

Legislative History for Connecticut Act

HB 7294	PA 451	1983
Senate - 4068 - 4075		8
House - 5556 - 5640		85
Emergency cert.		
Hrg: 0		

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CONNECTICUT
GEN. ASSEMBLY
SENATE

PROCEEDINGS
1983

VOL. 26
PART 12
3996 - 4360

SENATE

WEDNESDAY
JUNE 1, 1983

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that we put it on the Consent Calendar.

THE CHAIR:

Hearing no objections, so ordered.

SENATOR EADS:

May I also add just a little bit more, Mr. President?

THE CHAIR:

I beg your pardon.

SENATOR EADS:

May I say something else?

THE CHAIR:

Sure, you may proceed.

SENATOR EADS:

Thank you. I do want to thank Senator Casey for either the distinct or dubious honor, but I do thank him very much sincerely and I thank all of you. We in the Northwest corner don't ask for too much, but this was a little bit of the pie and I thank you for it.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Yes, on page 16, Calendar 775, House Bill 7294. File 1091, AN ACT CONCERNING PLANT RELOCATIONS, CLOSINGS AND

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LAYOFFS as amended by House Amendment, Schedules A, E and F.

THE CHAIR:

Senator Harper.

SENATOR HARPER:

Mr. President, I move acceptance and adoption of the Emergency Certified House Bill 7294 in concurrence with House Amendment A, E and F.

THE C HAIR:

Are there any Amendments?

SENATOR HARPER:

Clerk please call the Amendments and may I be permitted to summarize?

THE CHAIR:

You may proceed with House Amendment A. Will you explain House Amendment A and move adoption?

SENATOR HARPER:

All right. I move adoption of House Amendment A. This Amendment makes a technical clarification of the Bill. It changes the word act to the word section so that the supercedence provision applies only to health and insurance-- the health and insurance section, not to the distressed municipality section. I move adoption.

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THE CHAIR:

All those in favor signify by saying aye. Those opposed nay. The ayes have it. The Amendment is adopted. House B.

SENATOR HARPER:

I move adoption of House Amendment--

THE CHAIR:

E.

SENATOR HARPER:

--House Amendment E and in explanation, this extends the Bill's requirement that employers pay for the continuation of existing group health insurance coverage to policies written or issued or delivered outside the state.

THE CHAIR:

All those in favor of the Amendment, signify by saying aye. Those opposed, nay. The ayes have it. The Amendment is adopted. House F.

SENTATOR HARPER:

House F, Mr. President, I move its adoption and House F eliminates the stipulation of the original Bill that would have made a collective bargaining contract with underlining any provisions relating to a plant closing or relocation supercede the Bill's health insurance continuation requirement and instead, limits the supercedence of the contract

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to only a provision requiring an employer to pay for the continuation of group health insurance.

THE CHAIR:

All those in favor of House F, signify by saying aye. Those opposed, nay. The ayes have it. The Amendment is adopted. SENATOR HARPER.

SENATOR HARPER:

Thank you Mr. President. Speaking to the Bill as amended, this Bill would require employers of 100 or more employees to pay for the continuation of employees' group health insurance for up to 90 days following the closing or relocation of a facility. This requirement would not apply to employees who go to work in the facility's new location or to employees covered by collective bargaining agreement that contains a requirement that an employer pay for continuation of health insurance if there is a plant closing or relocation.

The Bill furthermore, would designate as a distressed municipality, for certain purposes, any municipality in which a major closing, relocation or layoff had occurred. This would allow the application of certain state and federal benefits and I'd just like to add that speaking of an issue

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that's been kicked around extensively in this session of the legislature, it has been certainly the plant closings issue. The debate on the most controversial aspect of plant closing that is prior notice, received a thorough treatment in the House and I will not offer Amendments today to institute an advanced notice on closing. I believe from indications in this chamber that perhaps it wouldn't pass and even if it did, it would not pass in the House.

I want to say, however, this is a step in the right direction. It is what I consider a minimal treatment of the issue. I still think that advanced notice is a viable issue and is really essential to implementing the types of measures that are offered in the Emergency Certified Bill. But given the lateness of the session and again, what I believe has been expressed by the will of the House, let's pass this measure and provide what relief and aid we can to people who are dislocated from the workforce due to major layoffs, plant closings or relocations.

If there's no opposition, I'd move the item to the Consent Calendar.

THE CHAIR:

Hearing no objection--are you objecting, Senator Matthews? Do you wish to be heard, Senator Matthews?

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SENATOR JOHN MATTHEWS:

Thank you Mr. President. As you are all aware, I think I was opposed to this Bill in the initial stages and I still have great concern about it. However, I believe that what has occurred has provided at least what I consider something that is realistically enough for us to support. I offered my own comment to the effect that I am somewhat hesitant because I think this is a door open and I just would like to be recorded as being in agreement to going along with this Bill on the basis that it will try in its own sense to open the door to those people who are in the Department of Economic Development and others who are involved in making every attempt they can to do a job which will encourage this legislative body, both the chamber here and downstairs, that this is at least a way to go without demanding time for a notice of closing or relocation which I believe would have caused a very serious and hazardous situation in the state in terms of the encouragement to business and the improvement in jobs available to the people in the State.

I will support this Bill as it stands and hope that within the next year, we will see signs of encouragement from all sources and not have to go back and open the door

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on this Bill again. Thank you very much.

THE CHAIR:

Without objection, it is placed on the Consent Calendar.

THE CLERK:

On page 17, Calendar 602--

THE CHAIR:

Senator Morano.

SENATOR MORANO:

Mr. President, unfortunately I have to object to the past Bill being placed on the Consent Calendar. I'd like a Roll Call vote.

THE CHAIR:

This is on the last item?

SENATOR MORANO:

Yes, on the last item.

THE CHAIR:

Clerk please make an announcement for a Roll Call.

THE CLERK:

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

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Will all Senators please be seated.

THE CHAIR:

Question before the Chamber is a motion to adopt Calendar 775, House Bill 7294, File 1091. The machine is open. Please record your vote. The machine is closed. Clerk please tally the vote.

The result of the vote:

33 YEA

2 NAY

The Bill is adopted.

THE CLERK:

On page 17, Calendar 602, File 610, Substitute for House Bill 5290, AN ACT CREATING A BOWLING ESTABLISHMENT PERMIT FOR BEER ONLY, Favorable Report of the Committee on Finance, Revenue and Bonding. The Clerk has an Amendment.

THE CHAIR:

Senator Dorr.

SENATOR DORR:

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

THE CHAIR:

Clerk please call the Amendment.

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SPEAKER STOLBERG:

Will the Clerk then please return to the Call of the Calendar.

CLERK:

Calendar Page 33, Emergency Certification, House Bill No. 7294, AN ACT CONCERNING PLANT RELOCATIONS, CLOSING AND LAYOFFS. The bill is accompanied with Emergency Certification, certified by Irving Stolberg, Speaker of the House, and James Murphy, President Pro Tem of the Senate.

SPEAKER STOLBERG:

Rep. Robert Gilligan.

REP. GILLIGAN: (28th)

Mr. Speaker.

SPEAKER STOLBERG:

Rep. Gilligan.

REP. GILLIGAN: (28th)

Mr. Speaker, I move passage of the bill.

SPEAKER STOLBERG:

Will you remark.

EP. GILLIGAN: (28th)

Yes, Mr. Speaker, ladies and gentlemen. The bill before us is the product of a very lengthy and indepth

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study by the O'Neill Administration of the problem of plant closings in Connecticut. And it is nonetheless a very vexing but fortunately isolated problem in the State of Connecticut.

I'm sure there are those who will say this morning that this bill doesn't go far enough. But in my opinion, it is a very balanced, well-reasoned and responsible method for dealing with those aspects of this problem that lend themselves to legislative action.

At this time, Mr. Speaker, I would like to take the Chamber through the major provisions of the bill.

Section 1 is the definition section, which is self-explanatory. Section 2 requires an employer, as defined in the act, to provide the continuation of group health insurance for a period of 90 days, and to pay for those benefits in full. And I would add that that is in addition to the 39 week period that is presently in effect.

And an employer, for those of you who haven't had a chance to look at definitions, would include a person who has employed at any one time during the previous 12 months period 100 or more employees.

Section 3, Mr. Speaker, would enable the Department,

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the Commissioner of the Department of Economic Development to declare a municipality in which a town, in which a major plant closing has occurred, to be eligible for the urban jobs program for a period of up to two years and provide all the benefits of said program.

Mr. Speaker, I think again that this is a very balanced and reasoned method of dealing with the difficulties presented by plant closings or relocations, and I urge passage of the bill.

SPEAKER STOLBERG:

Will you remark further on the bill?

REP. GILLIGAN: (28th)

Mr. Speaker, excuse me. There is an amendment, the Clerk has an amendment, LCO 6344, please. And I would ask that he call and please read the amendment.

SPEAKER STOLBERG:

The Clerk has an amendment, LCO 6344, which will be designated House Amendment Schedule "A". Will the Clerk please call and read.

CLERK:

LCO No. 6344, designated House Amendment Schedule "A", offered by Rep. Stolberg, Groppo, Frankel and Moynihan.

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In line 73, strike out "act" and insert in lieu thereof "section."

SPEAKER STOLBERG:

Rep. Gilligan.

REP. GILLIGAN: (28th)

Mr. Speaker, this is a very minor technical amendment which is self-explanatory and I move its adoption.

SPEAKER STOLBERG:

Will you remark further on the amendment?

If not, all those in favor of the amendment, please indicate by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER STOLBERG:

All those to the contrary, nay.

The amendment is adopted and ruled technical.

Will you remark further on the bill? Will you remark further?

Will all the members please be seated.

REP. KINER: (59th)

Mr. Speaker.

SPEAKER STOLBERG:

Rep. Kiner.

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REP. KINER: (59th)

Thank you, Mr. Speaker. The Clerk has an amendment, LCO 7024. Would the Clerk please call and may I be given leave to summarize it, sir?

SPEAKER STOLBERG:

The Clerk has an amendment, LCO 7024, designated House Amendment Schedule "B". Will the Clerk please call.

