

Legislative History for Connecticut Act

HB 6642	PA 168	1985
House 2944-2949, 4268-4274		13p.
Senate 1763-1766, 1769-1770		6p.
E. P. U 143-144, 148, 160, 174		5p.
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H-397

CONNECTICUT
GEN. ASSEMBLY
HOUSE

PROCEEDINGS
1985

VOL. 28

PART 9

2891-3252

kok

136

House of Representatives

Thursday, April 18, 1985

who have gotten our red flyers know that as Representative of Danbury, along with Rep. Paul Garavel and Rep. Lynn Taborsak, the Hat City, we hope all of you will show up in your most elegant attire, as far as your headgear is concerned, and we're looking forward to Hat Day next Wednesday.

SPEAKER VAN NORSTRAND:

Thank you Rep. Gyle. Are there other points of personal privilege or announcements? If not, will the Clerk please return to the Call of the Calendar.

CLERK:

Calendar No. 289, House Bill No. 6642, File No. 334, AN ACT REQUIRING COMMUNITY ANTENNA TELEVISION COMPANIES TO MAKE AVAILABLE TO DEAF AND HEARING IMPAIRED CUSTOMERS EQUIPMENT WHICH DECODES CLOSED CAPTIONS. Favorable Report of the Committee on Energy and Public Utilities.

REP. ANDERSON: (45th)

Mr. Speaker.

SPEAKER VAN NORSTRAND:

Rep. David Anderson.

REP. ANDERSON: (45th)

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

kok

137

House of Representatives

Thursday, April 18, 1985

Joint Committee's Favorable Report and passage of the bill.

SPEAKER VAN NORSTRAND:

The question is on passage of the bill. Will you remark sir?

REP. ANDERSON: (45th)

Yes, sir. Thank you, Mr. Speaker. This is a bill that received unanimous support in the committee. It will require cable TV companies to supply by rental or installment sale, decoding devices that will benefit the deaf and hearing impaired in this state.

The industry supports the bill, and I suggest that we move along and pass this bill unanimously.

SPEAKER VAN NORSTRAND:

Thank you Rep. Anderson. I hope that unanimous vote reflects a trend in the committee. Will you remark further on the bill?

REP. BELAGA: (136th)

Mr. Speaker.

SPEAKER VAN NORSTRAND:

Rep. Julie Belaga.

REP. BELAGA: (136th)

Thank you, Mr. Speaker. I have an amendment on the

kok

138

House of Representatives

Thursday, April 18, 1985

bill. Will the Clerk please call LCO 5494.

SPEAKER VAN NORSTRAND:

The Clerk please call LCO 5494, designated House Amendment Schedule "A".

CLERK:

House Amendment Schedule "A", LCO 5494, offered by Rep. Jaekle.

REP. BELAGA: (136th)

Mr. Speaker, would he please read the amendment.

SPEAKER VAN NORSTRAND:

The Clerk please also read the amendment.

CLERK:

In line 14, after the word, "RENTAL", insert "
SALES"

REP. BELAGA: (136th)

Thank you, Mr. Speaker.

SPEAKER VAN NORSTRAND:

The amendment is in your possession, madam, what is your pleasure?

REP. BELAGA: (136th)

I move the amendment.

SPEAKER VAN NORSTRAND:

The question is on adoption. Will you remark?

kok

139

House of Representatives

Thursday, April 18, 1985

REP. BELAGA: (136th)

Thank you. Mr. Speaker, this would simply expand the options available with this provision. The file copy allows and asks the company to make the special equipment available to rental and installment sales, and we felt it also should include those people who want to buy it outright, and so that's the modest amendment that's here. I move adoption.

SPEAKER VAN NORSTRAND:

The question is on adoption. Will you remark?
Will you remark?

REP. ANDERSON: (45th)

Mr. Speaker.

SPEAKER VAN NORSTRAND:

Rep. David Anderson.

REP. ANDERSON: (45th)

I think this makes a good bill better. I suggest that we support this amendment.

