be sure your vote has been recorded. The machine will be locked. The Clerk will take the tally.

REP. BELDEN: (113th)

Mr. Speaker.

ACTING SPEAKER FLYNN:

Rep. Belden.

REP. BELDEN: (113th)

May I be noted in the affirmative, please.

ACTING SPEAKER FLYNN:

The Clerk will so note.

REP. YACAVONE: (9th)

Mr. Speaker.

ACTING SPEAKER FLYNN:

Rep. Yacavone.

REP. YACAVONE: (9th)

May I change my vote to a negative, please?

ACTING SPEAKER FLYNN:

The Clerk will so note.

REP. YACAVONE: (9th)

Thank you.

REP. LOONEY: (96th)

Mr. Speaker.

ACTING SPEAKER FLYNN:

Rep. Looney.

REP. LOONEY: (96th)

May I register in the negative, Sir?

ACTING SPEAKER FLYNN:

The Journal will so note. Will the Clerk please announce the tally.

CLERK:

House Amendment Schedule "B" to House Bill 7359.

Total number voting	140
Necessary for adoption	71
Those voting aye	65
Those voting nay	75
Those absent and not voting	11

ACTING SPEAKER FLYNN:

The amendment fails.

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House Amendment Schedule "B"

After line 3550, insert section 114 as follows and renumber the remaining section accordingly:

"Sec. 114. Section 2 of special act 80-78 is amended to read as follows:

Sec. 2. The State Treasurer may convey all that certain piece or parcel of land owned by the state with all improvements thereon situated in the town of Cheshire county of New Haven and state of Connecticut, being triangular in shape and being Parcel 'B' as shown on a map entitled "Preliminary Milldale Road; Cheshire, Conn., Scale - 1" = 40' August 1973" and more particularly bounded and described as follows: Beginning at a point at the northeast corner of the property, said point being an iron pipe 500 feet ± south of the southwest intersection of Sandbank Road and Milldale Road so-called, and thence proceeding southwesterly on a bearing of S57°-36'-14" W a distance of 109.30' to a point, said point being an iron pipe; and thence turning and proceeding southwesterly on a bearing of S59°-04'-14" (E) W a distance of 84.49' to a point, said point being an iron pipe; and THENCE turning and proceeding southwesterly ON A BEARING OF S71°-20'-14" (E) W a distance of 81.00' to a point , said point being an iron pipe; and thence turning and proceeding southwesterly ON A BEARING OF S67°-20'-04" (E) W a distance of 171.72' to a point, (the) said point being an iron pipe; AND thence turning and proceeding northeasterly ON A BEARING OF N24°-46'-14" E a distance

of 343.80' to a point, said point being an iron pipe; and thence turning and proceeding southeasterly ON A BEARING OF S65°-13'-46" E a distance of 281.85' to (a) THE point of beginning, consisting of 1.20 acres, to Marshall Associate, Inc., Cheshire, Connecticut, upon payment of such consideration to the state as shall be mutually agreed upon."

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ACTING SPEAKER FLYNN:

Will you remark further on the bill?

REP. TULISANO: (29th)

Mr. Speaker.

ACTING SPEAKER FLYNN:

Rep. Tulisano.

REP. TULISANO: (29th)

I move passage of the bill. I think everybody knows it's technical in nature at this point in time.

ACTING SPEAKER FLYNN:

Will you remark further on the bill? If not, will the members please be seated. Staff and guests please come to the well of the House. The machine will be opened.

The House of Representatives is now voting by roll. Would the members please return to the Chamber.

The House of Representatives is now voting by roll. Would the members please return to the Chamber.

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

The Clerk will announce the tally.

CLERK:

House Bill 7359 as amended by House Amendment Schedule "A".

Total number voting	137
Necessary for passage	69
Those voting aye	137
Those voting nay	0
Those absent and not voting	14

ACTING SPEAKER FLYNN:

The bill as amended is passed.

REP. TULISANO: (29th)

Mr. Speaker,

SPEAKER ABATE:

Rep. Richard Tulisano.

REP. TULISANO: (29th)

Mr. Speaker, the Clerk has a resolution LCO 6790. Mr. Speaker, may I move for Suspension of the Rules for its consideration.