CLERK:

LCO No. 7024, designated House Amendment Schedule "B", offered by Rep. Stolberg and Kiner, et al.

SPEAKER STOLBERG:

Rep. Kiner has asked leave to summarize. Is there objection? Seeing no objection, please proceed.

REP. KINER: (59th)

Thank you, Mr. Speaker. The amendment can really be broken down into five components. The Governor's package that was so adequately explained by Rep. Gilligan, is in sections 2, 3 and 8 of this amendment. The notification concept is found in section 4.

Employee right of first refusal to purchase the plant is found in section 5, and the employer's choice of giving the employees severance pay instead of or in lieu of notice, is found in section 6. And the fifth component

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in section 1, the preamble to the amendment. Mr. Speaker, I move adoption of the amendment.

SPEAKER STOLBERG:

Will you remark on the amendment?

REP. KINER: (59th)

Mr. Speaker.

SPEAKER STOLBERG:

Rep. Kiner.

REP. KINER: (59th)

Thank you, sir. Last week I was reading a book about early 20th Century America. And there was one quotation, one statement in that book that really stuck out in my mind. And it was a statement attributed to a female social activist reformer, if you will, of the early 1900's, Jane Adams.

And this is what she said. As I give this quotation, I really hope this will stay in your mind as it did in mine, especially as we're debating or speaking on this amendment. She said, "Man must not be treated as a thing, hired to produce more things. A man must be hired as a man, with a mind and with a heart, not just a set of hands."

The concept of notification has probably engendered

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more emotion and more debate than any other bill that has ever come forth from the Labor Committee. I'm sure that most of you in this Chamber have already made up your minds as to how you will vote on this amendment.

However, I'm going to hope that perhaps there are some of you in this Chamber today who are undecided and I would hope that you people who are undecided, and even those who perhaps have decided to vote against the amendment, will listen carefully, these people, to what I have to say.

And maybe you'll understand the need for notification. I would hope to dispel, in the course of the discussion on this amendment, many myths concerning plant notification, or concerning an employee's Bill of Rights, as perhaps this bill could be called, too.

This amendment is not a hostage bill, or a hostage amendment. There is no notification requirement for layoffs, nor is there any notification requirement for closures. During the course of the Committee process, many people came before our Committee, many letters were written to our Committee members, and they made it quite clear that it is impossible for business to determine long ahead as to whether or not there will be a layoff.

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Businesses just do not have a crystal ball. As far as closures were concerned, the company is struggling to make a go of things, and if we enacted a closure provision, that might perhaps be the nail in that business' coffin. We understood that, hence the amendment before us today is simply a relocation amendment.

The company wants to move, God bless them. Let them go. No one is holding them back. This amendment merely says that the employers have a choice.

The choice is to give confidential information to the Department of Economic Development, 180 days prior to the anticipated relocation. And then 90 days notification to the effected employees.

I've done a lot of research on this bill, and I can understand why this bill has been before this General Assembly for the past four or five years. And one thing that comes to mind or is made crystal clear, is that when we're dealing with a relocation, the employer, the corporation, if you will, knows one year, many business management consultants say two years, prior to the actual relocation.

And it's common sense, people, that they would know that far ahead of time. For corporate officers must

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acquire capital funds, hire architects, plan the location, acquire machinery, follow certain state regulations. All these facts require time. And if a corporation can do this in less than a year or two, I haven't read about such a corporation.

Parenthetically the average amount of notification given to an employee in the State of Connecticut is three days. A few months ago when Pratt & Whitney gave five days notification, they were acting like statesmen, if you will.

It is interesting to note that on May 3 in the Hartford Courant, there was an article concerning more layoffs at Pratt & Whitney. One of the members of Pratt & Whitney, one of the spokesmen if you will, said this and it's interesting to listen to this.

The gentleman said, "Advance notice was given to help employees plan their future." This is coming from an executive of Pratt & Whitney, to give the employees a chance to plan their future.

That is all, ladies and gentlemen, this amendment is about. We have been told that if this amendment, this legislation were enacted, it would contribute to a negative business climate in the State of Connecticut.

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This is being said by the very same people who gave us opposition to Workers' Compensation, to Social Security, to Unemployment Compensation, to employee's right to know.

Let's look positively at what the State of Connecticut is doing to attract industry and to keep industry in the State of Connecticut. This is a paper printed by the Department of Economic Development and indicates Connecticut's business incentives.

Connecticut has no sales tax or property taxes on approved air and water pollution abatement equipment. No tax on manufacturing, wholesaling and retailing inventories. No sales tax on manufacturing and agricultural equipment. Low cost industrial development loans, and so forth and so on.

Connecticut is a good place to do business in. Connecticut will always be a good place to do business in. With notification as well.

We are told that employers in a dynamic and free economy need flexibility. They do. This amendment does not deter from that flexibility. We are told by some that Connecticut would be put at a competitive disadvantage if we were to enact this particular piece of legislation.

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Two other states, as you well know, have notification laws, Maine and Wisconsin. Ronald Colby of the Associated Industries of Maine has said, I assume this is a brother or sister organization of our CVIA, "We've had that plant closing law for ten years and there have been no adverse effects. There have been no adverse effects as far as we can tell."

Wisconsin has had a notification law for 9 years. Their Department of Labor, Industry and Human Relations and their Business Development Department have said the same thing. That plants notification is not a deterrent.

Let me quickly give you some statistics. I hate to bore you with numbers, but I really think this is important.

We're being told that if we have notification, ladies and gentlemen, we're going to lose employment. Connecticut's going to fall apart. Let me explain. In 1976, in 1975, Wisconsin enacted notification. From 1976 to 1977, their employment went up 4.2%, Connecticut's, 3.4%. From 1977 to 1978, their employment went up 5%, the same as Connecticut's.

In 1978 to 1979, their employment went up 4.1%, this is four years now after enactment, Connecticut's

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went up 4%. The same holds true for unemployment.

There are many who have stated, sure, some will state here today that we have Unemployment Compensation. And as such that is enough of a safety net. The average Unemployment Compensation check and I believe with dependants, is \$117. It really is not too much.

With notification, it will allow people to do a number of things. Understand this, ladies and gentlemen, I'm not talking in philosophical terms, I'm not saying that notification is the be-all and end-all just because it's notification.

It's important to have notification. And here's why. I think it should be obvious to many of us. Number one, it would give the employee an opportunity to look for another job. Number two, an employee is about to be laid off because of relocation, he's going to look at his occupation as he makes the determination that his particular field of knowledge is obsolete. This will give him the opportunity to go back to school, get trained, get retrained. Why does somebody have to be unemployed in order to see training and retraining? I can't understand that.

Others tell us that this bill is punitive. It's not punitive, it's humane, people.

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And finally, there are the pessimists who claim that notification will cause production problems. Without mentioning the respondent's name, let me just give you text of testimony that was offered before our committee on February the 15th, 1983.

Rep. Kiner. Just one question, if I may, sir. I don't know. Did you indicate to us how much time was given to the employees in this particular plant. Without mentioning the name of the plant, it's a conglomerate, located in Detroit as well as in Connecticut."

The respondent, "Yes, the union bargaining committee was notified in August about mid-August of 1982. The first employees were terminated about the middle of November. The bulk of the employees were terminated toward the end of December. Some still remained on through January."

Rep. Kiner. So it was about four to six months' notice.

The respondent, "That's the range, three to six months."

Rep. Kiner. Was there any problems with the employees? With their attendance records, anything to that effect during that four months' period? Was there any problem by giving these employees notice?

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The answer, no.

If you mean did we lose the cooperation of our employees, I say no, they were cooperative.

We have a philosophy here, pitted against the substance. The philosophy of big business has been and always will be government, stay out of our affairs. I can understand that, but pitted against that philosophy is a substance, the substance of a misery associated with a worker who's been laid off. In this case, due to a plant relocation.

This bill very candidly will not save that employee's job. However, what this amendment, what this notification concept will do is the following. I've said to you already, it will allow the employee to look for another job. It will allow the employee time to seek re-training in his or her field if it's obsolete. It will allow time for the employee's spouse to seek employment. It will keep the employee from making that large purchase, perhaps of that automobile, perhaps braces for his child's teeth. If he knows he's not going to have a job, he's not going to make this purchase.

He's not going to be saddled with such a large bill. Further, notification will allow for the potential purchase of the plant by the employees. It will allow

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the community and the Department of Economic Development to become involved in any way possible to assist the employer, to assist the plant, or to assist the employees.

What about those people who are laid off due to a relocation. Our hearts and hopefully, our votes here today will go out to these people. This amendment's concept of notification attempts to humanize and minimize that horrible impact. The impact of a loss of self-esteem where the laid off employee feels a sense of guilt. For some reason the employee feels that he or she was the cause of the plant's relocation, or perhaps the employee never should have taken that job.

It would humanize and minimize the impact of psychological problems, feelings of loneliness and abandonment that go with this trauma.

It would humanize and minimize the impacts we hope of physical problems that manifest itself in heart disease, blood pressure problems, and culminating in a suicide rate that is 30 times higher than the general population.

In closing, just by notification we can humanize that impact, and thus treat men as having hearts and minds and not just a set of hands. Then, ladies and gentlemen, I believe we've done a lot for the citizens of our state.

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Mr. Speaker, I would ask when the vote on this amendment be taken, sir, that it be taken by roll.

SPEAKER STOLBERG:

The request is for a roll call vote. All those in favor of a roll call please indicate by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER STOLBERG:

An adequate number is clearly arrived at. When the vote is taken, it will be taken by roll.

Would you remark further on House Amendment Schedule "B". Rep. Christopher Shays.

REP. SHAYS: (147th)

Thank you, Mr. Speaker. I think Rep. Kiner has left very little to be said by others who want to speak for this bill, but I would like to say very briefly that notification as I look at it is a matter of simple justice.

It's a matter of clearly simply justice. Employees have a right to be notified, and the companies have the responsibility and moral obligation to notify their workers. Will it do any harm to a company? It won't do any harm to a company.

