

Legislative History for Connecticut Act

SB 724 PA 245 1985-  
House 5304-5310, 5433-5434, (17)  
5-587-5594  
Senate 1730-1735, 1769-1770 (8)  
E. P. U 261, 302, 324-326 (5)

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CONNECTICUT  
GEN. ASSEMBLY  
HOUSE

PROCEEDINGS  
1985

VOL. 28

PART 15

5245-5585

kpt

House of Representatives

Thursday, May 9, 1985

5304  
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CLERK:

House Bill 7488 as amended by House "A" and House "B".

Total number voting	136
Necessary for passage	69
Those voting yea	135
Those voting nay	1
Those absent and not voting	15

SPEAKER VAN NORSTRAND:

The bill as amended is passed.

CLERK:

Calendar No. 537, Senate Bill 724, File No. 325, AN ACT CONCERNING IMMUNITY FOR EMPLOYEES OF PUBLIC SERVICE COMPANIES FOR THE DISCLOSURE OF INFORMATION ABOUT SUCH COMPANIES, As amended by Senate Amendment Schedule "A" and "B". 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 Joint Committee's Favorable Report and passage of the bill.

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SPEAKER VAN NORSTRAND:

The question is on passage. Will you remark, sir?

REP. ANDERSON: (45th)

Yes, sir. This bill extends the protection against retaliation, so-called whistle blowing bill to employees of public service companies or utilities and their direct or indirect suppliers, and the bill came to us with two amendments from the Senate, so may I ask the Clerk to call LCO No. 6530 and may I have permission to summarize?

SPEAKER VAN NORSTRAND:

Is the Clerk in possession of LCO 6530 previously designated Senate Amendment Schedule "A"?

CLERK:

I am.

SPEAKER VAN NORSTRAND:

Will the Clerk please call and because of the brevity, read the amendment.

CLERK:

Senate Amendment Schedule "A", LCO 6530, offered by Sen. Zinsser.

In line 23, after the word act and before the period, insert the following, provided any employee found

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to have knowingly made a false report shall be subject to disciplinary action by his employer up to and including dismissal.

SPEAKER VAN NORSTRAND:

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

REP. ANDERSON: (45th)

I move adoption of the amendment.

SPEAKER VAN NORSTRAND:

The question is on adoption of Senate "A". Will you remark, sir?

REP. ANDERSON: (45th)

I will remark very briefly that this is the so-called good faith part of this process, and I recommend adoption of the amendment.

SPEAKER VAN NORSTRAND:

The question is on adoption of Senate "A". Will you remark? Will you remark? If not, all in favor indicate by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER VAN NORSTRAND:

All opposed indicate by saying nay.

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

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Will you remark further on the bill?

REP. ANDERSON: (45th)

Yes, Mr. Speaker, the Senate sent us another amendment, Amendment "B", LCO No. 6531.

SPEAKER VAN NORSTRAND:

Is the Clerk in possession?

CLERK:

I am.

SPEAKER VAN NORSTRAND:

Will the Clerk please call LCO 6531 previously designated Senate Amendment Schedule "B".

CLERK:

Senate Amendment Schedule "B", LCO 6531 offered by Sen. Robertson.

SPEAKER VAN NORSTRAND:

The gentleman has asked permission to summarize. Is there objection? If not, please proceed, sir.

REP. ANDERSON: (45th)

Yes, this extends the protection now given to private municipal employees and the whistle-blowing process, also to state employees. I recommend adoption of this amendment.

SPEAKER VAN NORSTRAND:

The question is on adoption of Senate "B". Will you remark?

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REP. ANDERSON: (45th)

I think my remarks have covered the subject sufficiently. It's a good amendment. I recommend its support.

SPEAKER VAN NORSTRAND:

From looking at the light board, it would appear they have, Rep. Anderson. All in favor indicate by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER VAN NORSTRAND:

All opposed indicate by saying nay.