SPEAKER VAN NORSTRAND:

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

REPRESENTATIVES:

Aye.

kok

140

House of Representatives

Thursday, April 18, 1985

SPEAKER VAN NORSTRAND:

All opposed, indicate by saying nay. The ayes have it. House "A" is adopted and ruled technical. Will you remark further on the bill, as amended by House Amendment Schedule "A"? Will you remark? If not, staff and guests please come to the well of the House. The machine will be opened. The Clerk please announce a roll call vote.

CLERK:

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

SPEAKER VAN NORSTRAND:

Have all the members voted and are their votes properly recorded? Have all the members voted? Have all the members voted? The Clerk please take a tally.

The Clerk please announce the tally.

CLERK:

House Bill 6642, as amended by House "A".

Total number voting	143
Necessary for passage	72
Those voting yea	143
Those voting nay	0
Those absent and not voting	8

kok

141

House of Representatives

Thursday, April 18, 1985

SPEAKER VAN NORSTRAND:

The bill is passed.

CLERK:

On the Calendar No. 290, Substitute House Bill No. 7686,

File No. 333, AN ACT CONCERNING MAJOR TRAFFIC

GENERATORS. Favorable Report of the Committee on

Transportation.

REP. JAEKLE: (122nd)

Mr. Speaker.

SPEAKER VAN NORSTRAND:

Rep. Jaekle.

REP. JAEKLE: (122nd)

May this item be referred to the Committee on
Planning and Development, please.

SPEAKER VAN NORSTRAND:

The motion is for reference to the item, Calendar
 290 to the Committee on Planning and Development. Is
 there objection? Seeing none, it is so ordered.

REP. ESPOSITO: (137th)

Mr. Speaker.

SPEAKER VAN NORSTRAND:

Rep. Frank Esposito.

REP. ESPOSITO: (137th)

Mr. Speaker, at this time I move that the following

H-400

CONNECTICUT
GEN. ASSEMBLY
HOUSE

PROCEEDINGS
1985

VOL. 28
PART 12
4132-4491

kpt

381

House of Representatives

Thursday, May 2, 1985

DEPUTY SPEAKER BELDEN:

The bill as amended is passed.

CLERK:

Page 28, Calendar No. 289, Potential Disagreeing Action, House Bill No. 6642, File No. 421, AN ACT REQUIRING COMMUNITY ANTENNA TELEVISION COMPANIES TO MAKE AVAILABLE TO DEAF AND HEARING IMPAIRED CUSTOMERS EQUIPMENT WHICH DECODES CLOSED CAPTIONS, as amended by House Amendment Schedule "A" and Senate Amendment Schedule "A", Favorable Report of the Committee on Energy and Public Utilities.

REP. ANDERSON: (45th)

Mr. Speaker.

DEPUTY SPEAKER BELDEN:

Rep. Anderson.

REP. ANDERSON: (45th)

Thank you, Mr. Speaker. I move passage of the bill in concurrence with the Senate and I'd like the Clerk please to call LCO 54 --

DEPUTY SPEAKER BELDEN:

Motion is for adoption, for passage of the bill in concurrence with the Senate. Will you remark, sir.

REP. ANDERSON: (45th)

Thank you, sir. I would like the Clerk to call

kpt

382

House of Representatives

Thursday, May 2, 1985

LCO 5494 and since it's brief, to read it, please.

It's been passed once, it's House "A". 5494.

DEPUTY SPEAKER BELDEN:

Will the Clerk please call LCO 5494 previously designated House Schedule "A".

CLERK:

House Amendment Schedule "A", LCO No. 5494, offered by Rep. Jaekle.

DEPUTY SPEAKER BELDEN:

What is your pleasure, sir?

REP. ANDERSON: (45th)

I move adoption of the amendment.

DEPUTY SPEAKER BELDEN:

The motion is for adoption. Will you remark, sir?

REP. ANDERSON: (45th)

We've already adopted it once. I suggest we adopt it again.

DEPUTY SPEAKER BELDEN:

I think I heard a motion for re-adoption. Will you remark further? If not, I will try your minds. All those in favor of re-adopting House "A", please indicate by saying aye.

REPRESENTATIVES:

Aye.

kpt

383

House of Representatives

Thursday, May 2, 1985

DEPUTY SPEAKER BELDEN:

All those opposed, nay.