Will it help an individual who works for that company? Clearly, Rep. Kiner has made it as clear as

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anyone could make. An employee needs to know if his plant is going to be shut down and he shouldn't find out the day it's closed. He shouldn't go to work and see a padlock. He should be able to adjust his lifestyle accordingly, before you close down the plant.

And one of the things that has amazed me more than anything else in my time as a legislator is the outrageous statements made by the business community. Employees under this bill, employers under this bill, can make a choice. If they choose not to notify, they can pay a week's severance for every year of service. That to me is a fair and something that they should be willing to live with. They don't have to notify their employees, if they can't.

But under other circumstances, they can. We might be able to save the company, but the most important thing is the employee will know the plant is shut down before it is shut down, so they can adjust their lifestyle accordingly.

I urge every member of this Chamber to adopt this amendment.

SPEAKER STOLBERG:

Will you remark further on House "B".

REP. MIGLIARO: (80th)

Mr. Speaker.

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SPEAKER STOLBERG:

Rep. Migliaro.

REP. MIGLIARO: (80th)

Thank you, Mr. Speaker. I rise in support of the amendment for many other reasons that have been stated, I think the one thing that we're all forgetting are the people, the worker.

This bill has been dubbed a "hostage bill". It is a hostage bill. The workers are held in hostage, not the companies. It's interesting to know that I had a discussion with one of the lobbyists here in the hall and I asked him what they would have against notification? Why after a person serves 25, 30 years of loyal dedicated service to a company, has given their youth and everything they have, to the company, why then, aren't they deserving of something in return. A simple notification that you're moving out of state, when they know far well in advance they're about to go.

As you know, the board of directors in any company make that decision, they make it overnight. I think, as Rep. Kiner has pointed out, they have at least two years of notification, they have to look for site plans, new locations and everything else, so they're well known in advance, they had the knowledge well in advance that they

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intend to move. And the loyalty to these companies by the workers is set aside. They may go out and purchase a home during that period of time and maybe purchase a car or a boat or some other big investment, thinking that their job is solid and they have nothing to worry about. After all, 25 or 30 years, who would be worried,

And then they go to work the next day and find that the plant is closed and they're moving and that's the end of it. That's your notification. That's an injustice.

Then I hear the other side of the coin where the companies say, well, 95% of us give notice to our employees and only 5% don't. Well, if that's the case, that 95% is not going to be affected by this law, so what are they worried about? Let the 5% that do flaunt the law, be subjected to this law.

You know, I look at a recent plant closing up in Thomaston, Seth Thomas, and they did give, I think, nine months' notification. There wasn't a mass exodus of people leaving the plant. The workmanship did not deteriorate in any manner. The people had no place to go, they had to stay with them, but at least they were given a chance and they were put on notice, don't go out and buy that house, don't go out and buy that car, because your job is not going to be here in nine months or six months down the road.

So you make adjustments, and you prepare for it, and you depend on that money that you have in your savings account and you won't blow it. Whereas, if you didn't have any notification, you may go out and do just the opposite.

But I hear a company say we're going to move. The company talks like that in this state, how sincere are they about staying here anyway? Would you move if you were a company and you were getting quality workmanship from your workers and dedication from your workers? For what reason would you move? That's a weak argument and they know it.

Those who say they're going to move are probably going to move anyway, and they're going to spring it at the last minute, and that's why this bill is very necessary, to protect our people in this state and our workers in this state.

You have to prepare the workers for the unexpected, and that's what we're doing with this bill. In the event somebody intends to do that, at least it says in the bill, give them the notification. You won't have to pay a severance pay in this bill unless you go against what the bill says, the notification portion.

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So I think it's a great compromise and I think it's a good bill and a good amendment, rather. I think it does the proper thing for the people in this state. It protects our working people. And we have to stand up and be counted for them. And we cannot be motivated by business in this state with threats and innuendos of moving out, because by their own admission, only 5% are the wrongdoers in this state.

I believe the amendment is a necessity for the worker. It will guarantee them a piece of mind and at least a worker will know that if and when this day ever comes to where they're working, they will have the proper notification. I think we owe them that much and I think the companies in this state who had these people dedicate many years of their life, owe that much to them, and that's not asking too much from the big industries in this state for all the dedicated years that their employees have given them.

I urge you to support this amendment.

SPEAKER STOLBERG:

Will you remark further on the amendment?

REP. SORENSON: (82nd)

Mr. Speaker.

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SPEAKER STOLBERG:

Rep. Sorenson.

REP. SORENSON: (82nd)

Thank you, Mr. Speaker. Mr. Speaker, it's not very often that I get up and agree from my friend from Wolcott, Rep. Migliaro, but over the five years that I've been in this Chamber, this is one issue that Gene and I have agreed on, and hopefully will continue to agree on.

Rep. Kiner, I think, gave one of the best synopses and also one of the best reasons for voting for this particular amendment. I have to say at the outset, however, that even this amendment falls far short of what I feel the commitment that this state should make,

I had an amendment prepared that I do not intend to call. The amendment was to ask that six months' of notification be given for relocations and layoffs. But in discussions with Rep. Kiner and other people, it was felt that if that went through and there has been some talk from the executive branch that if that went through then it would probably be vetoed because there was not notification, notification was not wanted by individuals,

Well, I guess it's another case where we've had to acquiesce. Again. To feelings of people and I guess

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that's part of the process to compromise. Ninety days is what we have in the amendment before us right now. A ninety day trade-off for 15, 20, 25, 30, in some cases 40 years of service. We're asking for 90 days, after someone as Rep. Migliaro has said, has given their youth and their adult working life to a company. Ninety days for 40 years? It doesn't seem like an equitable exchange to me.

Rep. Kiner mentioned some of the human costs of plant closings, and I'd like to very briefly, contrary to the Hartford Courant, very briefly comment on some of these human costs, and I'd like to read some excerpts from families that have been victims of a plant closing.

One of the human costs is shock. When I went home, I found my husband and he was like a man who had been shot. He didn't want to talk, he didn't want to eat, he didn't want to do anything. I can't describe it. There is nothing that can describe the feeling of that day. I spent nine years in the army medical corps including World War II and I never saw as many grown men cry in all the times as I did during the month the plant threw us out of work.

Anger. We were the first ones let go. The men were so frustrated and angry that they were throwing their work shoes and clothes into the river, which runs by the mill.

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They felt finished.

Guilt. Doctor Matthew Dumont who is an industrial psychologist says that the unemployed person tends to internalize the blame. It's difficult to be enraged at something so subtle and so depersonalized as the economy, or the system, so therefore we turn the blame inward.

Depression. You wake up one morning and your whole life is ripped up. I'm in a depression right now because I've got to pick up and start all over again. My husband Andy has lost a job and I'm the one that's crying all the time.

Suicides. The tragedy of job loss is thus reflected in a staggering suicide rate for terminated workers. One report found it to be 30 times that of the population. Thirty times the average rate for the general population is the suicide rate for a terminate worker. In the last two months of 1974, the suicide rate in Detroit doubled over that of the 1973 rate after massive layoffs in the auto industry.

Sure, there's going to be unemployed workers. Notification of 90 days, six months, a year or two years, maybe it's not going to quell some of the human problems that result when an individual is laid off, but at least it will give the individual the time. It will give the

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individual the ability to sit with their families, to put themselves back together. To maintain some pride while they're working. To maintain the dignity and respect that every human being should have. Notification is not this two-headed animal that we think it is. It doesn't have fangs, it doesn't have teeth. All that it does, is that it allows the individual worker the man and the woman and the young couple starting out whoever that individual worker is, it allows them the time to pick up the pieces of their life and put it back together and maintain that humanity, that dignity and that respect.

The amendment gets to the door, it doesn't open it, it gets to it. There's a lot further we have to go, but it's a start, and I urge you to support the amendment.

SPEAKER STOLBERG:

Will you remark further on House Amendment Schedule "B".

REP. SAVAGE: (50th)

Mr. Speaker.

SPEAKER STOLBERG:

Rep. John Savage.

REP. SAVAGE: (50th)

Through you, a question to the proponent of the

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amendment.

SPEAKER STOLBERG:

Please frame your question.

REP. SAVAGE: (50th)

Yes. If a firm of over 100 employees finds itself in severe financial straits and files for bankruptcy, will these provisions of this bill then apply?

REP. KINER: (59th)

Mr. Speaker.

SPEAKER STOLBERG:

Rep. Kiner, do you care to respond?

REP. KINER: (59th)

Yes, sir, I do. I would refer the representative to Section 2 of the amendment, sub 5 and 6. Basically, the answer is no. If, well let me just read to you, sub 5 defines relocation. It means removal of all or substantially all of industrial or commercial operation in a covered establishment to a location outside the State of Connecticut, so there's no bankruptcy involved there, obviously.

As far as closing is concerned, closing means the permanent shutting down of all operations within a covered establishment providing closing shall not include reopening of a covered establishment within the state,

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covered establishments which close under the provisions of the federal bankruptcy act. So I think, through you, Mr. Speaker, the gentleman's covered by that.

SPEAKER STOLBERG:

Rep. Savage.

REP. SAVAGE: (50th)

Thank you, Rep. Kiner. Through you, Mr. Speaker, With this question answered, I feel that this body should support this amendment. I think that as we've heard from other speakers, there's a human side to this issue and we've got to recognize that the unorthodox closing of a plant by an out-of-state company with no notification leaves people stranded. There is absolutely no way that we can keep the buggy-whipped company going, and I think we recognize that, but that does not mean that we shouldn't treat people humanely and at least have notification to them and the Department of Economic Development in an attempt to keep this plant in the State of Connecticut functioning, Thank you.

SPEAKER STOLBERG:

Will you remark further?

REP. GELSI: (58th)

Mr. Speaker.

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SPEAKER STOLBERG:

Rep. Gelsi.

REP. GELSI: (58th)

Yes, Mr. Speaker. Just very quickly. I first would like to have myself associated with the remarks of the House Chairman of the Labor Committee for the outstanding job that he has done, not only for this amendment, but the original plainclothesing bill.