SPEAKER ABATE:

The question is on Suspension of the Rules for purposes of immediately considering a Senate Joint Resolution, LCO No. 6790. The resolution is a resolution recalling Substitute

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 523 as amended by House Amendment Schedules "A" and "B" and Senate Amendment Schedules "A", "B", "C" and "D".

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 bill as amended passes.

CLERK:

Business from the Senate. Potential disagreeing action. Calendar No. 221. Substitute for House Bill No. 7359. AN ACT ADOPTING THE REVISOR'S CORRECTIONS TO THE GENERAL STATUTES. (As amended by House Amendment Schedule "A" and Senate Amendment Schedules "A", "B", and "C").

Favorable Report of the Committee on Judiciary.

REP. TULISANO: (29th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Richard Tulisano.

REP. TULISANO: (29th)

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

SPEAKER ABATE:

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

REP. TULISANO: (29th)

Mr. Speaker, the Clerk has an amendment, LCO 7545. May I have permission to summarize.

SPEAKER ABATE:

The Clerk has in his possession an amendment, LCO No. 7545 previously designated Senate Amendment Schedule "A". Would the Clerk please call the amendment.

CLERK:

LCO No. 7545 designated Senate Amendment Schedule "A" offered by Sen. Owens of the 22nd District.

SPEAKER ABATE:

The gentleman has requested leave of this Chamber to summarize this amendment. Is there objection? Hearing none, you may proceed to do so, Rep. Tulisano.

REP. TULISANO: (29th)

Mr. Speaker, the Senate amendment before us is a technical amendment. It clarifies in these two arson bills we passed, it clarifies in one of the acts that recited one language of an old

act that was changed by the companion act that was passed. You may note on line 24 it says of this act substitute Senate Bill 1156. The current statute is just upgrading the language of two bills we already passed technical in nature. I move its adoption.

SPEAKER ABATE:

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

REPRESENTATIVES:

Aye.

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. TULISANO: (29th)

Mr. Speaker, the Clerk has an amendment, LCO 6964.

SPEAKER ABATE:

The Clerk has in his possesion an amendment, LCO No. 6964 previously designated Senate Amendment Schedule "B". Would the Clerk please call the amendment.

CLERK:

LCO No. 6964 designated Senate Amendment Schedule "B" offered by Sen. Daniels of the 10th District.

SPEAKER ABATE:

Is the gentleman seeking leave to summarize this amendment? Is there objection to summarization? Hearing none, you may proceed to summarize this amendment, Rep. Tulisano.

REP. TULISANO: (29th)

Mr. Speaker as is obvious from this amendment on line 33 this bill extends, the amendment extends to the interpretation of professional services to include the language landscape architects and, in fact, allows them to become professional corporations.

SPEAKER ABATE:

Will you remark further?

REP. TULISANO: (29th)

I move its adoption.

SPEAKER ABATE:

The question is on adoption of Senate Amendment Schedule "B". Will you remark further on its adoption?

REP. VAN NORSTRAND: (141st)

Mr. Speaker.

SPEAKER ABATE:

Rep. Van Norstrand.

REP. VAN NORSTRAND: (141st)

I know there are many efforts that earlier this year to try to reach to the fourth case those who might try to escape. I think we found a group who is going to try to bury it.

SPEAKER ABATE:

Will you remark further on the adoption of Senate Amendment Schedule "B"?

Will you remark further on the adoption of this amendment? You frighten me at this stage in the session, Rep. Jaekle. I don't know what point of order is going to come out of the far left field.

REP. JAEKLE: (122nd)

No, Mr. Speaker, merely a question through you to the proponent of the amendment, please.

SPEAKER ABATE:

State your question please, sir.

REP. JAEKLE: (122nd)

Mr. Speaker, through you, would the landscape architects now be required to obtain a license in order to practice their profession if this amendment passes? Through you, Mr. Speaker.

SPEAKER ABATE:

Rep. Tulisano, can you respond?

REP. TULISANO: (29th)

Through you, Mr. Speaker, I don't believe this amendment requires them to have licenses. It indicates that presumably

they already are required to do so. And this would authorize them to incorporate as professional corporations by putting them in this section.

SPEAKER ABATE:

Rep. Jaekle, you have the floor, sir.

REP. JAEKLE: (122nd)

Thank you, Mr. Speaker. Through you, are landscape architects presently required to have a license in order to engage in this kind of work?

SPEAKER ABATE:

Rep. Tulisano, will you respond?