REP. ~~ANDERSON:~~ House "A" is re-adopted.

REP. ANDERSON: (45th)

DEPU Mr. Speaker.

DEPUTY SPEAKER BELDEN:

REP. Anderson.

REP. ANDERSON: (45th)

We have another amendment come down, LCO No. 6329.
Could I ask the Clerk to call it and since it's also
brief --

DEPUTY SPEAKER BELDEN:

Will the Clerk please call and read LCO 6329,
previously designated Senate "A".

CLERK:

S. Am. A
Senate Amendment LCO 6329, offered by Sen. O'Leary
and Sen. Mustone. In line 14 after the word available
and before the comma, insert at cost.

DEPUTY SPEAKER BELDEN:

Rep. Anderson, what is your pleasure, sir?

REP. ANDERSON: (45th)

Mr. Speaker, what this amendment does is, under
the original wording and under the original amendment
in the House --

kpt

House of Representatives

Thursday, May 2, 1985

DEPUTY SPEAKER BELDEN:

Excuse me, sir. Would you move adoption.

REP. ANDERSON: (45th)

I move adoption.

DEPUTY SPEAKER BELDEN:

Thank you, sir. Would you remark further?

REP. ANDERSON: (45th)

Okay. We had reference to rental installment and sales. This simply states that it should be at cost. I found no great resistance to this from the trade out there and I would suggest at this late hour of the evening that we go along with the Senate, that this is a good improvement to the bill, and that we adopt the amendment in concurrence with the Senate.

DEPUTY SPEAKER BELDEN:

Will you remark further on Senate "A"?

If not, I will try your minds. All those in favor of adoption of Senate "A", please indicate by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER BELDEN:

All those opposed, nay.

REPRESENTATIVES:

No.

House of Representatives

Thursday, May 2, 1985

DEPUTY SPEAKER BELDEN:

Senate "A" is adopted and ruled technical.

Will you remark further on the bill as amended by House "A" and Senate "A"? Rep. Anderson.

REP. ANDERSON: (45th)

I move now that we vote on the bill, Mr. Speaker.

DEPUTY SPEAKER BELDEN:

Thank you, sir.

Will you remark? If not, staff and guests please come to the well of the House.

An immediate roll call is ordered. The Clerk will please announce the roll call.

CLERK:

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

DEPUTY SPEAKER BELDEN:

Have all the members voted and is your vote properly cast?

If so, the machine will be locked.

The Clerk will take a tally.

Will the Clerk please announce the tally.

kpt

House of Representatives

Thursday, May 2, 1985

REP. STOLBERG: (93rd)

Mr. Speaker.

DEPUTY SPEAKER BELDEN:

Rep. Hartley pressed her button and somehow the vote did not record. I wonder if there's a way that her vote could be cast.

DEPUTY SPEAKER BELDEN:

Since the tally has not been announced, Rep. Hartley, what would you care to do?

REP. HARTLEY: (73rd)

Mr. Speaker, I'd like to record in the affirmative.

DEPUTY SPEAKER BELDEN:

Rep. Hartley of the 73rd in the affirmative.

Is there anyone else with a problem? If not, will the Clerk please announce the tally.

CLERK:

House Bill 6642 as amended by House "A" and Senate "A".

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

kpt

387

4274

House of Representatives

Thursday, May 2, 1985

DEPUTY SPEAKER BELDEN:

The bill is passed as amended in concurrence with the Senate.

REP. JAEKLE: (122nd)

Mr. Speaker.

DEPUTY SPEAKER BELDEN:

Before too many people leave, or many more people leave, I'd like to announce for the benefit of the brave soles that are still here, that it's our intention for next week's schedule of Sessions, to have a Regular Session on Tuesday, May 7 commencing at 11:00 A.M. and a likelihood that we'll go into the evening.

A Session on Wednesday, May 8 commencing at 11:00 A.M. and again, a likelihood of going into the evening.

And a strong probability of a Session on Thursday, depending upon how well we move the business.

REP. ESPOSITO: (137th)

Mr. Speaker.

DEPUTY SPEAKER BELDEN:

Mr. Speaker, at this time, I'd like to move for acceptance and passage of the following bills placed on the Consent Calendar today.

