

Legislative History for Connecticut Act

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|---|--------|-------------|
| HB 5548 | PA 207 | 1985 |
| House 1536, 4253-4268 | | (17) |
| Senate 2209-2214 | | (6) |
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| | | total 23 p. |

Transcripts from the Joint Standing Committee Public Hearing(s) and/or Senate
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CONNECTICUT
GEN. ASSEMBLY
HOUSE

PROCEEDINGS
1985

VOL. 28
PART 5
1490-1831

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House of Representatives Wednesday, March 13, 1985

Favorable Report of the Joint Standing Committee on Environment, House Bill 5448, AN ACT CONCERNING HARASSMENT OF HUNTERS, TRAPPERS OR FISHERMEN. The committee has met and agreed the bill ought to pass, but first be referred to the Committee on Judiciary.

SPEAKER VAN NORSTRAND:

So ordered.

CLERK:

Favorable Report of the Joint Standing Committee on Environment, House Bill 5562, AN ACT CONCERNING HYDROELECTRIC DEVELOPMENT OF THE PACHAUG RIVER. The committee has met and agreed that the bill ought to pass, but first be referred to the Committee on Energy and Public Utilities.

SPEAKER VAN NORSTRAND:

So ordered.

CLERK:

Favorable Report of the Joint Standing Committee on the Environment, Substitute House bill 5707, AN ACT CONCERNING SOIL AND WATER CONSERVATION DISTRICTS. The committee has met and agreed that the bill ought to pass, but first be referred to the Committee on Appropriations.

SPEAKER VAN NORSTRAND:

So ordered.

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If so, the machine will be locked and the Clerk will please take a tally.

Will the Clerk please announce the tally.

CLERK:

House Joint Resolution 82 as amended by House "A" and House "B".

| | |
|------------------------|-----|
| Total number voting | 142 |
| Necessary for adoption | 72 |
| Those voting yea | 115 |
| Those voting nay | 27 |
| Absent and not voting | 9 |

DEPUTY SPEAKER BELDEN:

The bill as amended is passed.

CLERK:

Page 19, Calendar No. 496, House Bill No. 5548, File No. 577, AN ACT CONCERNING REMOVAL OF NAMES FROM VOTER LIST. Favorable Report of the Committee on Government Administration and Elections.

REP. SCHMIDLE: (106th)

Mr. Speaker.

DEPUTY SPEAKER BELDEN:

Rep. Schmidle.

REP. SCHMIDLE: (106th)

I move for the acceptance of the Committee's

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Favorable Report and passage of the bill, sir.

DEPUTY SPEAKER BELDEN:

REP. (106th) The motion is for acceptance of the Joint Committee's Favorable Report and passage of the bill.

DEPUTY SPEAKER BELDEN: Will you remark ma'am?

REP. SCHMIDLE: (106th)

Yes, I'd like to, sir. Very briefly, what this bill does, is it allows an elector to voluntarily remove their name from the voter registry list.

Up until the advent of this bill, almost the only way you could get off of a registry list was by moving out of town or moving to the graveyard.

This will permit an elector voluntarily to remove their name.

In addition to this, it specifies that when someone removes their name from the voter registry list, they shall not enroll in a political party for at least six months, and I move its adoption, sir.

DEPUTY SPEAKER BELDEN:

Thank you, ma'am. Will you remark further on the bill.

REP. TULISANO: (29th)

Mr. Speaker.

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DEPUTY SPEAKER BELDEN:

Rep. Tulisano.

REP. TULISANO: (29th)

Mr. Speaker, just a question through you, to the proponent of the bill.

DEPUTY SPEAKER BELDEN:

Please frame your question, sir.

REP. TULISANO: (29th)

It seems the conservator will be allowed to remove, the conservator of an elector can have said elector's name removed and at least for purposes of what, I'll withdraw the question, Mr. Speaker.

DEPUTY SPEAKER BELDEN:

Thank you, sir. Will you remark further on the bill?

REP. LYONS: (146th)

Mr. Speaker.