REPRESENTATIVES:

No.

SPEAKER VAN NORSTRAND:

The ayes have it. Senate "B" is adopted and ruled technical.

Will you remark further on the bill as amended by Senate Amendment Schedule "A" and Senate Amendment Schedule "B"?

REP. ANDERSON: (45th)

I recommend that we move forward with passage of the bill.

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SPEAKER VAN NORSTRAND:

The question is on passage. Will you remark?

REP. FRANKEL: (121st)

Mr. Speaker.

SPEAKER VAN NORSTRAND:

Rep. Frankel.

REP. FRANKEL: (121st)

Mr. Speaker, through you to the proponent. Has this bill been to the Labor Committee?

SPEAKER VAN NORSTRAND:

Rep. Anderson, do you care to respond?

REP. ANDERSON: (45th)

I don't believe it has, no, Rep. Frankel.

SPEAKER VAN NORSTRAND:

Rep. Frankel, you have the floor, sir.

REP. ANDERSON: (45th)

I have heard the opinion that this perhaps should go to the Labor Committee and I would suggest that that's probably a good suggestion in view of the addition of the state employee, and I move it therefore go to the Labor Committee.

SPEAKER VAN NORSTRAND:

The motion is to refer SB 724 Item 537, Calendar Item 537 to the Committee on Labor and Public Employees. Is

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there objection? Seeing none, the matter is so referred  
to the Committee on Labor and Public Employees.

CLERK:

Page 8, Calendar 570, Substitue for Senate Bill  
154, File No. 510, AN ACT CONCERNING THE FORM OF PROPOSED  
MUNICIPAL CHARTER AMENDMENTS. Favorable Report of the  
Committee on Planning and Development.

REP. MEYER: (135th)

Mr. Speaker.

SPEAKER VAN NORSTRAND:

Rep. Alice Meyer.

REP. MEYER: (135th)

I move acceptance of the Joint Committee's  
Favorable Report and passage of the bill in concurrence  
with the Senate.

SPEAKER VAN NORSTRAND:

The question is on passage in concurrence with  
the Senate. Will you remark?

REP. MEYER: (135th)

Thank you, Mr. Speaker. The Clerk has an amend-  
ment, LCO 6376. Will the Clerk please call and may I  
summarize this amendment?

SPEAKER VAN NORSTRAND:

Is the Clerk in possession of LCO NO. 6376?

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CLERK:

I am.

SPEAKER VAN NORSTRAND:

Will the Clerk please call the amendment,  
designated House Amendment Schedule "A".

CLERK:

House Amendment Schedule "A", LCO 6376 offered  
by Rep. Meyer.

SPEAKER VAN NORSTRAND:

The lady has asked permission to summarize. Is  
there objection? Seeing none, please proceed, Rep.  
Meyer.

REP. MEYER: (135th)

Thank you, Mr. Speaker. This amendment would  
actually return the file in Sections 1 and 2 to the  
current statutes, by continuing to provide for the  
consistency of charters with general statutes and removing  
the reference to the provisions of Chapter 99.

After much discussion between members on both  
sides of the aisle, it was agreed that the wording in  
the file would raise more problems than it would solve.

However, other parts of this bill are of such  
vital importance to many of our municipalities who are  
in the process of amending their charters, that we do not

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REP. O'NEILL: (98th)

Mr. Speaker, I request suspension of the rules so that the Clerk can put into the hands of the Labor Committee today, Calendar No. 537, File No. 325, Senate Bill No. 724, AN ACT CONCERNING IMMUNITY FOR EMPLOYEES OF PUBLIC SERVICE COMPANIES FOR THE DISCLOSURE OF INFORMATION ABOUT SUCH COMPANIES, referred off the Floor to the Labor Committee this date.

DEPUTY SPEAKER BELDEN:

The motion is for suspension of the rules to allow the, to allow Calendar 537, Senate Bill 724 previously acted upon today by the House, to be immediately referred to the Labor Committee so that it may be considered.