S-235

CONNECTICUT
GEN. ASSEMBLY
SENATE

PROCEEDINGS
1985

VOL. 28

PART 5

1400-1770

Regular Session
Tuesday, April 30, 1985

1763 112
dk

THE CHAIR:

Will you remark further? Clerk, please make an announcement for immediate roll call.

THE CLERK:

An immediate roll call has been ordered in the Senate, will all Senators please return to the Chamber. Immediate roll call has been ordered in the Senate, will all Senators please return to the Chamber.

THE CHAIR:

Question before the Chamber is a motion to adopt Cal. No. 292, Substitute for House Bill No. 5122, File No. 246 and 409. Machine is open, please record your vote. Has everyone voted? The machine is closed, Clerk please tally the vote.

Result of the vote: 15 yea, 21 nay. The bill is defeated.

THE CLERK:

On page 6, Cal. No. 300, House Bill No. 6642, Files 334 and 421. An Act Requiring Community Antenna Television Companies To Make Available To Deaf and Hearing Impaired Customers Equipment Which Decodes Closed Captions. (As amended by House Amendment Schedule "A".) Favorable Report of the Committee on Energy and Public Utilities.

THE CHAIR:

Senator Zinsser.

Regular Session
Tuesday, April 30, 1985

1764 113
dk

SENATOR ZINSSER:

Thank you, Mr. President, I move the Committee's Favorable Report and passage of the bill, in concurrence with House Amendment "A".

THE CHAIR:

Clerk has amendments.

THE CLERK:

Senate Amendment Schedule "A", L.C.O. No. 6329, introduced by Senator O'Leary and Senator Zinsser.

THE CHAIR:

Senator O'Leary.

SENATOR O'LEARY:

Thank you Mr. President, I move the adoption of the amendment, and ask that the reading be waived so that I might summarize?

THE CHAIR:

Without objection, you may proceed.

SENATOR O'LEARY:

Thank you. This simply substitutes the words 'at cost' to make sure that when this equipment is provided to the deaf and the hearing impaired, that it not be done so at a profit, but rather be done at cost. I urge the adoption of the amendment.

Regular Session
Tuesday, April 30, 1985

1765 114
dk

THE CHAIR:

Wish to remark further on the amendment? Senator Zinsser.

SENATOR ZINSSER:

Thank you, Mr. President. This is a good amendment, I think it clarifies exactly what we're trying to do here, and I've already checked this out with the D.P.U.C., and also the cable companies. I should point out to you, by the way, that the cable companies told me that most of the time they do this. And I told them that all the time they are going to do it. It's a good amendment, and ought to pass.

THE CHAIR:

Wish to remark further? On the amendment? If not, all those in favor of the amendment signify by saying aye. Those opposed nay. The ayes have it. The amendment is adopted. Senator Zinsser.

SENATOR ZINSSER:

Thank you Mr. President. On the bill itself. What this bill would do, it would make each cable company in the State either lease or sell to the deaf and hearing impaired, the decoder devices for them to enjoy cable T.V. The House Amendment, I should point out to you, is simply adding a third way of buying it, and that is with a lump sum purchase. So now we have three ways they can do it, either by lease, by

Regular Session
Tuesday, April 30, 1985

1766 115
dk

an installment sale, by a lump sum sale, and with Senator O'Leary's amendment, they must do it at cost. It's a good bill, and it's something that we should go for, and I would, if there's no objection, move to the consent calendar.

THE CHAIR:

Hearing no objection, so ordered. Senator Smith.

SENATOR SMITH:

Mr. President, I would like to move for a suspension of the rules for immediate transmittal of Cal. No. 410, Senate Bill 767, to the House.

THE CHAIR:

Any objection? Without objection, it is... the item is transmitted to the House.

THE CLERK:

Page 2, Cal. No. 217, Substitute for Senate Bill No. 803, File 264. An Act Concerning Health and Welfare Services and In-Town Transportation Services For Nonpublic School Students. Favorable Report of the Committee on Education.

THE CHAIR:

Senator Eads.

SENATOR EADS:

Thank you. I move acceptance of the joint Committee's Favorable Report and passage of the bill.