REP. TULISANO: (29th)

Through you, Mr. Speaker, I do not know.

REP. JAEKLE: (122nd)

Thank you, Mr. Speaker. It is my understanding that they are; however, it took a little while to find that and I was just concerned that this was not merely a technical amendment to the technical amendment bill. The revisor's correction is but since they are indeed required to be licensed, I don't feel that we are going beyond the realm of technical amendments on this bill and I will support the amendment.

SPEAKER ABATE:

Will you remark further on the adoption of Senate Amendment Schedule "B"?

REP. TULISANO: (29th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Tulisano.

REP. TULISANO: (29th)

To clarify I hope you will recognize that I did not indicate that this was a technical amendment, to the technical amendment's act.

SPEAKER ABATE:

The Chair will observe that the gentlemen's line of inquiry however was very appropriate. It did establish what the Chair has in the past referred to as a silken thread of connection. Thank you very much, Rep. Jaekle.

SPEAKER ABATE:

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

REPRESENTATIVES:

Aye.

SPEAKER ABATE:

The Chair will put the question to you again. All those in favor please indicate by saying aye.

REPRESENTATIVES:

Aye.

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. TULISANO: (29th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Tulisano.

REP. TULISANO: (29th)

The Clerk has an amendment, 7427.

SPEAKER ABATE:

The Clerk has in his possession an amendment, LCO 7427, previously designated Senate Amendment Schedule "C". Would the Clerk please call the amendment?

CLERK:

LCO No. 7427, designated Senate Amendment Schedule "C", offered by Senator Leonhardt of the 5th District.

REP. TULISANO: (29th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Tulisano.

REP. TULISANO: (29th)

Mr. Speaker, I move adoption of the amendment.

SPEAKER ABATE:

The gentleman is seeking leave of the Chamber to summarize this amendment in lieu of Clerk's reading. Is there objection? Hearing none, you may proceed to summarize this amendment, Rep. Tulisano.

REP. TULISANO: (29th)

May I yield to Rep. Wellman, Mr. Speaker.

SPEAKER ABATE:

I'm sorry, sir.

REP. TULISANO: (29th)

May I yield to Rep. Wellman, Mr. Speaker.

SPEAKER ABATE:

Rep. Wellman, will you accept the yield?

REP. WELLMAN: (76th)

Yes, Mr. Speaker. Thank you. Mr. Speaker the amendment seeks to clarify a problem that occurred in the drafting. The Legislative Commissioner's office admitted to a flaw that was recognized in an oversight on their part.

In the passage of House Bill 6758, and file copy 676, a section, indicating that we would not prejudice a pending proceeding before the DPUC, was included in the bottom line in the body of the bill. It alludes to higher subsection, rather than the new language.

If we do not move with this Senate Amendment "C", we

would have to veto the entire bill, and I would suggest that to the Governor.

It's a technical change, and I would move its adoption.

SPEAKER ABATE:

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

SPEAKER ABATE:

All those opposed nay.

The ayes have it. The amendment is adopted.

REP. TULISANO: (29th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Tulisano.

REP. TULISANO: (29th)

Mr. Speaker, I move passage of the bill as amended.

SPEAKER ABATE:

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

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

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

Would the Clerk please announce the tally?

CLERK:

House Bill 7359, as amended by House Amendment Schedule "A", and Senate Amendment Schedules "A", "B" and "C".

Total number voting	140
Necessary for passage	71
Those voting yea	140
Those voting nay	0
Those absent not voting	11

SPEAKER ABATE:

The bill as amended passes.

CLERK:

Business from the Senate. Potential Disagreeing Action. Calendar No. 663, Substitute for Senate Bill No. 1221, AN ACT CONCERNING INTERPRETERS FOR DEAF AND HEARING IMPAIRED PERSONS, as amended by House Amendment Schedule "A". Favorable Report of the Committee on Appropriations.

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CONNECTICUT
GEN. ASSEMBLY
SENATE

PROCEEDINGS
1981

VOL. 24
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5362-5663

THE PRESIDENT:

The matter is Passed Temporarily.

THE CLERK:

Cal. 678, File 332. Substitute for House Bill 7359. AN ACT ADOPTING THE REVISOR'S CORRECTIONS TO THE GENERAL STATUTES, as amended by House Amendment Schedule A.

