

Legislative History for Connecticut Act

HB 5580

PA 82-120

House - 1229, 1631-1637

Senate - 1793-1795, 1833

GAE - 3, 5-6, 25, 26-27, 38-39, 43

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CONNECTICUT
GEN. ASSEMBLY
HOUSE

PROCEEDINGS
1982

VOL. 25
PART 4
924-1348

House of Representatives

Wednesday, April 7, 1982

REP. JOHNSTON: (51st)

Mr. Speaker.

SPEAKER ABATE:

Rep. Kevin Johnston.

REP. JOHNSTON: (51st)

Mr. Speaker, I would like to place at this time several items on a Consent Calendar for action at our next session.

Starting on page 7, Calendar 118, House Bill 5554, File No. 273, AN ACT CONCERNING THE CHURCH OF CHRIST OF DANBURY.

Next turn to page 12. Calendar 161, Substitute for House Bill 5667, File No. 219, AN ACT CONCERNING A STANDARDIZED TIME PERIOD FOR APPEALS TO ZONING BOARDS OF APPEALS.

At the top of page 13, Calendar 163, Substitute for House Bill 5580, File No. 223, AN ACT CONCERNING THE REPORTING OF UTILITY RATE CASE EXPENDITURES.

Calendar 166, Substitute for House Bill 5707, File No. 211, AN ACT CONCERNING REGIONAL RESOURCE RECOVERY AUTHORITIES.

On page 14, Calendar 176, House Bill 5075, File No. 214, AN ACT CONCERNING FILING OF DOCUMENTS IN PLANNING AND ZONING MATTERS.

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GEN. ASSEMBLY
HOUSE

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PART 5
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kgg

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House of Representatives

Tuesday, April 13, 1982

SPEAKER ABATE:

Is there objection to that motion. Hearing none
it is so ordered.

CLERK:

Page 6, Calendar 162, Substitute for House Bill
5876, AN ACT CONCERNING REVISION OF THE STATUTES CON-
CERNING MUNICIPAL POWERS. Favorable report of the Committee
on Planning and Development.

REP. GROppo: (63rd)

Mr. Speaker.

SPEAKER ABATE:

Rep. John Groppo.

REP. GROppo: (63rd)

May this item be passed temporarily, please.

SPEAKER ABATE:

Is there objection to that motion? The motion is
that we pass action on the item temporarily. Is there
objection? Hearing none, it is so ordered.

CLERK:

Page 7, 163, Substitute for House Bill No. 5580, AN
ACT CONCERNING THE REPORTING OF UTILITY RATE CASE EXPENDITURES.
Favorable report on the Committee on Government Administration
and Elections.

REP. WALKOVICH: (109th)

Mr. Speaker.

kgg

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House of Representatives

Tuesday, April 13, 1982

SPEAKER ABATE:

Rep. Joseph Walkovich.

REP. WALKOVICH: (109th)

Mr. Speaker, I move acceptance of the Joint Committees favorable Report and passage of the bill.

SPEAKER ABATE:

The question is on acceptance of the Joint Committees Favorable Report and passage of the bill.

Will you remark, sir.

REP. WALKOVICH: (109th)

Yes, Mr. Speaker. The Clerk has an amendment. Will the Clerk please call LCO 2762 and may I be given leave of the Chamber to summarize.

SPEAKER ABATE:

The Clerk has in his possession an amendment. LCO No. 2762 designated House Amendment Schedule "A". Would the Clerk please call the amendment.

CLERK:

LCO No. 2762 Scheduled House Amendment "A" entitled, AN ACT CONCERNING THE REPORTING OF UTILITY RATE EXPENDITURES offered by Rep. Walkovich of the 109th)

SPEAKER ABATE:

The gentleman has requested leave of this Chamber to summarize this amendment. Is there objection to summarization. Hearing none, you may proceed, Rep. Walkovich.

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REP. WALKOVICH: (109th)

Mr. Speaker this request from the Ethics Commission is a clarification of the definition of lobbying and it just simply indicates that it does not include communications by or on behalf of public service companies in connection with proceedings of the PUCA.

I move adoption of the amendment.

SPEAKER ABATE:

The question now is on adoption of House Amendment Schedule "A". Will you remark further on its adoption. Will you remark further on the adoption of House "A". 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. It is adopted and ruled technical.

House Amendment Schedule "A".