I think the remarks that have been stated on the hardship of employees on a plant closing has been well covered. I just would like to go a little bit in the area where we discuss hostage. And thousands of dollars were spent in this state to impress the Legislature, to impress the citizens of this state, that if we pass this kind of legislation, we would keep the businesses and corporations in this state hostage,

Let's talk about what hostage is. International Harvester decided to close down one of their plants. So what did they do? They set up a bidding. They allowed the two major cities where there two plants were at to bid and the one that spent the most bucks is where they kept their plant open. That was really great for the municipality that lost, and for the employees that were in that plant.

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We look at the great General Motors and we look at the profits that they're turning over each year. And they informed Detroit that if we're going to stay here and we're going to provide you jobs, we want Poletown. And I don't mean that disrespectfully, but it's a section of Detroit where the Polish community lives, some 500 acres, some \$300 million and if that isn't hostage, then I don't know what hostage is.

Just a couple of months ago in Thomaston, General Time Control, part of the Tally Industries, in negotiations the union asked them, are there any problems? What can we do? Are there any problems in you staying? Are you going to be staying open? The answer was yes. A week after negotiations terminated, a memo that had been floating around since last November to the corporate management was finally given to one of the union representatives. That's honesty, and that's assistance in keeping jobs here.

If any of you ever have the opportunity to visit the town of Enfield, I'd like you to take a ride by and look at the old Bigelow-Sanford plant after it was purchased by S & H Green Stamps. They moved that plant south. And the town was ecstatic because right after they did that, a Texas realty outfit bought it for \$5 million, and we said, Thank God, we're going to have that plant viable again

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and we're going to have jobs. Well, the only thing that happened is that Texas Realty bought it for right-offs and finally the Stock Exchange in New York told them to divest and get out of there because they had been breaking the law and they sold that property for \$25,000. It sits on the edge of an \$11 million urban renewal project, and I wish you would go down and look at the trash and the garbage. Thank you, Mr. Speaker.

DEPUTY SPEAKER FRANKEL:

Rep. Dorothy Goodwin.

REP. GOODWIN: (54th)

Thank you, Mr. Speaker. Through you, Mr. Speaker, a question to the proponent of the amendment. Please state your question madam.

DEPUTY SPEAKER FRANKEL:

Please state your question, madam,

REP. GOODWIN: (54th)

Rep. Kiner, I just want to be absolutely clear about one thing. As I read the new section, or the section 2 in the amendment, and the section 4 in the amendment, and the section 4 in the original draft of the amendment, the impression I get is that the significance of the word closing in section 2 applies only to the health insurance question. It does not imply, we

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have eliminated the word closing from section 4. If I heard you correctly, and if I read the amendment and the original draft of the amendment correctly, the original draft of the amendment in section 4 said any employer who intends to close or relocate and it now just says, relocate. So, that closing applies only to the continuation of the health insurance payments, is that correct?

DEPUTY SPEAKER FRANKEL:

Rep. Kiner, will you respond?

REP. KINER: (59th)

Yes, Mr. Speaker. The lady, I assume is referring basically to the health insurance concept of this bill, of this amendment and it's found in section 3, where it talks about health insurance being provided whenever, and on line 79, whenever a relocation or a closing occurs.

REP. GOODWIN: (54th)

Yes. That's in concurrence with what I was trying to ask you, so that closing does not affect the notice question, it only affects the health insurance question.

DEPUTY SPEAKER FRANKEL:

Rep. Kiner.

REP. KINER: (59th)

Through you, Mr. Speaker, that's correct.

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DEPUTY SPEAKER FRANKEL:

Rep. Goodwin, you have the floor, madam.

REP. GOODWIN: (54th)

I would submit that this really is a mouse of a bill. I think it's a good mouse and I support it, but it really, it does one very important thing when it extends the health coverage. But it does not deal with what could be an enormously complex fiscal problem in dealing with the closing of a plant that's just plain going out of business. It deals only with the question of relocation of a viable firm which is going to go somewhere else and which surely knows months and months ahead of time that it's going to go.

The closing question can't happen almost overnight, as it did with respect to the Hartford Times for instance, where I suspect that the, that that decision did not have a very large lead time on the part of the management of that newspaper. A thing that this bill does not do but that could now be done and I think very constructively, and probably would not need legislation to do it, or may not need legislation to do it would be to provide an opportunity during the 90 day notice for a lot of counseling and assistance in job placement and so forth, either by the firm or by an agency of the state for people who are going

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to lose their jobs when a plant moves out of state. This is an extraordinary opportunity, and I think one that within a year we really ought to be thinking very seriously about making use of that opportunity in the most constructive way that we can.

I urge adoption of the amendment.

REP. BUTTERLY: (76th)

Mr. Speaker.

DEPUTY SPEAKER FRANKEL:

Rep. Butterly.

REP. BUTTERLY: (76th)

Mr. Speaker, I have a question to the proponent of the bill, through you, please.

DEPUTY SPEAKER FRANKEL:

Please state your question, sir.

REP. BUTTERLY: (76th)

Rep. Kiner. I represent a district that one town would have had two closings, one of which would have complied with the bill as amended and one wouldn't have. The fact remains that we now have 18 to 20% unemployment in that community. My fear is given the fact that those companies are gone, there's nothing we can do now to correct it. They are situated in an area that doesn't have great access to the major highways. If we do pass

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this legislation, and we do set up what the opponents of the amendments are saying, we do set up an unhealthy business atmosphere.

What do we do now to fill the vacancies that have been created in that town? That's my concern. If the proponents are correct sir, that's why I could go along with the Governor's end of it. It gives us a chance to see how it's going and if that doesn't work out, we can always come back and amend it at a later date, but out of good conscience, I'm having trouble with it, even though my town has probably the highest rate of unemployment in the state.

I don't think we can refill those positions if we do set up an atmosphere that is unfavorable to industries moving into this state.

DEPUTY SPEAKER FRANKEL:

Rep. Kiner.

REP. KINER: (59th)

Yes, Mr. Speaker, if I might respond very briefly to that. I think it's a matter of conjecture, of course, whether or not we would be setting up a negative atmosphere. I had hoped during the course of my monologue if you will, on this amendment, that I would have dispelled that myth. That an adverse business climate would be set up. I

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already indicated to you that Maine, Wisconsin, have these notification laws and in both of those states, the business community as well as the legislative body has indicated to our legislative research office that there has been no negative impact upon the state. However, the amendment does include the Governor's package in section a which talks about distressed municipalities and perhaps Rep. Gilligan can go into that more at more length than I can and I think that would resolve your problem, Representative.

If the Department of Economic Development were to designate that community as a distressed municipality at that point, there would be many options open to them and they're found in Statutes 32-19 to 32-9a and again, I think Rep. Gilligan, could perhaps, if you so choose, can explain that to you. Again, I've got to re-emphasize, through you, Mr. Speaker, that I really attempted to make it clear that in those states that have this concept of notification, there is no negativeness involved.

REP. BUTTERLY: (76th)

Mr. Speaker.

DEPUTY SPEAKER FRANKEL:

Rep. Butterly you have the floor, sir.

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REP. BUTTERLY: (76th)

Thank you, sir. I hope this is in order. May I ask the original proponent, the proponent of the main bill, rather, why the clause that's found in the amendment was not included in the main bill? And why he's not rising to support the amendment?

DEPUTY SPEAKER FRANKEL:

Rep. Gilligan, will you respond to the question, sir?

REP. GILLIGAN: (28th)

Mr. Speaker, I would ask that the gentleman repeat his question and site the line, section of the amendment.

REP. BUTTERLY: (76th)

In other words, we have --

DEPUTY SPEAKER FRANKEL:

Through the Chair, please. Rep. Butterly.

REP. BUTTERLY: (76th)

I'm sorry.

DEPUTY SPEAKER FRANKEL:

Rep. Butterly, if you would be so kind as to repeat the question.

REP. BUTTERLY: (76th)

The answers that Rep. Kiner gave me would indicate that it would be prudent to support the amendment. I'm therefore wondering why this verbage in the amendment

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about the notification etc. was not included in the original bill?

DEPUTY SPEAKER FRANKEL:

Rep. Gilligan.

REP. GILLIGAN: (28th)

Through you, Mr. Speaker, that's a rather broad question. I, for one, was not party to the drafting of the original measure, so I couldn't, I don't expect there are reasons, but I think that you're aware that the issue before us this afternoon is solely that of notice and it's quite a controversial requirement.

REP. BUTTERLY: (76th)

Thank you, Mr. Gilligan.

DEPUTY SPEAKER FRANKEL:

Will you remark further?

REP. FUSSCAS: (55th)

Mr. Speaker.

DEPUTY SPEAKER FRANKEL:

Rep. Peter Fusscas.

REP. FUSSCAS: (55th)

Thank you, Mr. Speaker. If I may, a few questions through you, to Rep. Kiner on his amendment.

DEPUTY SPEAKER FRANKEL:

Please state your first question, sir.

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REP. FUSSCAS: (55th)

Mr. Speaker, I've heard where this amendment is replete with humanity, compassion and dignity. Why are we limiting it to only those firms who hire 100 people or more? Don't the workers who work in firms from 99 down deserve a little humanity, dignity and compassion?

REP. KINER: (59th)

Mr. Speaker.

DEPUTY SPEAKER FRANKEL:

Rep. Kiner.

REP. KINER: (59th)

I hate to be mundane in this answer. I think the most important thing you can learn in this Chamber is how to count. The fact of the matter is, Mr. Speaker, I would very much like to have seen us spread that humanity as Rep. Fusscas has said, to all employees. The fact of the matter is, Mr. Speaker, through you, the votes weren't there, sir.

DEPUTY SPEAKER FRANKEL:

Rep. Fusscas.

REP. FUSSCAS: (55th)

Thank you, Mr. Speaker. Another question, through you. What about firms that are relocating into Connecticut? Should we not have an affirmation that those firms who are

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moving into Connecticut did not lay off their employees on short notice?

DEPUTY SPEAKER FRANKEL:

Rep. Kiner.

REP. KINER: (59th)

Through you, Mr. Speaker, a question. Why?

REP. FUSSCAS: (55th)

Through you, Mr. Speaker.

DEPUTY SPEAKER FRANKEL:

Rep. Fusscas.