DEPUTY SPEAKER BELDEN:

Rep. Lyons.

REP. LYONS: (146th)

Yes, thank you, Mr. Speaker. Mr. Speaker, the Clerk has an amendment, LCO 6061. Would the Clerk please call and read.

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DEPUTY SPEAKER BELDEN:

Will the Clerk please call and read LCO 6061 which will be designated House Schedule "A".

CLERK:

House Amendment Schedule "A", LCO 6061, offered by Rep. Frankel.

In line 7, strike out the words ", OR CONSERVATOR FOR"

In line 8, strike out the words "SUCH ELECTOR"

In line 58, after the word "LIST" insert the words "AND FROM AN ENROLMENT LIST"

In line 60, after the word "A" insert the word "DIFFERENT"

DEPUTY SPEAKER BELDEN:

Rep. Lyons, what is your pleasure?

REP. LYONS: (146th)

I move adoption, Mr. Speaker.

DEPUTY SPEAKER BELDEN:

The Representative has moved adoption. Would you care to remark, sir, ma'am?

REP. LYONS: (146th)

Yes, thank you, Mr. Speaker. Mr. Speaker, this particular amendment addresses two problems, one of which Rep. Tulisano was originally raising.

The conservator, that particular term is rather

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broad since one can be a conservator for a person or for an estate.

REP. . . . In the terms of a person and an individual can have a conservator for physical needs, but not necessarily mental impairment. Therefore, the term in the bill is rather broad, since we are giving authority to an individual to do something that the person he is caring for might indeed be mentally capable of doing himself.

REP. . . . The second part of the bill addresses a problem that if, indeed, an individual voluntarily wishes to remove his name from an enrolment list, subsequently, for whatever reason he is not moving out of town or some other problem and he wishes to again be enrolled, he may as long as he enrolls in the same party that he was previously enrolled in.

And I would urge adoption.

DEPUTY SPEAKER BELDEN:

Thank you, ma'am. Will you remark further?

REP. SCHMIDLE: (106th)

Mr. Speaker.

DEPUTY SPEAKER BELDEN:

Rep. Schmidle.

REP. SCHMIDLE: (106th)

Through you, a question to Rep. Lyons, please.

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DEPUTY SPEAKER BELDEN:

Please frame your question, ma'am.

REP. SCHMIDLE: (106th)

I would ask Rep. Lyons to restate, to state her last statement again, please. I don't know if I understood it correctly.

DEPUTY SPEAKER BELDEN:

Rep. Lyons, do you care to respond?

REP. LYONS: (146th)

Yes. I will repeat what I did concerning the last part of the amendment which I believe Rep. Schmidle is referring to.

In line 60, after the word "A" insert the word "different". The purpose of this is to allow an individual who has voluntarily asked his name to be removed from the list be he for an example, a Democrat, subsequently does not wish to move out of town or for whatever reason he wanted his name removed from the list wishes to again be considered as an elector, may again have his name put on the list as long as he once again enrolls in the same party, which in this case would be as a Democrat.

DEPUTY SPEAKER BELDEN:

Rep. Schmidle, you have the floor ma'am.

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REP. SCHMIDLE: (106th)

Through you, sir, again, another question.

DEPUTY SPEAKER BELDEN:

Please frame your question.

REP. SCHMIDLE: (106th)

I would like Rep. Lyons to explain for example, in a hypothetical case, supposing an individual is in a coma for 10 years and that may be a bit long, but we've heard of examples that are fairly close to that.

What would happen with that individual's voting rights?

DEPUTY SPEAKER BELDEN:

Rep. Lyons, would you care to respond?

REP. LYONS: (146th)

Through you, Mr. Speaker, I'm assuming that that individual's voting rights would be exactly what they currently are now, but indeed his name would remain on the voter list.

The problem with the bill is not necessarily the intent, but rather the way the language has been worded in that it is very broad, and what we are doing is perhaps negating the right of individuals who are mentally capable of making this decision themselves by the language contained in the current bill.

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DEPUTY SPEAKER BELDEN:

DEPUTY Rep. Schmidle, you have the floor, ma'am.