Is there objection?

REP. FRANKEL: (121st)

Mr. Speaker.

DEPUTY SPEAKER BELDEN:

Rep. Frankel.

REP. FRANKEL: (121st)

Just for the members on this side of the aisle, this is an arrangement that's been worked out in order to allow the committee to meet, all the members of the committee that are prepared to do so, and it will expedite business and to allow them to take action on

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a bill that was referred to them today, and I would concur with the motion. There's no objection.

DEPUTY SPEAKER BELDEN:

Thank you, sir. Is there objection? Hearing none, those in favor of, oh, no objection, suspension of rules is so ordered.

CLERK:

Calendar No. 509, Substitute for House Bill No. 6500, File No. 616, AN ACT CONCERNING VOTING MACHINES. Favorable Report of the Committee on Government Administration and Elections.

REP. JAEKLE: (122nd)

Mr. Speaker.

DEPUTY SPEAKER BELDEN:

Rep. Jaekle.

REP. JAEKLE: (122nd)

Thank you, Mr. Speaker, may this item be recommitted to the Committee on Government Administration and Elections?

DEPUTY SPEAKER BELDEN:

The motion is to recommit Calendar No. 509 to the Government Administration and Elections Committee.

Is there objection? Hearing none, so ordered.

REP. O'NEILL: (98th)

Mr. Speaker.

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to the Committee on Appropriations.

SPEAKER VAN NORSTRAND:

The motion is to refer Calendar No. 531 to the Committee on Appropriations. Is there objection? Seeing none, the matter is so referred.

CLERK:

Calendar No. 537, Senate Bill 724, File No. 325;  
AN ACT CONCERNING IMMUNITY FOR EMPLOYEES OF PUBLIC  
SERVICE COMPANIES FOR THE DISCLOSURE OF INFORMATION ABOUT  
SUCH COMPANIES, As amended by Senate Amendment Schedule  
"A" and "B". Favorable Report of the Committee on Labor  
and Public Employees.

REP. O'NEILL: (98th)

Mr. Speaker, I move acceptance of the Joint Committee's Favorable Report in concurrence with the Senate and passage of the bill.

SPEAKER VAN NORSTRAND:

The question is on passage in concurrence with the Senate. Will you remark, sir?

REP. O'NEILL: (98th)

Mr. Speaker, this is a bill which has to do with immunity for public employees, I mean employees for public service companies for disclosure of information about such companies. This is a bill which pertains to whistle blowing

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with quasi-public corporations such as the public utility companies.

There is a Senate Amendment on the bill, and the Senate Amendment says that any employee found to have knowingly made a false report shall be subject to disciplinary action by his employer, up to and including dismissal.

I move passage of the bill and of the Senate amendment.

SPEAKER VAN NORSTRAND:

Rep. O'Neill, we're first going to have the Clerk read it in so that it is properly before the body. Is the LCO you were just quoting from I gather LCO NO. 6530.

REP. O'NEILL: (98th)

That is correct.

SPEAKER VAN NORSTRAND:

Previously designated Senate Amendment Schedule "A"?

REP. O'NEILL: (98th)

That is correct.

SPEAKER VAN NORSTRAND:

Will the Clerk please call the amendment.

CLERK:

Senate Amendment Schedule "A". LCO 6530 offered by Sen. Zinsser.

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SPEAKER VAN NORSTRAND:

The gentleman seeks leave to summarize. Is there objection? Seeing none, I believe you've done some of it already.

REP. O'NEILL: (98th)

I've summarize. I move adoption of the amendment.

SPEAKER VAN NORSTRAND:

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

REPRESENTATIVES:

Aye.

SPEAKER VAN NORSTRAND:

All opposed indicate by saying no.

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

Will you remark further on the bill as amended by Senate "A".