REP. FUSSCAS: (55th)

This is a workers' bill. Are we concerned with workers outside of Connecticut as well as inside Connecticut?

DEPUTY SPEAKER FRANKEL:

Rep. Kiner, do you care to respond, sir?

REP. KINER: (59th)

Yes, I care to respond, Mr. Speaker, thank you and the answer is yes.

DEPUTY SPEAKER FRANKEL:

Rep. Fusscas, you have the floor.

REP. FUSSCAS: (55th)

Thank you, Mr. Speaker. How far do you have to relocate a plant before it's detrimental to employees and communities?

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DEPUTY SPEAKER FRANKEL:

Rep. Kiner, will you respond?

REP. KINER: (59th)

Through you, Mr. Speaker, unless this gentleman has an amendment that differs from this, the language says outside the state.

DEPUTY SPEAKER FRANKEL:

Rep. Fusscas, you have the floor.

REP. FUSSCAS: (55th)

Mr. Speaker, you can relocate a plant if you're on the Rhode Island border or Massachussets border. You can relocate a plant, 10, 20 miles inside and you would be in violation.

Yet, if you have a Connecticut plant on the southeastern part of Connecticut and relocated all the way into the northwestern section of Connecticut, you wouldn't be in violation.

This is a workers' bill where it's detrimental to Connecticut towns and communities. I don't, Mr. Speaker, I don't understand how we can rationally put together a protectionist bill in manner in which this is put together. Mr. Speaker, through you, one final question. I'm listening to this debate and I hear from Governor William O'Neill and the Department of Economic Development that

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this bill is going to destroy job creation in the State of Connecticut. Yet, the proponents of this bill are saying it won't. So who's right and who's wrong?

Through you, Mr. Speaker, to Rep. Kiner. If the Governor and his economic advisors are wrong, then what's their motive for opposing this bill?

SPEAKER STOLBERG:

Rep. Fusscas, that question really reaches the margins of the legitimate question posed on the floor. I will pass it to Rep. Kiner with the clear instructions that he can use his discretion in posing an answer to it. Rep. Kiner, do you care to respond?

REP. KINER: (59th)

Yes, Mr. Speaker, I think if the gentleman wants to decide to start listening to Governor O'Neill, I admire him for that, I hope he continues to listen to Governor O'Neill when we vote on the budget, and I hope he continues listening to Governor O'Neill when we vote on other matters of concern to the citizens of this state. Thank you.

SPEAKER STOLBERG:

Rep. Fusscas, does that answer satisfy you?

REP. FUSSCAS: (55th)

It's about what I expected, Mr. Speaker.

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SPEAKER STOLBERG:

I really followed from the question well.

REP. FUSSCAS: (55th)

I wasn't disappointed.

SPEAKER STOLBERG:

Okay. Will you remark further on the amendment,

REP. FUSSCAS: (55th)

No, Mr. Speaker. I think that it's pretty evident by the number of people who are listening to this debate. This very important amendment, and by the construction of this entire amendment, it really does not address the problems, the economic problems in the State of Connecticut, and I would oppose it. Thank you.

SPEAKER STOLBERG:

Again, as Rep. Fusscas has observed, unless there are crucial items for the historic record that have not yet been presented in debate, members should be reminded they're speaking to a Chamber that is not full at this time, but if there are important points to raise, I'm sure those members who are here would be delighted to hear them.

Rep. Meyer.

REP. MEYER: (135th)

Thank you, Mr. Speaker. For seven years, I have stood up on any occasion when a bill has been presented to

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us that has increased jobs, retained jobs. I feel that this is one of my most important duties here, in representing my constituents, in representing the whole state. That is the maintenance and the bringing in of new jobs into the State of Connecticut, because a good healthy economy depends on that.

I am very much fearful and you may say this is the CBIA, but I get it not only from the lobbyists who don't bother me very much, but from many of my constituents. And you may say I represent the Gold Coast, but many of the people in southwestern Connecticut that I represent are people in the managerial end and the boards of directors of big companies. And they are saying to me, we have on a couple of occasions, they have called me and said, in our company are thinking very seriously of transferring one of our factories from a midwestern state to the State of Connecticut.

We had most of the plans made, and suddenly we found that instead of following the recommendations of your task force, which was to really work to help any dislocated workers to get new jobs, how to go about for new employment and the like, that you are suddenly talking about notification.

We are holding in abeyance the moving of this particular plant, because why should we jump from the frying pan into

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the fire? We're leaving one area where we feel there is a hostile climate. We're not going to move into another area where there is a hostile climate. What I'm trying to say to you is that we have to do this in a positive way.

Certainly, I feel for the people who are laid off. I feel that this state and the industry in this state should be doing everything they possibly can, but unfortunately as soon as you get a pre-notification statute on the books, you are giving the perception no matter how innocuous this particular statute may be, you are giving the perception that Connecticut is not a state that is truly interested in building up industry and encouraging business.

And in view of this, I feel very, very strongly that we should vote down the amendment and go with the positive end of this particular bill. Thank you.

SPEAKER STOLBERG:

I see two more people requesting the floor. I'm going to, three more people. I'm going to ask members to be seated. Rep. Looney.

REP. LOONEY: (96th)

Thank you, Mr. Speaker. Mr. Speaker, I rise in support of this amendment. I think that one of the things

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we have to look at is the question of loyalty and productivity that is so often spoken of by employers, but to have any meaning, the term loyalty has to be reciprocal.

We see in statements by employers, both a surface content and a kind of hidden implicit sub-text, very often. On the one hand, employers say that we are afraid of one of the consequences of a notification measure would be that worker morale would be injured and that in the last several months after notification, our plant would be worth nothing because of what would happen to the morale and productivity of workers.

But I think there is a hidden sub-text in that statement and that is that we want to use the workers as long as they are useful to us and we want to have the prerogative to be free to discard them after that. And I think that the notification measure is aimed at preventing that which I think is just unconscionable as a matter of public policy.

Also, Mr. Speaker, I think we have to look at this amendment as a chance for this Chamber to do something historic, and that's not an opportunity we have all that often. Every humane advance has been opposed by those who sought refuge and safety in the status quo. It's often said that there should be a federal standard on plant closings

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and that individual states should not take the lead and possibly disadvantage themselves in competition with other states.

But if we look at the historical record, we shall see that the fact is, that matters of this kind is the very best way to achieve a federal standard is to take the initiative as a state and to adopt an amendment like the one proposed today.

Forty years ago, Mr. Speaker, the late great Supreme Court Justice Benjamin Cordoza in the Supreme Court deliberations on the constitutionality of various new deal initiatives traced the process by which a will toward national action and a concensus on national policy is built. His crucial point then, was that on issue after issue, ranging from unemployment compensation to workplace safety, to regulation of yours of labor on various occupations. Model state legislation has paved the way for adoption of federal standards subsequently.

Therefore, Mr. Speaker, if we are concerned about workers, and about general equity, and if we have any sense of history at all, we must adopt this amendment. Thank you.

REP. THORP. (89th)

Mr. Speaker.

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SPEAKER STOLBERG:

Rep. Thorp. And then I believe, Rep. Gilligan who brought out the bill, and then I think the Chamber will be ready to vote. Rep. Thorp.

REP. THORP: (89th)

Mr. Speaker. I am not going to speak either for or against the bill, but I am going to tell you some of my reasons for not voting for it.

I think the bill that we are talking about, or the amendment that we are talking about has almost gotten to the point of being something akin to a belief system, one either believes that this is going to help, or one believes that it won't help.

There are a couple of things, though, I think should be mentioned just to clear the record a little bit. Yes, Wisconsin does have a plant closing law. However, the Wisconsin business association sued the state and for some reason or another, the bill was, or the law was rendered essentially void. There is a consent agreement between the State of Wisconsin and the Wisconsin business association that the provisions of the law will not be enforced and they haven't been enforced and the law need not even be on the books for all the good or bad that it is doing.

It does, however, have a symbolic place and I suppose

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from that point of view the symbolism of having the law on the books keeps both parties somewhat at bay.

The other state that has such a law is the State of Maine, and the State of Maine and it doesn't take a giant brain to know that the State of Maine is, shall we say a relatively poor place. It's the kind of place that has wages sufficiently low. People sufficiently available that you could have all sorts of negative things in Maine and it wouldn't make any difference.

If Connecticut wishes to be, as Rep. Looney pointed out, the first or an example to the rest of the nation, I can only tell you that I have a certain amount of fear, not so much for the employers that are here. I don't really think it's going to phase the present employers one whiff, but the statistics are very straightforward. Connecticut and other states, whether they're in the sun belt or whether they're up here, lose 8% of their jobs per year, basically due to technological obsolescence.

The problem is where are the new jobs going to come from? Having worked in, for not my present employer, I might add, in the plant location business for a while, I can assure you that what is done --

SPEAKER STOLBERG:

Rep. Thorp, can I ask the young people in the

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balcony to please remove themselves from the railings.

Thank you. I'm sorry, Rep. Thorp. Please proceed.

REP. THORP: (89th)

When a firm is looking to relocate, I can assure you what is done is a balance sheet of plusses and minuses is created. And when the minuses outweigh the plusses you just simply scratch that state or that location off of the list. I think what Rep. Meyer had to say about the perceptions is very important, and it is the perception rather than the substance that gives us the difficulty and I'll give you an example of perceptions that have to do with our own operations right here.

The first year I was in the Legislature I didn't know very many people knew much about management or business or anything else, and then one day we had a terrific debate on whether or not we ought to let the coliseum and the civic center have some sort of a special tax break and I began to hear from the most unlikely people such phrases as return on investment, front money, profitability, ability to compete with other states, etc., etc., and I was amazed. The body seems to be a vast storehouse of how to run a business.

SPEAKER STOLBERG:

Rep. Thorp, I would observe that your straying from

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the amendment, per se. Could you address Amendment "B" before us.

REP. THORP: (89th)

Certainly, Mr. Speaker, I'm attempting to demonstrate the perception aspect of the negative impact of the amendment, and I was making an illustration based upon our perceptions as a management body, which I might also point out our perception that I guess it would be difficult to deal with organized labor.