Favorable Report of the Committee on Judiciary. The Clerk has some amendments.

THE PRESIDENT:

Senator Owens.

SENATOR OWENS: (22nd)

Yes, Mr. President. I move acceptance of the joint committee's favorable report and passage of the bill as amended by House Amendment Schedule A. I understand that there are some amendments.

THE PRESIDENT:

The Clerk please call the amendments.

THE CLERK:

Senate Amendment Schedule A. LCO 7545 offered by Senator Owens.

THE PRESIDENT:

Senator Owens.

SENATOR OWENS: (22nd)

Mr. President, I move adoption of the amendment and waive its reading.

THE PRESIDENT:

Without objection, you may proceed.

SENATOR OWENS:

Right. It is very technical. It just makes some technical changes in the arson statute. Instead of amending that bill and sending it down, we made the technical change with this. I move its adoption.

THE PRESIDENT:

Will you remark further? If not, all those in favor of Senate Amendment Schedule A will signify by saying Aye. Those opposed Nay. The Ayes have it. SENATE AMENDMENT A IS ADOPTED.

THE CLERK:

Senate Amendment Schedule B. LCO 6964 introduced by Senator Daniels.

THE PRESIDENT:

Senator Daniels.

SENATOR DANIELS:

Senator Owens will take it out, Mr. President.

THE PRESIDENT:

Senator Owens.

SENATOR OWENS:

I move adoption of the amendment and waive the reading.

THE PRESIDENT:

Without objection, you may proceed.

SENATOR OWENS:

Mr. President, all this would do is include the landscape architects in those definitions of professional services under Sec. 33-182a. I move its adoption.

THE PRESIDENT:

Will you remark further? If not, all those in favor of the amendment will signify by saying Aye. Those opposed Nay. The Ayes have it. SENATE AMENDMENT B IS ADOPTED.

THE CLERK:

Senate Amendment Schedule C. LCO 7427 introduced by Senator Leonhardt.

THE PRESIDENT:

Senator Owens.

SENATOR OWENS:

I move adoption of the amendment and waive the reading.

THE PRESIDENT:

Without objection, you may proceed.

SENATOR OWENS:

It is technical in nature. It does nothing to the substance of the bill itself and I move its adoption, Mr. President.

THE PRESIDENT:

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

Does that conclude all the amendments?

SENATOR OWENS:

Yes, Mr. President. I move the bill as amended by House Amendment Schedules A and Senate Amendment Schedules A, B and C, and ask if there is no objection that it be placed on the CONSENT CALENDAR.

THE PRESIDENT:

Hearing no objection, so ordered.

THE CLERK:

Senator Schneller, did you want to take up this one Committee on Conference before, ah, No?

SENATOR SCHNELLER:

We will take the Committees on Conference tomorrow.

THE CLERK:

The Clerk is now prepared to move on today's Consent Calendar, the second Consent Calendar.

Page four - Cal. 661, Cal. 664. Page five - HB6024,7263 Cal. 666, Cal. 667, Cal. 669. Page six - Cal. 670, 7338,5087,5187,5253 Cal. 671, Cal. 672, Cal. 673, Cal. 674. Page seven - 5485,5810,6413, 6513, Cal. 676, Cal. 678, Cal. 683. Page eight - Cal. 685, 7396,7359,5872, 6784, Cal. 686. 5576

That concludes the second Consent Calendar for today.

THE PRESIDENT:

Are there any errors, omissions? The Clerk please make an announcement.

THE CLERK:

An immediate roll call in the Senate. Will all senators please return to the chamber. An immediate

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

THE PRESIDENT:

The machine is open. Please record your vote. The machine is closed. The Clerk please tally the vote.

RESULT OF THE VOTE: 35 Yea - 0 Nay. THE CONSENT CALENDAR #2 IS ADOPTED.

Senator Schneller.

SENATOR SCHNELLER:

Mr. President, would all senators please stay in their seats.

Mr. President, I move for suspension of the rules for immediate transmittal of Cal. 668, House Bill 5109, An Act Concerning the Department of Motor Vehicles, to the House.

THE PRESIDENT:

Senator Gunther.

SENATOR GUNTHER:

I oppose suspension, Mr. President, and call for a roll call vote.

THE PRESIDENT:

A roll call is in order. The Clerk please make an announcement for an immediate roll call.