Regular Session
Tuesday, April 30, 1985

1767 116
dk

THE CHAIR:

Clerk has amendments.

THE CLERK:

Senate Amendment Schedule "A", L.C.O. No. 6136, introduced by Senator Truglia and Senator Eads.

THE CHAIR:

Senator Truglia.

SENATOR TRUGLIA:

Thank you, Mr. President, if I may I'd like to move the amendment, and if I can, I'd like to waive the reading and summarize.

THE CHAIR:

Without objection, you may proceed.

SENATOR TRUGLIA:

Mr. President, and members of the Circle. What has taken place here with Senate Bill 803, as we now have it in front of us, for some years, going back to about 1967, pre-school youngsters, handicapped and so forth, were allowed certain privileges. And... such as a school physician, a school nurse, stuff like that... dentists, school psychologists, school remedial services, and so forth. With the bill as it now stands without this amendment, these youngsters who are being given these services, will be denied these services, and unfortunately, because of the time factor, in my town

Regular Session
Tuesday, April 30, 1985

1768 117
dk

and others, we have a large number of people involved. Stamford alone has some eleven hundred, I'm being told by the Health Director and the Superintendent of Schools. And so I would like support on this amendment, so we can at least make some provisions in the future that these people not be denied this because they go to a non-public school. I move the amendment, Mr. President.

THE CHAIR:

Wish to remark further on the amendment? Senator Eads.

SENATOR EADS:

Thank you. I would just like to say that I have no objection to this amendment, Sir.

THE CHAIR:

All those in favor of the amendment, signify by saying aye. Those opposed nay. The ayes have it, the amendment is adopted. Further amendments? Senator Eads, on the bill as amended.

SENATOR EADS:

A brief explanation. The bill would specify that special education services are not included, and not reimbursible as Health and Welfare services, and that special ed. is definately K-12. If there's no objection, I would move it to consent.

THE CHAIR:

Hearing no objection, so ordered. Senator Smith, at this

time do you want to call a halt to the proceedings? You have two items that are marked on page 20, I believe, that still remain without action. You wish to have these pass retaining?

SENATOR SMITH:

Mr. President, I would move that we pass retain the two items, and get on with the consent calendar.

THE CHAIR:

Thank you. Clerk, please make an announcement for immediate roll call.

THE CLERK:

Immediate roll call on the consent calendar has been ordered in the Senate, will all Senators please return to the Chamber. An immediate roll call has been ordered on the consent calendar, will all Senators please return to the Chamber.

THE CHAIR:

Please give your attention to the Senate Clerk, who will read the items that were placed on the consent calendar. You may proceed.

THE CLERK:

Consent calendar No. 2, the first item is HB 5925 Cal. No. 247, which was the one from last Wednesday's calendar that was reconsidered. Page 2, Cal. 217. Page 3, Cal. 254 and 261. SB 803 SB 724 SB 401
And on page 6, Cal. 300. HB 6642

Regular Session
Tuesday, April 30, 1985

1770 119
dk

THE CHAIR:

Any changes? Omissions? Machine is open, please record your vote. Senator Richard Johnston. Senator Richard Johnston? Has everyone voted? Machine is closed, Clerk please tally the vote.

Result of the vote: 36 yea, 0 nay. The consent calendar is adopted. Senator Smith.

SENATOR SMITH:

Yes, Mr. President, there will be a session tomorrow at 2:00 p.m., Senate Republican caucus at 10:00 a.m.

THE CHAIR:

Thank you. Further announcements? Senator Smith.

SENATOR SMITH:

I move for adjournment, subject to the Call of the Chair.

THE CHAIR:

The Senate will stand adjourned, subject to the Call of the Chair.

THE SENATE ADJOURNED AT 6:00 P.M.,
SUBJECT TO THE CALL OF THE CHAIR.

DANETTE KENNEDY
SENATE TRANSCRIPTIONIST

JOINT
STANDING
COMMITTEE
HEARINGS

ENERGY AND
PUBLIC
UTILITIES
PART 1
1-339

1985
INDEX

REP. CAPPELLETTI: (continued)
particular, but it is the Samonds Corporation.