So, we do not allow our very employees, the legislative employees of all the branches of our government here are not allowed to organize. I personally have the perception that that is wrong, and that they ought to be organized.

The perception is the state employees should not have the right to strike. My perception is that it wouldn't hurt a whip. Apparently the vaster wisdom of this body is, however, it would make for a difficult situation. So it's rather interesting to see how the perceptions of running things when we are the managers as opposed to when other people are the managers change our own behavior.

I will concur with Rep. Sorenson from the seven months' of unemployment that I had. I don't think Mr. Sorenson painted a gloomy enough picture of what it

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is like to be out of work. I think I suffered from all of the various syndromes that he mentioned. All those you can easily see, I did not commit suicide.

The guilt feeling of not having a job, of not being a provider is all pervading. However, in trying to rationally analyze how it would have made any difference whether I knew one week, three weeks, or 10 weeks in advance that I was going to be out of work for seven months' I don't believe would have made a particle of difference in my own self regard and I would project those feelings are pretty generally the feelings that have been described by the authorities in this field.

Basically, I will not be voting for the bill because of the very, very strong perception issue. The issue that we would have difficulty in replacing the 8% of the jobs that are going to go away. When I signed onto the Labor Committee as a volunteer, I vowed that I would do my best to serve that constituency and I have made friends in both management and labor, met people and talked of issues that I never dreamed that I would before.

And I can only go back to my pledge that what I'm trying to do as a member of the Labor Committee and of this body, is to reach out and try to do something positive and constructive for the labor community in our state.

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I don't think that measure we're talking about would hurt business. The perception however, is there that it would, and they're the guys that have the marbles.

I don't think in the long run this would help the constituency that I am sworn to help and therefore, I shall not be voting in favor of this amendment.

SPEAKER STOLBERG:

Will you remark further on House Amendment Schedule "B". Rep. Gilligan.

REP. GILLIGAN: (28th)

Mr. Speaker. Throughout the course of the debate on this amendment, I've been making some notes and I'd like at this time to try to correct some misunderstandings or misstatements.

Rep. Sorenson said we're talking about 90 days, a mere 90 days. I'd just like to point out that what this amendment calls for is 180 days notice by the employer. The first 90 days is to the Department of Economic, whatever it's called, and I would note also that the amendment calls for notice to the Department. I'm not sure what that means, I presume they mean the commissioner, and I think it's fairly safe to say there would be some confidentiality but we all know nowadays that those secrets are not well kept in any quarter.

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Rep. Shays and Rep. Migliaro used the words closing. They used the word closing repeatedly. This is somewhat confusing to me. Rep. Kiner said the bill does not apply to closings, it simply applies to relocations. I would point out to the members who have a copy of the amendment in line 101, the bill says, or the amendment says, and I've just been given this this morning, so I'm not sure, but the way I read the plain language, any employer who is required to give notice of his intent to close or relocate, the word notice of intent to close appears clearly in section 101. Perhaps this is a typographical error, I have no idea.

Rep. Sorenson of course talked about suicide in Detroit and that's very distressing and none of us, I think is insensitive to the plight of the unemployed, but I think it clearly in Detroit we're talking about layoffs and that is not an issue here this afternoon. As a matter of fact, Michigan which has a much higher rate of unemployment than the State of Connecticut and well into double digits doesn't have this type of legislation. I don't think there's any causal connection between suicides and the absence of any notice requirement of a plant closing.

Rep. Goodwin raised the question of health insurance, and said that this amendment is a mouse. I'm not sure that

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I understood her remarks, but if she left the impression or gave the impression to anyone that health insurance benefits are not included in the bill, in chief, she was mistaken, because that is exactly what the Governor's measure calls for. We don't need this amendment to provide health insurance continuation, the continuation of health insurance benefits.

Mr. Speaker, what we're talking about this afternoon is not the effect on businesses that are leaving the State of Connecticut, I'd agree, we don't care about businesses who have decided to leave the State of Connecticut. We should care about the workers. But what we are really concerned with and what we should pay attention to are the business who are deciding whether to locate in the State of Connecticut on a trial basis or otherwise. If they take a look at the climate in the State of Connecticut and they're informed that there is a condition that you cannot, a condition upon your leaving the state, you simply can't experiment on a trial operation in the State of Connecticut, what prudent business person would decide to locate in the State of Connecticut?

That is a serious problem and it should be emphasized, and not overlooked. Try as we might to repeal the laws of nature or alter the laws of nature or economics, we simply

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have to recognize that there are limits on any state legislature to effectively deal with a problem of this nature.

We're concerned today with legislation whose reach is far beyond the territorial borders of the State of Connecticut, because anyone who takes notice of such things as the business climate, is sure to be aware of and sure to be concerned of what we're going here this afternoon in this body.

Rep. Kiner said that persons who are opposed to this amendment are the same persons who are opposed to social security, workers compensation, unemployment compensation and the like. I'd like to point out and remind the members of the body that social security is a federal program, and if there is any legislation in this area, that is warranted is at the federal level where it can be done on the uniform basis where we won't run the risk of pitting one state against another and resulting long term effects of this legislation in my opinion on the creation of jobs in the State of Connecticut. And this sentiment is shared by Commissioner Carson is that this would be very detrimental to our business climate and I urge rejection of the amendment for those reasons.

Thank you, Mr. Speaker.

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SPEAKER STOLBERG:

Will all members please be seated. Will staff and guests come to the well of the House. I'm going to ask the Clerk to announce a roll call vote.

Will you remark further on the amendment before us? Rep. Benvenuto.

REP. BENVENUTO: (151st)

Yes, I will be real brief. Rep. Kiner aroused by interest with some of the facts and figures he gave. I would just like to briefly ask one question. Through you, Mr. Speaker.

SPEAKER STOLBERG:

Please frame your question.

REP. BENVENUTO: (151st)

I was very much interested in the figures you gave as they related to Wisconsin and Connecticut, but you stopped short at year '79. I'm sure your facts and figures are up to date.

Can you give us the figures for 1980, '81, and '82, as compared to Connecticut?

SPEAKER STOLBERG:

Rep. Kiner, do you care to respond?

REP. KINER: (59th)

Yes, Mr. Speaker, I would. I'm sorry to say my

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figures are not up to date. Our figures go as far as 4 or 5 years beyond the time of enactment by Wisconsin of notification.

Going into 1981 all states were mired in a deep recession, so I'm not too sure, through you, Mr. Speaker, that even if I had those statistics they would bear any fruit in this debate. The important thing to consider, through you, Mr. Speaker, is those 4 or 5 years after the enactment of the legislation.

REP. BENVENUTO: (151st)

Thank you. Mr. Speaker, it would appear obvious to me that the recession took place throughout the country, Connecticut as well as Wisconsin, and if there was a comparison of figures, they certainly would have a great relationship on how the hostage bill affected Wisconsin as compared to Connecticut that had no hostage bill.

And I would suggest that if you were a chairman of the board in Columbus, Ohio, and you wanted to relocate your plant in Wisconsin or Connecticut, that it would be obvious to me that you would choose Connecticut over Wisconsin.

This amendment and this bill in general will do all that there can be done, that will do all to discourage people from locating in Connecticut, and I heard the word

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"bidding" mentioned earlier, and I'd just like to comment on that just briefly.

We talk about bidding for jobs and bidding for plant locations in area states. Connecticut right now has a very good position for bidding. I guess it was Rep. Gelsi that used the term. I hope that you turn down this amendment so that we could remain in that favorable position. We don't want to be handicapped, and we certainly don't want the State of Connecticut to be in the bidding process at a disadvantage.

Rep. Meyer, I think, used the key word here today, and that was "positive". I'd just like to add common sense to that word "positive" and hope that this Legislature will use common sense and be positive, not only on this legislation but all legislation that comes before us to encourage people to come into Connecticut, that will encourage our Senior Citizens in particular from not leaving Connecticut.

The word "positive" I think has to prevail here today, and I just hope you would turn down this amendment. Thank you.

SPEAKER STOLBERG:

Will members please be seated. Will staff and guests come to the well of the House. Will you remark further on

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the bill? Will you remark further? If not, the machine will be opened. We're voting on House Amendment Schedule "B".

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

The House of Representatives is now voting by roll call.

Will members please return to the Chamber immediately.

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

Will the Clerk please announce the tally.

CLERK:

House Amendment "B" to House Bill 7294.

Total number voting	148
Necessary for adoption	75
Those voting yea	64
Those voting nay	84
Those absent and not voting	3

SPEAKER STOLBERG:

The amendment is defeated.

Will all members please be seated. Will staff and guests come to the well of the House. The Chair would point out this debate has gone on for quite a long time, and it is virtually certain that an evening session will be necessary tomorrow and perhaps on subsequent days.

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With that in mind, will you remark on the bill?

Rep. Patton.

REP. PATTON: (119th)

If I get the mike on, yes, Mr. Speaker. Mr. Speaker, I recognize also that we've debated that at length, but that's not the only debate we're going to see because I have another amendment that I request the Clerk to call, LCO 6192, and may I summarize?

SPEAKER STOLBERG:

The Clerk has an amendment, LCO 6192, which will be designated House Amendment Schedule "C". Will the Clerk please call.

CLERK:

LCO 6192, Schedule House "C", offered by Rep. Patton of the 119th.

SPEAKER STOLBERG:

Rep. Patton has asked leave to summarize. Is there objection? Seeing no objection, please proceed.

REP. PATTON: (119th)

Mr. Speaker, I think a summary can take place in just a moment.

SPEAKER STOLBERG:

The summary has to take place right now, Rep. Patton.

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REP. PATTON: (119th)

That's what I'm doing, Mr. Speaker.

SPEAKER STOLBERG:

Please proceed.

REP. PATTON: (119th)

This amendment would require notification of 60 days prior to the closing of a plant or in lieu of that, compensation for termination pay. I move the amendment, Mr. Speaker.

SPEAKER STOLBERG:

Will you remark?

REP. PATTON: (119th)

Mr. Speaker, I think that what everyone has said pertaining to notification is humane for some employees is very, very accurate. I think that a lot of people are also hung up on 180 days notification, and the many, many other ramifications of the prior amendment. I think that prior amendment was just too much for us to digest.