REP. O'NEILL: (98th)

Yes, Mr. Speaker, the bill as amended now protects those individuals who are working for quasi-public corporations against any type of action which the corporation might have against them when they furnish

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information relative to improprieties in the corporation. We have them for state employees, we have them for federal employees, we have them for municipal employees. I move passage of the bill as amended.

SPEAKER VAN NORSTRAND:

It would appear, Rep. O'Neill, there is a Senate "B" also.

REP. O'NEILL: (98th)

I am not in possession of Senate "B".

SPEAKER VAN NORSTRAND:

The Chair is in possession of LCO 6531. It is designated as stated in the Calendar that Senate "B" was adopted.

REP. O'NEILL: (98th)

I move the amendment, but would like to have it read, if I may. I'm not in possession of that.

SPEAKER VAN NORSTRAND:

The Clerk has LCO No. 6531. If we could pause for a moment so that the gentleman could be provided with a copy of the amendment.

REP. O'NEILL: (98th)

Thank you.

Mr. Speaker, may I request that this be PT'd for about five minutes?

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SPEAKER VAN NORSTRAND:

We'll stand at ease if you'll just examine the amendment. The gentleman from Guilford, are you ready to resume the battle?

REP. O'NEILL: (98th)

Mr. Speaker, I've reviewed this and it further defines the bill.

I would have no objection to this amendment whatsoever, just add the words the state.

SPEAKER VAN NORSTRAND:

Would the Clerk please call LCO No. 6531, previously designated Senate Amendment Schedule "B"?

CLERK:

S.A.M. B.

LCO 6531, offered by Sen. Robertson.

SPEAKER VAN NORSTRAND:

The gentlemen is seeking permission to summarize, and may well have done so.

Does anyone object?

REP. O'NEILL: (98th)

I move its adoption.

SPEAKER VAN NORSTRAND:

The question is on adoption of Senate "B". Will

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you remark? If not, all in favor indicate by saying  
aye.

REPRESENTATIVES:

Aye.

SPEAKER VAN NORSTRAND:

All opposed, indicate by saying nay.

REPRESENTATIVES:

Nay.

SPEAKER VAN NORSTRAND:

Senate "B" is adopted and ruled technical.

REP. O'NEILL: (98th)

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

SPEAKER VAN NORSTRAND:

The question is on passage of the bill in con-  
currence with the Senate. Will you remark further? If  
not, staff and guests please come to the well of the  
House. The machine will be open.

The Clerk, announce a roll call.

CLERK:

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

The House of Representatives is voting by roll. Please

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return to the Chamber immediately.

SPEAKER VAN NORSTRAND:

Have all the members voted, and are your votes properly recorded? Have all the members voted, and are your votes properly recorded? If so, the machine will be locked. The Clerk please take a tally.

REP. BENVENUTO: (151st)

Mr. Speaker?

SPEAKER VAN NORSTRAND:

Rep. Emil Benvenuto.

REP. BENVENUTO: (151st)

In the affirmative, please.

SPEAKER VAN NORSTRAND:

Rep. Benvenuto of the 151st in the affirmative.

REP. NYSTROM: (46th)

Mr. Speaker?

SPEAKER VAN NORSTRAND:

Rep. Peter Nystrom.

REP. NYSTROM: (46th)

Mr. Speaker, in the affirmative, please.

SPEAKER VAN NORSTRAND:

Rep. Nystrom of the 46th in the affirmative.

Clerk, please announce the tally.

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kbm

House of Representatives

Tuesday, May 14, 1985

CLERK:

Senate Bill 724 as amended by Senate "A" and Senate "B".

Total number Voting 147

Necessary for Passage 75

Those Voting Yea 147

Those Voting Nay 0

Those Absent and Not Voting 4

DEPUTY SPEAKER BELDEN:

The bill is passed is concurrence with the Senate.