Delete everything after the enacting clause and insert the following in lieu thereof:

"Section 1. Subsection (k) of section 1-91 of the general statutes, as amended by section 1 of public act 81-339 and section 7 of public act 81-395, is

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Tuesday, April 13, 1982

repealed and the following is substituted in lieu thereof:

(k) "Lobbying" means communicating directly or soliciting others to communicate with any official or his staff in the legislative or executive branch of government for the purpose of influencing any legislative or administrative action EXCEPT THAT THE TERM "LOBBYING" DOES NOT INCLUDE COMMUNICATIONS BY OR ON BEHALF OF A PUBLIC SERVICE COMPANY IN CONNECTION WITH ANY PROCEEDINGS OF THE PUBLIC UTILITIES CONTROL AUTHORITY TO DETERMINE RATES.

Sec. 2. This act shall take effect from its passage."

SPEAKER ABATE:

Will you remark further on this bill as amended.

REP. WALKOVICH: (109th)

Mr. Speaker. The amendment simply is a bill and I would move its passage.

SPEAKER ABATE:

Will you remark further on this bill as amended?

REP. EMMONS: (101st)

Mr. Speaker.

SPEAKER ABATE:

Rep. Linda Emmons.

REP. EMMONS: (101st)

Thank you, Mr. Speaker. I realize we've adopted the amendment, but through you, a question to the proponent of the amendment.

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SPEAKER ABATE:

State your question please, madame.

REP. EMMONS: (101st)

Yes, when you define lobbying to mean, does not include communications by or on behalf of a public service company in connections with any proceedings of the PUCA to determine rates, does this only mean when these individuals are before the PUCA or does it mean when they wish to communicate to us about proceedings before the PUCA?

SPEAKER ABATE:

Rep. Walkovich, can you respond, sir.

REP. WALKOVICH: (109th)

Through you, Mr. Speaker. I would indicate it is just simply before the PUCA.

SPEAKER ABATE:

Rep. Emmons, you have the Floor.

REP. EMMONS: (101st)

Thank you, Mr. Speaker. I guess, unfortunately, it does not state this in the amendment and I would view it that they could communicate with us as legislators rather than the word in here should have been in connections with proceedings before the PUCA. I'm not so sure that the amendment now has clarified the intent

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of the bill. However, I suppose if they want to write to us about it they can.

SPEAKER ABATE:

Will you remark further on this bill as amended? Will your remark further on this bill as amended. If not, would all the members please be seated. Staff and guests please, all staff and guests please come to the well of the House. All staff and guests please come to the Well of the House so there are no staff members specifically authorized.

The machine will be opened. The House of Representatives is voting by roll at this time. Would the members please return to the Chamber immediately. The House of Representatives is voting by roll at this time. Would the members please return to the Chamber immediately. The machine will be locked. The Clerk will take the tally. Would the Clerk please announce the tally.

CLERK:

House Bill 5580 as amended by House Amendment Schedule "A".

Total Number Voting	146
Necessary for Passage	74
Those Voting Yea	134
Those Voting Nay	12
Those Absent and not Voting	5

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SPEAKER ABATE:

The bill as amended passes.

CLERK:

Calendar 165, Substitute for House Bill 5658,

AN ACT CONCERNING INVESTMENTS BY CREDIT UNIONS AND
COOPERATIVES. Favorable Report on the Committee on
Banks.

REP. GILLIGAN: (28th)

Mr. Speaker.

SPEAKER ABATE:

Rep. Robert Gilligan.

REP. GILLIGAN: (28th)

Mr. Speaker, I move acceptance of the Joint
Committees Favorable Report and passage of the bill.

SPEAKER ABATE:

The question is on acceptance of the Joint
Committees Favorable Report and passage of the bill.

Will you remark, sir.

REP. GILLIGAN: (28th)

Yes, thank you, Mr. Speaker. This bill would
augment the investment powers of credit unions, state
charter credit unions by adding to the list of permitted
investments the legal authority to invest in or to make

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THE CHAIR:

Will you remark, Senator?

SENATOR OWENS:

Yes. Individuals who fail to comply with the boating safety laws with regard to operation and use of a vessel will be guilty of a violation and subject to a fine of \$200.00 rather than be guilty of an infraction. We thought that it was serious enough that the violation of the boating safety laws be treated more seriously and in fact, the fines have been raised. I'd move if there is no objection, that this Bill be placed on Consent.

THE CHAIR:

Any objection to placing this item on Consent? Hearing none, it's so ordered.

THE CLERK:

Moving to page 13 of the Calendar, page 13, Calendar 355, File 223, 577, Substitute for House Bill 5580, AN ACT CONCERNING THE REPORTING OF UTILITY RATE CASE EXPENDITURES, as amended by House Amendment, Schedule A, with a Favorable Report of the Committee on Government Administration and Elections.