SEN. ZINSSER: Any other questions? Thank you very much.
We would now like to hear from Mr. Zitser.

BARRY ZITSER: My name is Barry Zitser. I'm here on behalf
of the Division of Consumer Counsel. I'm only at this
time going to be speaking on two bills, making some
general comments on energy assistance.

Due to the large number of bills and the large number of
speakers who want to comment on them, I am then going to
put my name at the bottom of the public speaker list and
when everybody has had their say, then I will comment on
the remaining bills.

SEN. ZINSSER: You catch on Barry, you'd better watch out.

MR. ZITSER: Both of the bills, incidentally, that I am going
to be speaking on are Governor bills and I believe should
have the bipartisan support of this committee.

First bill is House Bill #6642, An Act Requiring Community
Antenna Television Companies to make Captioning Decoding
Devices available to Deaf and Hearing Impaired Customers.
These are the devices that enable a deaf and hearing
impaired person to actually view television by seeing
written words on a crawl space going against the bottom
of the TV set. A number of the major networks do provide
this service, but unless you have a special device that
sometimes costs \$300, you just cannot utilize the service.

Now you would think that this will would be so non-controversial
that all of the cable television companies should support it.
In fact, maybe the association will support it, we'll see.
Unfortunately, the Division of Consumer Counsel took a poll
of the cable companies a year ago and we asked them how
many of them now provide these services, either by way of
purchase or by way of rental. Out of the 20 responses,
only two then provided either to sell or the rental of
these captioned devices to their hearing impaired deaf
customers. Ironically these two were Hartford CATV and
Storr of New Haven, the Bobsy-Twins of consumer complaints.

MR. ZITSER: (continued)

In any event, a majority of the cable companies at the time we took this poll were still unwilling to provide this service. Nevertheless, whenever they come in for rate increases and they're on the stand, they want to provide this service the next day and they agree to do it.

A classic example would be Storr was on the stand the other day. I asked him if they would provide these services. Wonderful idea, be more than happy to do it. Don't worry, I still didn't endorse the full rate increase, but I gave their management some high marks.

There are approximately 7% of the people of this state who are hearing impaired or totally deaf. With respect to telecommunications, there have been a number of technological advances that now allow hearing impaired deaf people not only to use their telephone, but to use their television sets, and this committee has already, I think, in a bipartisan way been supportive of giving the deaf and hearing impaired the opportunity to use the telephones and in fact adopted a similar bill with respect to the telephone. I believe that this bill should receive the same support but I would note that a year ago the Division of Consumer Counsel urged the DPUC to propose regulations to require this.

Unfortunately, for whatever reason, the petition has fallen through the cracks as follow. I don't believe it's because the department's opposition to this service, quite frankly, during the course of rate cases, the Department does address hearing impaired concerns. Nevertheless, I think the time has come for a legislative policy enunciated on this issue.

The second bill is House Bill No. 6918, An Act Concerning the Price of the Sale of Electricity from Certain Windmills to Electric Companies. Some of you may have read an excellent article in the New York Times in October 2, 1984 showing a beautiful 17.5 kilowatt windmill sitting doing nothing because of a problem with Northeast Utilities. Northeast Utilities wants to put two meters on this windmill, while they want to charge the customer, I think it's around 9¢ for the sale of electricity. They only want

MR. ZITSER: I'll certainly take you up on that suggestion.

SEN. ZINSSER: Thank you very much. You've already got bipartisan support. Rep. Murdock.

REP. MURDOCK: Just one quick question, Barry. On the 6642, what's the rationale that they give you if the service is going to be self-supporting? I don't understand why (inaudible)

MR. ZITSER: Okay. The utilities, they purchase power rates on what's known as short term consideration. They are short term avoided costs. And depending on what you consider in terms of your avoided costs in setting your purchase power rates, you can have a vast difference in numbers.

SEN. For example, with the garbage power project, in the South Meadows in Hartford, they're going to be paying a rate that is in excess of approximately 9¢ per kilowatt hour that they charge customers now, because that project has the ability to displace new capacity which would be far more expensive.

REP. MURDOCK: You're not talking about the bill that I'm referring to.