REP. SCHMIDLE: (106th)

REP. Through you, sir, may I ask a question of Rep. Tulisano.

DEPUTY SPEAKER BELDEN:

DEPUTY Please frame your question, ma'am.

REP. SCHMIDLE: (106th)

REP. Through you, sir, to Rep. Tulisano. Again, with the issue of a conservator and you know, I understand what is being said here and I understand the serious implications and the serious problems. Once again, my question is, what would the individual who for example, is in a coma for many, many long years.

Should there be a way for that individual to be removed from the voter's list.

DEPUTY SPEAKER BELDEN:

CHIEF Rep. Tulisano, would you care to respond?

REP. TULISANO: (29th)

REP. Through you, Mr. Speaker. In my opinion I don't think there should be a way. We could run the risk of one person who's in a coma for years and years being left on the voter's list, rather than some of the other risks that we would run by making it too easy to take

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other individuals off.

DEPUTY SPEAKER BELDEN:

Rep. Schmidle, you have the floor, ma'am.

REP. SCHMIDLE: (106th)

Through you, sir, to Rep. Lyons. I support here
amendment.

DEPUTY SPEAKER BELDEN:

Thank you ma'am. Will you remark further on
House "A"? If not, I will try your minds.

REP. COHEN: (15th)

Mr. Speaker.

DEPUTY SPEAKER BELDEN:

Rep. Cohen.

REP. COHEN: (15th)

Oh, excuse me, Mr. Speaker.

DEPUTY SPEAKER BELDEN:

I detect a slight flakiness taking over the
Chamber, in all aspects.

I will try your minds on House "A". All those
in favor of adoption, please indicate by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER BELDEN:

All those opposed nay.

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REPRESENTATIVES:

No.

DEPUTY SPEAKER BELDEN:

The ayes have it. House "A" is adopted and ruled technical.

Will you remark further on the bill as amended?

REP. PRZYBYSZ: (48th)

Mr. Speaker.

DEPUTY SPEAKER BELDEN:

Rep. Przybysz.

REP. PRZYBYSZ: (48th)

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

DEPUTY SPEAKER BELDEN:

Please frame your question.

REP. PRZYBYSZ: (48th)

Yes. Rep. Schmidle, as the law stands now, I am a registered Democrat and I want to vote in the primary two months down the road. I can go in now and remove my name from the voter registration list. They conduct a removal, I am removed. I then can go back in and register as a Democrat and vote in the primary. That's the way the law is now, correct?

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DEPUTY SPEAKER BELDEN:

Rep. Schmidle, would you care to respond?

REP. SCHMIDLE: (106th)

May I ask the Representative to repeat the beginning of his statement.

DEPUTY SPEAKER BELDEN:

Rep. Przybysz will you please restate your question.

REP. PRZYBYSZ: (48th)

Yes, Mr. Speaker. As the last stands now, I am enrolled in a political party. I go in and I ask, I'm an elector enrolled in a political party. I go in and I ask that my name be removed from the voter registration list. My name is removed. I then go in after my name is removed, say in a week, two weeks, three weeks, and I ask to be put on the voter registration list again. I ask to be enrolled in the opposite party from the one that I was first enrolled in. I can currently do that under the law as it is now. However, if this bill passes, I will not be allowed to do that for six months. Is that correct?

DEPUTY SPEAKER BELDEN:

Rep. Schmidle, would you care to respond?

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REP. SCHMIDLE: (106th)

Yes, through you, sir. My understanding of the current law is, you cannot vote in a primary of a particular party for six months.

What this bill is now saying, is that you shall not be entitled to enroll in a political party for six months after such removal. So in essence, you can still be a registered voter. You simply cannot enroll in a party and you would not be able to vote in a primary for six months.

DEPUTY SPEAKER BELDEN:

Rep. Przybysz you have the floor, sir.

REP. PRZYBYSZ: (48th)

May I ask my question once more then.

DEPUTY SPEAKER BELDEN:

Please proceed sir.