I think the basic simple concept of giving an employee 60 days notice before you close the plant is not only tolerable, but it's necessary. That is all that this amendment speaks to. It is void of all of the other complications and implications of buy outs and

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economic development commissions and 6 month notices.

All I am asking this assembly to consider today now is the plain decent humanitarian aspect of giving somebody 60 days notice before you close the plant.

That is not too much.

Now, the business community would say that they are opposed to notification. They do give notification now. All we're saying is let it be no less than 60 days, and the other alternate in this amendment is that if you fail to give the 60 days notification, then there will be requirements for the health insurance for the 90 days.

It's an either/or proposition. You still don't have to give notification, but the human thing is to give 60 days. If you fail to do that, then the Governor's bill, the Governor's proposal before us, is a plain, decent, human thing to do. I urge us to move for 60 days notification. It's the decent thing to do.

SPEAKER STOLBERG:

Will you remark further on House Amendment Schedule "C"?

REP. RUDOLF: (139th)

Mr. Speaker.

SPEAKER STOLBERG:

Rep. Rudolf.

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REP. RUDOLF: (139th)

Mr. Speaker, I didn't have an opportunity to speak on this bill the last time, but I have to convey to the General Assembly, to my fellow House members an experience that took place just one month ago in Brooklyn, New York. The comments that took place between myself and the owner of a manufacturing plant in Brooklyn, New York, I think are serious and that you should consider them.

Under a redevelopment plan in Brooklyn, New York, this gentleman indicated to me that he was asked to relocate. He had 365 employees, and he needed 40,000 square feet of space. I asked the gentleman if he'd consider Connecticut.

What I'm about to tell you I think is very serious. He said "I've been reading very carefully about your plant closing bill, and under no condition would I consider Connecticut under this threat." Now, you heard the Governor speak about unemployment, and you all know about the budget deficit, and what I would like you to consider is the fact that we've got to start thinking in a more positive fashion.

Mr. Speaker, and my fellow colleagues, what we are about to do is to give Connecticut a black eye. This is not in the best interest of attracting industry to Connecticut.

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It's not in the best interest of creating jobs and certainly not in the best interest of producing revenue for our general fund, and I certainly would urge defeat of this bill.

SPEAKER STOLBERG:

We're on the amendment, House Amendment Schedule "C". Will you remark further on the amendment? On the amendment.

REP. GILLIGAN: (28th)

Mr. Speaker.

SPEAKER STOLBERG:

Rep. Gilligan.

REP. GILLIGAN: (28th)

On the amendment, sir, I would speak in opposition to it. I would think that most of the people in this Chamber, no matter how you feel about this legislation, would be opposed to this amendment.

It seems to me that what this calls for is if an employer gives notice, then on that condition, employees would lose the benefits of a so-called O'Neill measure, which would be the provision of group insurance benefits. And I don't know that I've read this correctly, but that's the way, and I've just been given it, but that's the way I read it. So if you're in favor of continuing group health

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insurance benefits, I would expect that you'd be opposed to this amendment as well.

SPEAKER STOLBERG:

Will you remark further on House "C"?

REP. RUDOLF: (139th)

Mr. Speaker.

SPEAKER STOLBERG:

Rep. Rudolf.

REP. RUDOLF: (139th)

Mr. Speaker, may I request that when the vote be taken, it be taken by roll call.

SPEAKER STOLBERG:

Request is for a roll call vote. All those in favor of a roll call vote, please indicate by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER STOLBERG:

Inadequate number is arrived at. Clearly inadequate.
Will you remark further on House "C"? Rep. Prague.

REP. PRAGUE: (8th)

Question to ask of the proponent of the amendment.

SPEAKER STOLBERG:

Rep. Prague, please frame your question.

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REP. PRAGUE: (8th)

Rep. Patton, is the intention of this amendment to just stand on its own, or are you intending this to include the insurance benefits that have been offered by the original bill?

Is this in addition to those insurance benefits?

REP. PATTON: (119th)

Through you, Mr. Speaker.

SPEAKER STOLBERG:

Rep. Patton.

REP. PATTON: (119th)

Your assumption, I believe, is correct as is with Rep. Gilligan. It is an either/or choice. They can give the 60 days notice, or they can give the insurance in lieu of.

REP. PRAGUE: (8th)

Mr. Speaker, I would like to be quite clear on this. I think this is such an important issue. If we were to vote for this amendment, does that mean we're voting for only 60 days notice and not the insurance benefits?

SPEAKER STOLBERG:

Rep. Patton, do you wish to respond?

REP. PATTON: (119th)

Yes, Mr. Speaker, and it is necessary to be understood.

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It is an either/or. If they choose to give notice, there is no burden to give the insurance. It is either/or.

SPEAKER STOLBERG:

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

REPRESENTATIVES:

Aye.

SPEAKER STOLBERG:

All those to the contrary, nay.

REPRESENTATIVES:

No.

SPEAKER STOLBERG:

The nay's have it. The amendment is defeated.

Will you remark further on the bill?

REP. SORENSEN: (82nd)

Mr. Speaker.

SPEAKER STOLBERG:

Rep. Sorensen.

REP. SORENSEN: (82nd)

Mr. Speaker, the Clerk has an amendment, LCO No. 7021. I ask the Clerk please call and I be allowed to summarize.

SPEAKER STOLBERG:

The Clerk has an amendment, LCO 7021, which will

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designated House Amendment Schedule "D". Will the Clerk please call.

CLERK:

LCO 7021, designated House "D", offered by Rep. Sorensen of the 82nd.

SPEAKER STOLBERG:

Rep. Sorensen has asked leave to summarize. Is there objection? Seeing no objection, please proceed.

REP. SORENSEN: (82nd)

Thank you, Mr. Speaker. Mr. Speaker, basically what this amendment does is it calls for 60 days notice, and it keeps everything else that is in the Governor's bill the way it is, the inclusion of the medical benefits and health benefits. It keeps everything the same, and all this does is just add 60 days written notice to the employees proposing if there is a plant closing or to relocate a covered establishment.

And I move adoption of the amendment, Mr. Speaker.

SPEAKER STOLBERG:

Will you remark on House "D"? Rep. Sorensen.

REP. SORENSEN: (82nd)

Yes, Mr. Speaker. Mr. Speaker, with the debate that just ensued in the previous amendment offered by Rep. Patton, I expect to see an awful lot of green lights

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on the board, because what this does is it takes care of exactly the problems that people were saying.

You can't have the choice between the notification and/or the health benefits. This gives you both and the 60 days, simple and plain. It gives you 60 days written notice. It also continues your health benefits. It seems to me that that's the fair compromise, 60 days.

I urge its adoption, Mr. Speaker.

SPEAKER STOLBERG:

Will you remark further on House "D"?

REP. PATTON: (119th)

Mr. Speaker.

SPEAKER STOLBERG:

Rep. Patton.

REP. PATTON: (119th)

I'd like to offer my support of this amendment, which is the 60 day notification. I think above all else, a reasonable notification is necessary and this is a step beyond what I had proposed, but it will insure both the Governor's package, which is a good program, Rep. Sorensen's proposal, including the insurance, and a minimum notification of 60 days, and I would hope that we would at least adopt that.

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SPEAKER STOLBERG:

Will you remark further on House "D"? Rep. Sorensen.

REP. SORENSEN: (82nd)

Thank you, Mr. Speaker. Mr. Speaker, when the vote is taken, I ask that it be taken by roll.

SPEAKER STOLBERG:

The request is for a roll call vote. All those in favor of a roll call, please indicate by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER STOLBERG:

An adequate number is arrived at. A roll call vote will be ordered.

Will you remark further on House "D"? If not, will members please be seated.

REP. GILLIGAN: (28th)

Mr. Speaker.

SPEAKER STOLBERG:

Rep. Gilligan, I'm just going to have the members be seated and ask the staff and guests to clear the aisles.

Rep. Gilligan.

REP. GILLIGAN: (28th)

Yes, thank you, Mr. Speaker. Ladies and gentlemen, I'd like to point out there is a substantial difference in

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this measure from the House Amendment Schedule "B" that was introduced by Rep. Kiner in that Rep. Kiner's amendment applied only to relocations.

This I point out for the benefit of the group, would apply to a closing or a relocation, and it's a reasonable seductive treatment of it. It calls for 60 days notice only, but I'd like to underscore that because it would affect a closing institution, that is an ailing institution, but almost by definition, it is bound to have disastrous impact, in fact will no doubt aggravate an ailing business in a number of ways.

In the first place, any supplier of that business is sure to be apprehensive about the impending closing and is sure to demand COD transactions and that further would aggravate the cash position of that firm.

Secondly the customers. Consider if you were a potential customer or an existing customer of a business that is failing and has given 60 days notice that it is going to close, would you give any further business to that firm? Probably not.

The impact on employees also. The skilled employees receiving notice of 60 days are sure to look elsewhere for employment. The skilled employees are the ones who will have no difficulty finding suitable replacement employment,

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but what is the effect on the unskilled or the semi-skilled employees?

They're going to be left in that business for another 60 days and sure to be left behind. They're left to try to bail out this business. I would also add that, well, I guess I've stated all that has to be said.

It's a 60 day notice, and if you think in terms of whether you're really going to provide any assistance in so brief a period of time, and in exchange for the placing on the books in the State of Connecticut something that will be surely referred to by the other Chambers of Commerce, the State Commerce Departments throughout the land that Connecticut has a notification requirement.

I want to stress that there are only two states in the country that have such a provision. Only two states. They are Wisconsin and Maine. Wisconsin has a 12% unemployment rate as of March, and Maine has almost 11%. I don't think that's a lead that we should follow, and I urge rejection of this amendment.

REP. BROOKS: (95th)

Mr. Speaker, very quickly.

SPEAKER STOLBERG:

Rep. Brooks.

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REP. BROOKS: (95th)

Very quickly, Mr. Speaker, I said that I would not rise on this debate and primarily because all of us, it seems, have made up our mind. But when you get down to an argument or a point of debate that 60 days, 60 days is too much to ask to receive some notification, I think it gets very low.