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SENATE

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THE CHAIR:

Is Senator Baker about? Senator, we're on page 13, Calendar 355 in the middle of the page.

SENATOR BAKER:

Mr. President, I move for acceptance of the Joint Committee's Favorable Report and passage of the Bill as amended by House Amendment A.

THE CHAIR:

Will you remark?

SENATOR BAKER:

Mr. President, currently public service companies are required to report expenditures in rate cases to the Department of Public Utilities Control. In addition, under current legislation, they are required to report to the State Ethics Commission. This Bill came to us from the State Ethics Commission and their proposal is that the requirement that utility or rather public service companies file or register with them and report expenditures with them be eliminated. House Amendment A would also exempt persons acting on behalf of public utility companies in rate cases from all restrictions, not just having to report expenditures for cases before the Public Utilities Control. If there is

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no objection, I move this to the Consent Calendar.

THE CHAIR:

Is there any objection to placing the matter as amended by House Amendment Schedule A on the Consent Calendar? Hearing none, it's so ordered.

THE CLERK:

Calendar 356, File 109, 580, Substitute for House Bill 5399, AN ACT CONCERNING PRIVATE EMPLOYER INVOLVEMENT
IN THE WORKFARE PROGRAM, as amended by House Amendment, Schedule C, with a Favorable Report of the Committee on Human Services.

THE CHAIR:

Senator Martin.

SENATOR MARTIN:

Mr. President, I move the Joint Committee's Favorable Report and the passage of the Bill as amended by House Amendment, Schedule C.

THE CHAIR:

Will you remark, Senator?

SENATOR MARTIN:

Schedule C says that the employee would be provided a

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THE CHAIR:

Okay. Calendar 181 which is Substitute for Senate Bill 510 will be removed from the Consent Calendar and we will vote on it immediately thereafter, after giving Senator Post an opportunity to excuse himself. Is there any other question, objections, or requests of removal from the Consent Calendar? If not, the machine is open.

For those of you who may not have been in the chamber, there is one more vote to be taken. The machine will be closed and locked.

TOTAL VOTING	35	<u>SB 280, SB 438, SB 66, SB 204, SB 520, SB 570, SB 649,</u>
NECESSARY FOR PASSAGE	18	<u>HB 5580, HB 5399, HB 5242, SB 63, HB 5700, SB 505, HB 5102,</u>
YEAS	35	<u>SB 611, HB 5583, HB 5592, HB 5927, SB 571, SB 67, SB 317,</u>

The Consent Calendar is adopted. And now the issue before the chamber is on page 2, Substitute for Senate Bill 510. Senator Post.

SB 299, SB 7, SB 217, HB 5701, HB 5813, HB 5841

SENATOR POST:

Mr. President, under Rule 15, I choose to excuse myself from the vote on this particular matter.

THE CHAIR:

The record will so note that Senator Post has excused himself on Calendar 181. As soon as the machine is open and

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CONNECTICUT
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REP. HERSKOWITZ: (continued)
 informed on energy issues. I feel the level of representation would be heightened simply because the elective system forces commissioners to come out of hiding and explain their actions to the public.

I would also like to point out that we now have 100 percent funding of the DPUC by the utilities. I think the public's perception of the relationship between the utilities and the DPUC will now be reduced. I realize that some of you might think is a very new concept. Most of the people elected to represent us in Connecticut in the early 1900's, were elected on the basis of one issue and that was utility regulation. The then Governor of Connecticut, Governor Baldwin, Representative Timbor of Vernon summed it up very well. The people of Connecticut wanted their public utilities control commissions to be elected by the people, not appointed.

Let me just lastly point out that I realize that there is a flaw in the Bill, line 32 says, the election would be held on November 2, 1982 and I realize that's an impossibility. It would have to be '84. Thank you.

REP. WALKOVICH: Thank you Representative. Any questions from members of the Committee? Thank you. We've been joined by a few other members of the Committee. To my life is Senator Myron Ballen, Representative Mary Schmidle and Representative Muriel Buckley. The next person to testify is J. D. Eaton, Executive Director of the Ethics Commission.