REP. PRZYBYSZ: (48th)

As the law is now, I am on the voter registration list, enrolled in a political party. I go to the registrar's. I ask them to remove my name from the voter registration list. After the board of registry meets, they remove my name. I am no longer a voter in that municipality. Subsequent to that, I then go in again a week, two weeks, whatever,

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a day after they remove my name. I then go in and I ask to be put on the voter registration list again in the opposite party from which I was enrolled. I then am entitled, once they meet again, to the full rights of that political party.

As the law stands now, is that correct?

DEPUTY SPEAKER BELDEN:

Rep. Schmidle, would you care to respond?

REP. SCHMIDLE: (106th)

Through you, again, sir, my understanding is that once you enroll in that party again, if it has been less than six months, there's a registry list and there's an enrollment list. You can register as a voter and be on the registry list. You can enroll in a political party, but you cannot vote in that political party's primary which is essentially what you'd be concerned about for six months, after you change from one party to the next.

DEPUTY SPEAKER BELDEN:

Rep. Przybysz you have the floor, sir.

REP. PRZYBYSZ: (48th)

I beg to differ with your answer, Rep. Schmidle, and I'd like to, I think that I am correct in my assumption of the law as it stands now and I would hope that we might be able to PT this until we get an answer to my question

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which I think is --

DEPUTY SPEAKER BELDEN:

Will the House stand at ease for just a moment.

The House will come to order.

REP. SCHMIDLE: (106th)

Mr. Speaker.

DEPUTY SPEAKER BELDEN:

Rep. Schmidle.

REP. SCHMIDLE: (106th)

Just a slight point of clarification and I think we understand where we are. There are two different lists that people are on. They're on a registry list and you can also be on an enrollment list. You can be on the registry list alone, you can be on a registry and an enrollment list.

As of this point in time before this bill passes, it is literally impossible to remove yourself from the registry list. You can remove yourself from an enrollment list and I think we've cleared up a little bit of fuzzy area there. Thank you for your indulgence, sir.

DEPUTY SPEAKER BELDEN:

Thank you ma'am. Rep. Przybysz.

REP. PRZYBYSZ: (48th)

Through you, Mr. Speaker. Thank you.

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DEPUTY SPEAKER BELDEN:

I'm afraid to ask. Will you remark further?

If not, will 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? Have all the members voted? Please check the roll call to see if your vote is properly cast.

If so, the machine will be locked and the Clerk will take a tally.

Will the Clerk please announce the tally.

CLERK:

House Bill 5548 as amended by House "A".

| | |
|-----------------------------|-----|
| Total number voting | 142 |
| Necessary for passage | 72 |
| Those voting yea | 136 |
| Those voting nay | 6 |
| Those absent and not voting | 9 |

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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

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open. Please record your vote. Has everyone voted? Senator Markley. Has everyone voted? Machine is closed. Clerk, please tally the vote. Result of the vote, 25 yea, 10 nay, the bill is adopted.

THE ASS'T. CLERK:

On page 18, calendar No. 486, House Bill No. 5548. An Act Concerning Removal Of Names From Voter Lists.

Favorable Report from the Committee on Government Administration and Elections.

THE CHAIR:

Senator Lovegrove.

SENATOR LOVEGROVE:

Thank you, Mr. President. I move adoption of the joint committee's favorable report and passage of the bill.

THE CHAIR:

As amended by House Amendment "A".

SENATOR LOVEGROVE:

As - yes, Mr. President, as amended by House Amendment "A".

THE CHAIR:

Do we have any amendments?

THE CLERK:

No.

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THE CHAIR:

You may proceed. Do you wish to remark, Senator Lovegrove?

SENATOR LOVEGROVE:

Yes, Mr. President. When this bill was discussed by its sponsor in the committee, I was very much surprised to find out that once you voluntarily register to vote in this state, you may not go down to the Registrar's office and voluntarily take your name off the voting list. What this amendment does is allow - or what this bill does, as amended, is allow you to take your own name off the voting list. House Amendment "A" takes out the right of a conservator for the elector to take that elector's name off the voting list and House Amendment "A" further states that if an individual takes their name off the voting list and a day later turns around and registers again they may not register with a party other than the party they were previously registered with. If there's no objection, I would move this to the consent calendar.