It's very unfair. It takes 60 days to just notify your movers. It takes 60 days just to begin to put in operation the close down. They're entitled to those 60 days.

SPEAKER STOLBERG:

Will all members please be seated. Will staff and guests come to the well of the House. We are voting on House Amendment Schedule "D", LCO 7021. The machine will be opened.

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

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

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Will the Clerk please announce the tally.

CLERK:

House Amendment "D" to House Bill 7294.

Total number voting 148

Necessary for adoption 75

Those voting yea 62

Those voting nay 86

Those absent and not voting 3

SPEAKER STOLBERG:

The amendment fails.

The Chair would observe that there seems to be a significant majority who prefer the file copy. I know there are many more amendments filed, and I just bring the prior votes to the attention of all the members in the Chamber.

Will you remark further on the bill?

REP. KRAWIECKI: (78th)

Mr. Speaker.

SPEAKER STOLBERG:

Rep. Krawiecki.

REP. KRAWIECKI: (78th)

Mr. Speaker, members of the House, I'd like to just comment briefly on the bill and indicate to you that I very much like Rep. Butterly and several other legislators

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in this body have been very severely impacted by the types of situations we're trying to remedy here today.

It was an interesting process throughout the session negotiating both with my colleagues on that side of the aisle with the labor community and others to attempt to come up with some type of a package that would certainly help our workers in this state. And generally speaking, there had been two lines of thought, one being that notification was an essential commodity, and the second being that some types of benefits were necessary when there was a plant closing, relocation, or what have you.

I think the body, as the Speaker has pointed out, has clearly spoken that they prefer the latter decision. I concur with that belief because I have had many conversations with individuals and certainly members of my local community who have been severely impacted.

We've had several closings. We've had several abrupt closings, and I think the examples that have been used in the State of Connecticut have centered around the examples that we had in Briston. We had one during the month of October where some 400 individuals were let go overnight, basically.

They reported to work, there were chains on the gates, and we had tremendous problems. Our people were

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dislocated. In addition, it added to the social problems in our community. We had an increased welfare case load. We've had increased problems in attempting to provide health benefits and social services for our individuals that were hurt so badly, and I'm glad to see that this body has acted in the manner at least that it appears they will be acting in adopting the Governor's and certainly I think some Republican representatives, who sponsored an amendment that is very close to the bill that I think we're going to be adopting today.

But there's one additional category that I don't think we've dealt with, and I'm going to call an amendment and it's to my colleagues who come from the greater Meriden area, and I know there are other individuals in the state who have been victimized by a similar type of situation, and when there is a closing and when employees went out to attempt to extend their health benefits period, they found that there had been a ruling within our Department of Labor and in our insurance department that if a health benefit policy had been written out of state that the employee could not buy in.

I think clearly that is adverse to the intent of the law that we had passed many years ago, and I think it's clearly our intention in this body to provide

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protection for those workers and with that thought in mind, Mr. Speaker, the Clerk has an amendment, LCO No. 7031.

Would he please call and read the amendment.

SPEAKER STOLBERG:

The Clerk has an amendment, LCO 7031, which will be designated House Amendment Schedule "E". Will the Clerk please call and read.

CLERK:

LCO No. 7031, designated House Amendment Schedule "E", offered by Reps. Krawiecki, Jaekle, Zajac, and Savage.

In line 53, after the word "insurance" insert the following: ", no matter where the group policy was written, issued or delivered,".

SPEAKER STOLBERG:

Rep. Krawiecki, move adoption of the amendment.

REP. KRAWIECKI: (78th)

I move adoption.

SPEAKER STOLBERG:

Will you remark?

REP. KRAWIECKI: (78th)

Yes, very briefly, members of the House, what this amendment does specifically is it allows employees to buy

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in to their health insurance policy whether or not the policy was written in the State of Connecticut. It seems to me that it is irrelevant where the policy was written.

Certainly it is counter to the intention of the law when this body passed that law many years ago, and only with the recent circumstances and events that have occurred throughout our state has the problem come to light.

I think it is completely in concurrence with what the Governor has proposed as a package. I see no reason why it shouldn't pass unanimously.

REP. ZAJAC: (83rd)

Mr. Speaker.

SPEAKER STOLBERG:

Will you remark? Rep. Zajac.

REP. ZAJAC: (83rd)

Yes, Mr. Speaker. I'd like to support the amendment and would read a very short memo generated from my office to the Insurance Department which explains the situation. It says "According to our liaison in the Insurance Department, if a policy were written out of state, if headquarters of the company is out of state, then Connecticut has no jurisdiction over it at all.

The 30 day grace period, and the 39 week conversion

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period would not apply if the policy were delivered out of state."

So what this means is should a plant closing bill pass, I wouldn't want anyone to think that that would solve the case in 100% of plant closing cases, in that many of the companies doing business here but headquartered out of state, those individuals would not be protected regardless of the plant closing bill, should it pass.

What would this mean on the other end? Very simply that the company writing the policy in an out of state headquarters would simply take out an extra rider on the insurance policy covering Connecticut employees. It's that simple. I urge your adoption.

REP. GILLIGAN: (28th)

Mr. Speaker.

SPEAKER STOLBERG:

Rep. Gilligan.

REP. GILLIGAN: (28th)

Mr. Speaker, I think Rep. Krawiecki's amendment is a laudable one, and I support it.

REP. PRAGUE: (8th)

Mr. Speaker.

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SPEAKER STOLBERG:

Will you remark further, Rep. Prague?

REP. PRAGUE: (8th)

Thank you, Mr. Speaker. A question through you to Rep. Krawiecki, please.

SPEAKER STOLBERG:

Please frame your question.

REP. PRAGUE: (8th)

Would this also pertain to self-insured companies which are not regulated by any Connecticut regulation?

REP. KRAWIECKI: (78th)

Through you, Mr. Speaker.

SPEAKER STOLBERG:

Rep. Krawiecki.

REP. KRAWIECKI: (78th)

This bill would only apply to group health policies as listed in Section 2 of Bill No. 7294.

REP. PRAGUE: (8th)

I'm not sure what that means, Rep. Krawiecki. I think what I need to have answered from you is whether or not self-insured companies would be under an obligation to continue health care benefits.

REP. KRAWIECKI: (78th)

Through you, Mr. Speaker, I believe the answer would

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be that it would only apply to those employees who are eligible under group coverage as existing through their present employment.

I am not sure how the individual's self employment policy would operate. It would be my guess that they probably would not be included, since I gather that's the direction you're heading in, because it is not a group policy.

REP. PRAGUE: (8th)

OK, my question is companies that are self-insured, like Electric Boat. That's a self-insured company whose regulations are not controlled by Connecticut's regulations. A self-insured company's regulations and benefits are determined by their company's policy. They are Federally able to be self-insured and their benefits are what they determine to be benefits.

SPEAKER STOLBERG:

Rep. Krawiecki.

REP. KRAWIECKI: (78th)

Through you, Mr. Speaker, I think the answer would be no, based on the information you've provided me. Certainly I think if I had been aware of that I would have included it in the amendment, but I think the amendment goes 90% of the way, and I would urge adoption anyway.

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REP. PRAGUE: (8th)

Well, one of the problems, Rep. Krawiecki, through you, Mr. Speaker, is that many large companies are now going self-insured. Many large companies of well over 100 employees, and I think that's a major issue in your amendment.

SPEAKER STOLBERG:

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

REPRESENTATIVES:

Aye.

SPEAKER STOLBERG:

All those to the contrary, nay.

The amendment is clearly adopted and ruled technical.

Will you remark further? Will you remark further on the bill? Rep. Allen.

REP. ALLEN: (143rd)

The bill as it stands really goes very short distance, and it impresses me as being a bit of spun sugar concocted by CBIA and swallowed whole by His Excellency.

It does not establish the right of labor to have prenotification, and while I will vote for the bill, I simply do not believe that labor's right to prenotification must be nailed on the cross of managerial prerogative.

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I just do not believe that labor's just right to prenotification must be sacrificed on the altar of entrepreneurial autonomy.

SPEAKER STOLBERG:

Will you remark further on the bill? Rep. Kiner.

REP. KINER: (59th)

Mr. Speaker, the Clerk has another amendment, LCO 6909, and would the Clerk please call and read.

SPEAKER STOLBERG:

The Clerk has an amendment, LCO 6909, which will be designated House Amendment Schedule "F". Will the Clerk please call and read.

CLERK:

LCO No. 6909, designated House Amendment Schedule "F", offered by Rep. Kiner of the 59th District.

In line 71, strike out "procedural requirements for an employer and " and insert in lieu thereof the following: "provisions requiring the employer to pay for the continuation of existing group health insurance for his affected".

REP. KINER: (59th)

Mr. Speaker.

SPEAKER STOLBERG:

Rep. Kiner.

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REP. KINER: (59th)

I move adoption of the amendment, sir.

SPEAKER STOLBERG:

Will you remark?

REP. KINER: (59th)

Mr. Speaker, this basically is a very technical amendment, and all we're saying is that by adopting this amendment we would be saying in effect that any contract concerning provisions for continuation of health insurance would supersede this act.

However, we wish to avoid the situation where a procedural requirement such as maybe 2 or 3 days notice would supersede that 90 day health insurance aspect, Mr. Speaker. And in speaking with the proponents of the file copy, it would appear as though they also recognize that this is a technical amendment and it is needed to firm up the file, and as such, Mr. Speaker, I move adoption of this amendment.

SPEAKER STOLBERG:

Will you remark further on the amendment? Will you remark further? If not, all those in favor of the amendment, please indicate by saying aye.

REPRESENTATIVES:

Aye.

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SPEAKER STOLBERG:

All those to the contrary, nay.

The amendment is adopted and ruled technical.

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

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

The House of Representatives is now voting by roll call.

Will members please return to the Chamber immediately.

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

Will the Clerk please announce the tally.

CLERK:

House Bill 7294, as amended by House Amendment Schedules "A", "E", and "F".

Total number voting	149
Necessary for passage	75
Those voting yea	134
Those voting nay	15
Those absent and not voting	2

SPEAKER STOLBERG:

The bill is passed.