MR. J. D. EATON: Good afternoon. My name is J. D. Eaton. I'm Executive Director of the Ethics Commission and speaking on behalf of the Commission in support of four Bills, SB 287, SB 304 and House Bills 5575 and 5580. All but the last Bill simply attempt to clarify the two codes administered by the Ethics Commission so that a person reading them can better understand how the statutes operate. I've provided your staff a copy of a written statement and that statement has appended to it a detailed analysis of the intent of the changes in Senate Bill 304. I would like to comment very briefly on all four Bills.

MR. EATON: (continued)

With regard to House Bill 5575, since the Commission started its operations, the reporting of some minimum expenditures originally less than \$25.00 has been raised. The Commission had no statutory authority for this. Nevertheless, the Legislation Regulations Review Committee allowed the waivers to be included in the Commission's regulations. In 1979, two of the initial five waivers were incorporated into the Commission's statutes as a result of amendments made for other reasons.

And then in 1981, some of the figures in the lobbying statute were adjusted for the inflation since 1977. Those \$25.00 figures are raised to \$35.00 including the two waivers which have been incorporated into the statute.

When the Commission amended its regulations, not only the waivers which had a statutory basis, but the waivers which were only in the regulations were raised to \$35.00 but again the Legislative Regulations Review Committee approved this change. The Attorney General, however, recommended in his approval that the Commission gain the statutory authority to make a general waiver of minimum amounts--thereporting of minimum amounts and that's the purpose of this Bill. If it's enacted, if it is enacted unless the \$35.00 figure elsewhere in the lobbying statute is changed in the future from the General Assembly, they can decide if they want to change the amount that is included in the last sentence, the proposed last sentence in the Bill here.

House Bill 5580 is the only one of the four Bills which makes a substantive change of the statutes administered by the Commission. In 1979, the Commission recommended that participation in rate hearings not be considered lobbying. The General Assembly agreed only to the extent of confining administrative lobbying to participation in the utility rate hearings. It's become apparent that public service companies have widely different standards for reporting to the State Ethics Commission. The expenditures incident to rate hearings. The Commission's survey revealed that the accounting system of the DPUC requires public service companies to use

MR. EATON: (continued)

doesn't provide the information and particularly with regard to in-house expenditures necessary to fill out the financial reports required by the code of ethics as a lobbyist. Further, the survey showed that it would be difficult and expensive to develop and implement an accounting system which would allow compliance with the code of ethics for lobbyists. And the cost of this accounting system, of course, would be passed on to the customer as a public service company.

DPUC and the federal agency which regulates--and federal agencies which regulate some of the public service companies presently require some cost of rate hearings to be reported. These costs can be computed from the accounting system which the public service companies are required to use. Ethics Commission recommends that the public service companies are required to report only the rate hearing's cost that can be identified from present accounting systems. And if additional information is required, then the accounting system should be modified if necessary, and in any case, that the data be sent to the DPUC.

It makes little sense for a public service company if it must report the data to the Commission which don't comply with the code of ethics for lobbyists and are not comparable to each other or to reports filed by their lobbyists, a relatively small water company, for example, may report spending considerable--far more on a rate case than Northeast Utilities does. One reason mentioned in utility rates and the code of ethics for lobbyists in 1979 was to obtain from intervenors, their expenditures for rate cases. If this information is desired, the Ethics Commission recommends that the intervenors be required to report expenditures to the DPUC so that all similar reports are filed with the same agency. I'd be happy to answer any questions that you have.

Belt 2

With regard to 5580, I have with me the Commission's investigator, Allen Slosky who worked with the public service companies, with the DPUC and the Consumer Counsel's Office on the survey.

MS. GALLO: (continued)

register their support for many of the Bills before you today. I will not read the list of Bills that I just handed you, but will note just two of them. Obviously Common Cause has a very strong position against voting twice in fraudulent voting in primaries and we also feel that guarantee of loans is something that should be disclosed in election reports and we feel very strongly.

Common Cause wishes to support An Act Revising the SB 274 Absentee Voting laws to prevent fraud and undue influence except for one section. Absentee ballots in the area of the election laws which needs immediate attention. Common Cause though, cannot support Section 4(d) lines 195 to 200. This makes the list of people who have been issued absentee ballots closed to the public until election day. We understand the concerns that recipients of absentee ballots may be unduly influenced but Common Cause thinks the public has a right to know who has requested absentee ballots and we must reserve the right of the public to challenge an absentee ballot during this period. Recently highly publicized incidences involving the allegations of absentee ballot fraud highlighted the need for SB 274 and except for this section, the section we just cited, we urge you to support this Bill.