THE CHAIR:

Senator O'Leary.

SENATOR O'LEARY:

Thank you, Mr. President. I don't agree with the interpretation of the Senator as to the status of the current law. I believe I heard him say that he discovered that an elector

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could not voluntarily remove his name from the voting list. I don't believe that's correct. If I could elaborate. An elector may, through you, Mr. President, an elector may not remove his name from the voting list after the last admission day prior to the day after the election. That's the period of time within which the elector may not remove his name except for religious reasons. I don't know why that was put in the original statute, but I suspect there must be a reason and I wondered if, when you considered changing this, did you discover what the reason was for having this in the law. It's very clear. "You may not remove your name between the last day of admission and the day following the election." That's a period of, I think, a few weeks unless you do so for a religious belief or conviction, and I would wonder, through you, Mr. President, a question, what's the purpose of the original law? Before we change it, I'd like to know why we had the original law in the first place.

THE CHAIR:

Senator Lovegrove.

SENATOR LOVEGROVE:

Senator O'Leary, through you, Mr. President, Senator O'Leary is correct in his first statement and I don't have an answer to your second question.

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THE CHAIR:

Senator O'Leary.

SENATOR O'LEARY:

Well, Mr. President, I see no reason for the bill and I see no reason to be against the bill. It's a peculiar situation, and I'm hesitant, therefore, to put anything into the statutes or to cast a vote for something when I don't know why it's being changed or why it's there in the first place, so I would have to oppose this bill.

THE CHAIR:

Senator Santaniello.

SENATOR SANTANIELLO:

Through you, Mr. President to Senator O'Leary, let me attempt to answer the second part of your question why names are not allowed to be taken off the registrar's voting list two weeks prior to the election except for a religious reason. If there should be a run, a protest on that, that would throw the whole system out of wack. These names have to be certified, have to come down from the Secretary of State, have to be in the printer and usually they're in the printer at that time and they get out maybe forty-eight hours or thereabouts out to the registrar and they're distributed and they're all set to go, and I think that's the reason. It's more logistic than anything

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else.

THE CHAIR:

Senator Scarpetti.

SENATOR SCARPETTI:

Mr. President, my husband happens to be the Registrar of Voters in Trumbull. I just called him and Senator O'Leary, if you are registered with a party and you want to withdraw your name from that party and join another party, you have to wait about six months. You can become an independent voter, but there is a waiting period leaving one party and joining another. That is understood? Oh, I'm sorry. Was that understood, Mr. President, or ...

THE CHAIR:

I don't know whether that was the question that was asked by Senator O'Leary, but I'm glad you were able to get in touch with your husband and you found him home.

SENATOR SCARPETTI:

No. You see, you walk out of the room here and they turn a page on you and you're on a whole new story. Thank you, Mr. President.

THE CHAIR:

Any further questions? Wish to remark further on this bill? There's opposition. Clerk will make an announcement

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for immediate roll call.

THE ASS'T. CLERK:

Immediate roll call in the Senate. Will all the Senators please return to the chamber. Immediate roll call is being held in the Senate. Will all the Senators please return to their seats.

THE CHAIR:

Question before the chamber is a motion to adopt calendar No. 486, House Bill No. 5548, File No. 577 and 721. The machine is open. Please record your vote. Senator Schoolcraft. Machine is closed. Clerk, please tally the vote. Result of the vote, 25 yea, 10 nay. The bill is adopted.

THE ASS'T. CLERK:

On page 19, calendar No. 491, House Bill No. 7225, File 598. An Act Concerning An Exemption From The Freedom Of Information Act For Risk Management Data Held By Municipal Self Insurers.

Favorable Report of the Committee on Government Administration and Elections.

THE CHAIR:

Senator Lovegrove.

SENATOR LOVEGROVE:

Thank you, Mr. President. I would ask that this bill be