MR. ZITSER: Oh, I'm sorry, that's the deaf and hearing impaired. Okay, I'm sorry about that. I can't think of any legitimate argument on the other side.

REP. MURDOCK: Well, if they were asked a question, you did ask them all these questions. What was their response?

MR. ZITSER: I did ask them whether they'd be willing to do it. And when they said no, unfortunately I didn't have another question on there saying why? If there is any cable company with the audacity to oppose this, I would ask them shy, but when they take the stand in the rate cases and I ask them will you be willing to do it, the same ones who said no on the survey, say yes on the stand. So I have not heard any argument against this bill.

SEN. ZINSSER: Any other questions? David. I think they should

REP. LAVINE: We have a bill I think up today which would remove the, yeah, an act concerning community dedicated

COMM. DOWNEY: (continued)

and as I say, it was a piece of the telecommunications task force concerns, as I recall. Again, I would feel would be premature to make this into law at this point, although ultimately that may be where it might come down.

Proposed Bill No. 6515 which would eliminate the requirement that every cable tv company dedicate one channel for instructional programming. It goes on to say whether or not that program is available, and whether or not there is available time on other channels. We oppose this bill and we would suggest that balancing the potential good against the negative suggested by the statement of purpose that it may be in some instances wasteful or unnecessary, unrealistic, I would still strongly urge that this bill not become law. I think that the situation as it stands now under 16-333h ought to remain as is, and that requirement ought to remain on the industries.

There are two other bills which I believe are before you that relate to other industries. I'm sorry, one other bill, but before I get to it, 6642, which is An Act Requiring Community Antenna Television Companies to Make Captioning Decoder Devices Available to Deaf and Hearing Impaired Customers. We support that without reservation and we hope to see that enacted into law.

The final bill I wanted to comment on was Proposed Bill 6918, An Act Concerning the Price for the Sale of Electricity from Certain Windmills to Electric Companies. Again, we endorse anything that would encourage cogeneration, renewable resources use and would hope that legislation to facilitate use of those resources would be passed. A couple of queries in the caveat. We, of course will be called upon in all likelihood to pass judgment on this issue, so I don't want to go into much detail. I would query first if it's 1,000 kilowatt ceiling, obviously, I think would take in just about anybody conceivable, it seems that might be interested. It's very high for, I think the purpose it was intended, but I'm not sure that that is a problem, but 1,000 kilowatt windmill is an awful big windmill, or maybe have an awful lot of little windmills.

The other query is to whether the wind power, whether this concept ought to be extended to other types of renewable resources, whether wind power should be singled out as the only resource to be treated that way, hydro or whatever

MR. DORFSMAN: (continued)

bill, what we direct to be in the bill as a state or local concern, is what the states and localities have the power to involve themselves with.

However, anything not in the bill, anything not specifically given to the states remains a federal concern. So in that case, it also, since it's provided to bring stability and it grandfathers existing laws, it says that new regulations or new laws unless they're within the boundaries of the act, are prohibited by the U. S. Congress as of December 29 in most cases.

Access has a different section, which specifically bars any new requirements as of October 29, the day the bill was signed. It was a rather important distinction that was made at that point.

Moving to the first bill I'll be speaking on HB 6642, I think this provides an example of what I was just saying. This is a bill that would allow, or require the cable companies to sell or lease close captioned decoders to the deaf and hearing impaired. We support this bill. We believe this is something (microphone problem) to correct Mr. Zinsser, his information is unfortunately outdate. I can name most of the companies that are providing this. I can tell you there isn't a lot of demand for this equipment. It's been widely available for six, seven, eight years. Purchased through Sears, relative, pretty much close to cost. However, the cable companies if it will make it easier for these individuals that we are perfectly willing and pleased to do this, to provide those captioned decoders.

I'd point out that it is specifically allowed in the federal bill, that states may impose this requirement. Section 622 Paragraph f. So this is not inconsistent with the federal law and we support it.

Instructional TV bill. HB 6515. This is a bill that would repeal a law that was passed in 1983 that requires cable television companies to dedicate one channel for instructional television programming. That section of the law passed in 1983 did not go into effect until this past July. At that time, the cable companies around the state were faced with a dilemma, where they have to drop a program that is being on the cable systems at that time