Common Cause also supports House Bill 5580, An Act Concerning Reporting of Utility Rate Case Signatures. Utilities now have to provide detailed reports to the DPUC about their expenditures for preparing and for setting rate cases. In 1979, Common Cause opposed this legislation because intervenors in rate cases are not required to make such reports to the DPUC and we still feel the public should know how much these intervenors, whether they are CCAG and CBIA spent to influence the outcome of the rate case. Because of the county procedures required by State and federal public utility regulations, the utilities can not accurately report expenditures under the lobby law. So Common Cause will support House Bill 5580. We urge this Committee to see that the expenditures of intervenors in these cases are reported to either the Ethics Commission or the DPUC. Thank you.

REP. WALKOVICH: Thank you. Are there any questions from the

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GOVERNMENT ADMINISTRATION & ELECTIONS March 2, 1982

- REP. WALKOVICH: (continued)
Committee? Thank you Betty. Elsie Harney.
- MS. ELYSE HARNEY: Senator Baker and Representative Walkovich, members of the Committee, my name is Elyse Harney. I'm formerly a member of the Board of Education in Salisbury and currently a Selectman in that town. I would like to speak in favor of Bill 336. I realize this is a special-ited Bill and I do appreciate your time in considering it.
- Bill 336 as it now reads, entitled Alternates on the Housatonic Valley Regional High School Board of Education, I'm sorry--as we would like it to read, would be entitled the Alternates to Participate and Vote at School Board Meetings When Their Regular Representative is Absent. The towns serviced by this high school have retained their own boards of education and it is only on the high school level that we are regionalited. As this Act reads now, each town has one representative on the high school board and if that representative is not present, the town he is from may not participate or vote in that particular meeting. This is clearly an injustice to the town which is deprived of representation. I would like to see this technicality corrected. Thank you.
- REP. WALKOVICH: Thank you. Questions from the Committee? Representative Schmidle.
- REP. SCHMIDLE: Have you spoken to any people from any of the other regional high schools to see how they felt about this?
- MS. HARNEY: No. As I understand it, this particular situation only applies to our particular regional district. We were the first original regional district and I think it probably was just an oversight.
- REP. SCHMIDLE: Okay, Thank you.
- REP. WALKOVICH: Any further questions? Thank you very much. Dick Stewart.
- MR. DICK STEWART: Good afternoon. I'm Dick Stewart, Southern Connecticut Gas Company. I'm here on two Bills, 5580 and

MR. STEWART: (continued)

in view of the fact that the commission and Common Cause both agree in the position that's held by my company, I suspect that there's not much more that I can add to it. We further endorse the Bill. By way of example, in our rate case of 1981, we had twenty seven people in our company who were working on the rate case in some form or another and by definition they were in furtherance of lobbying.

It was my job to make sure that they kept time records of every moment they spent on the rate case. Needless to say it was time consuming and I think that the cost benefit ratio was zero and I strongly suspect that there are other ways of handling the problem through the DPUC process.

I would like to address 5663, I happen to be a former commissioner and while I have no great ax to bear or grind with respect to whether the process is by appointive or by election, it may sound that I am a little bit biased given the fact that I was appointed rather than elected, but I would like to point out something that may not be quite clear. And that is that you heard testimony from the DPUC that commissioners who are elected do spend time going out and trying to get re-elected and the format, the procedural format that they then adopt within their state commissions is one of the administrative law judge process. Whereby they have appointed administrative law judges to hear all their rate cases. They sit back then and take these cases on appeal or review. This is particularly true in like say New York. The administrative law judge--and they also, I might add, on your federal agencies they do a lot of this--so you have an administrative law judge who takes all the evidence. He listens to the members of the public. He listens to the company or the consumer counsel. He then gathers all this evidence and puts it together and makes a recommendation by way of a decision. That decision is then passed out to the commission, along with briefs and comments and certain requests made by the parties involved. At that point the commissioners become involved and invariably what they do is they have a final hearing process for the people who have filed briefs for them and then they make

MS. BALDWIN: (continued)

experience in New Milford that frequently, when the vote is taken on a budget referendum, elected officials such as myself and the Board of Selectmen have difficulties determining exactly what the voters mean when they vote no. The ambiguity is, have the voters turned down the budget because it was too high in parts or too low? This Bill would enable New Milford and other communities who have town meetings, to make accurate judgements on the voters intent. I wholeheartedly support the additional. Such estimate and recommendations may be submitted in multiple parts and then include alternate recommendations, issues or questions for action or resolution at such town meeting or by a vote by paper ballots or voting machine. Section 73-44 of the General Statutes.

And Roderick McKenzie's testimony - I wholeheartedly support the amendment, Section 73-44 of the Connecticut General Statutes. This would provide the legislative council with a valuable tool to view and weigh public sentiment concerning the budgets. AT the present time, the voters simply approve or disapprove the questions presented to the town meeting. This question is simply a total of the Board of Selectmen and the Board of Education bottom line. A rejection line for the revision of the bottom line by the legislative council with a quandry as to why the budget was rejected. This Bill would eliminate the quandry and makes the Newtown legislative council more responsive to the voters. I strongly urge that the Government Administration and Elections -Committee support this Bill. Thank you.

REP. WALKOVICH: Thank you. Are there any questions? Thank you. John King.

MR. JOHN KING: Thank you Senator Baker, Representative Walkovich, members of the Committee, my name is John King. I'm an attorney in Hartford and a registered lobbyist for Northeast Utilities. I'm here to speak this afternoon on one Bill and that is Bill 5580. What this Bill would do would be to remove a utility rate proceeding from the definition of administrative action resulting in that the utilities would then not have to comply with certain regulations of the State Ethics Commission in terms of

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GOVERNMENT ADMINISTRATION & ELECTIONS March 2, 1982

MR. KING: (continued)

reporting requirements for expenses incurred in furtherance of lobbying. The State Ethics Commission has supported this Bill. Common Cause has supported this Bill and Northeast Utilities supports the Bill.

To be very brief, simply to say that the reporting requirements have proven to be virtually impossible to administer and to obtain and to produce. The reporting specific items which need to be reported in terms of the utility's lobbying activities are already reported in great detail for the DPUC and I think that's where these reporting requirements ought to remain and that we not have further bureaucratic waste and expense which costs the citizens of the State money, both in terms of taxes and the ratepayer's money in terms of increased rates. Thank you.

REP. WALKOVICH: Any questions? Thank you very much.
Rebecca Williams.

MS. REBECCA WILLIAMS: My name is Rebecca Williams. I'm a member of the Board of Education of the Town of Cornwall. I'd like to speak in favor of Raised Committee Bill #336. This Bill would permit an elected or appointed alternate to the Regional School District No. 1 Board of Education to vote in the absence of their regular Board member. Although our Board members are exceptionally conscientious about their attendance at all Board meetings, obviously occasions arise when an individual's absence is unavoidable. It seems unreasonable at such a time to penalize the Town represented by that individual by allowing that no vote on any issue. Such is the case however, at this time. I urge you to correct this situation by reporting favorably on Raised Committee Bill 336. Thank you.

REP. WALKOVICH: Thank you very much. Any questions? Penny Armstrong.

MS. PENNY ARMSTRONG: Thank you very kindly, Representative Walkovich and Committee members. My name is Penny Armstrong and I am a member of the Southbury Central School Board. At the high school level, our students attend the Housatonic Valley Regional High School along

REP. WALKOVICH: (continued)
Charles Mokriski.

MR. CHARLES MOKRISKI: Representative Walkovich, Senator Baker, my name is Charles Mokriski. I'm a Hartford attorney and I'm representing here today, the Connecticut Water Works Association. Very briefly, I think you've heard all the arguments on both Bills before. I'd like to testify in favor of 5580 which would remove the reporting of rate case expenses from the Ethics Commission jurisdiction and I'd like to testify against House Bill 5663 concerning the election of members of the Public Utility Control Authority.

I think as Mr. Eaton testified at the beginning of your hearing, with regard to the Ethics Bill, all of the rate case expenses are already contained in the rate filings made by the utility companies. It's only with a great deal of difficulty, expense, duplication that these figures can be worked up in a different form to be submitted with the Ethics Commission. There's a lot of diversity among the companies in the way they keep these records and anybody interested in the kind of effort being made in rate cases, can refer to the dockets of the Public Utility Control Authority and have all that information readily available.

With respect to the election of Public Utility Control Commissioners, HB 5663 we do have a way of splitting the jurisdiction of government between the Executive and the Legislative and Judicial functions. The exercise of power by commissioners essentially is an adjudicative function, not a legislative function. It's appropriate that these commissioners ought to be appointed and not elected. To a degree we need broad policy directives to our Public Utility regulators. These directives can be given via legislation by the elected representatives of the people in this body here.

I'd like to testify very briefly on a third Bill and this one on behalf of the Connecticut Daily Newspaper Association. You've heard testimony again on this Bill. It's Senate Bill 274, An Act Revising the Absentee Voting Laws to Preclude Fraud and Undue Influence. I would take