CLERK:

Page 8, Calendar No. 542, Senate Bill No. 448, File No. 497, AN ACT CONCERNING UNIVERSITIES WHICH RECEIVE GRANTS FROM FOREIGN SOURCES. Favorable Report of the Committee on Education.

REP. ROCHE: (142nd)

Mr. Speaker?

DEPUTY SPEAKER BELDEN:

Rep. Marilyn Roche.

REP. ROCHE: (142nd)

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

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SENATOR CONSOLI:

Yes. Mr. President, Planning and Development Committee received a number of proposed bills this session dealing with adding to the present number of enterprise zones in the State. And rather than doing this without sufficient background information, and since the Department of Economic Development is currently reevaluating the present enterprise zones, the Committee felt the study would be in order. This bill would require a study of a number of variants concerning enterprise zones. The impact of the present six zones. Whether the enterprise zone statutes require updating. Whether the number of zones should be increased. And whether the physical boundaries of existing zones need to be expanded. The study would be conducted by the Commissioner of Economic Development, in cooperation with the Planning and Development Committee, with a final report due not later than January 1, 1986. Mr. President, if there's no objection, I'd like to place it on the consent calendar.

THE CHAIR:

Any objection? Wish to remark further? Hearing no objection, the item is placed on the consent calendar. Mr. Clerk, you may proceed.

THE CLERK:

On page 3, Cal. 254, S.B. No. 724, File 325. An Act

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1731 80  
dk

Concerning Immunity for Employees of Public Service Companies  
for the Disclosure of Information About Such Companies.  
Favorable Report of the Committee on Energy and Public  
Utilities.

THE CHAIR:

Senator Zinsser.

SENATOR ZINSSER:

Thank you, Mr. President. I move the Committee's Favorable Report and acceptance of the... let me start over again. I move the acceptance of the Committee's Favorable Report and passage of the bill.

THE CHAIR:

Wish to remark?

SENATOR ZINSSER:

Thank you, Sir.

THE CHAIR:

Oh, there's amendments. Clerk please call the amendment.

THE CLERK:

L.C.O. No. 6530, Senate Amendment Schedule "A", introduced by Senator Zinsser.

THE CHAIR:

Senator Zinsser.

SENATOR ZINSSER:

Thank you, Mr. President. Before I start I should clarify.

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dk

I'm looking at L.C.O. 6530, which is the amendment that I'm going to talk about. I also happen to have in my possession L.C.O. No. 6030. offered by Senator O'Leary , Senator Mustone and Senator Larson, which... the two amendments are exactly alike. Now I'm not going to ask Senator O'Leary what time he put the bill in, but I would like to have them all included in one amendment, if we can do that Sir. Basically what the amendment does, it adds some language that basically says that if an employee is found to have knowingly made a false report, that that employee shall be subject to disciplinary action by the employer, up to, and including, dismissal. The reason for this is we don't want to see an employee of a utility company making a lot of false reports that the D.P.U.C. is going to have to look into, simply as a harassment, if you will, of the company. And we think this protection is needed, and I would move the amendment, Sir.

THE CHAIR:

Wish to remark further on the amendment? All those in favor of the amendment, signify by saying aye. Those opposed nay. The ayes have it, the amendment is adopted. Further amendments?

THE CLERK:

L.C.O. No. 6531, Senate Amendment "B", offered by Senator Robertson.

THE CHAIR:

Senator Robertson.

SENATOR ROBERTSON:

Thank you, Mr. President. Mr. President, I move adoption of L.C.O. 6531, and seek leave of the Chamber to summarize, Sir.

THE CHAIR:

Without objection, you may proceed.

SENATOR ROBERTSON:

Thank you very much, Mr. President. Mr. President, the present whistle-blowing statute, which is Sec. 31-51m, currently specifically exempts State employees from its coverage. Definition of the employer in that same section, subsection 2, exempts the State as an employer. Whistle-blowing statute allows any employee in the private sector to report violations to any State, Federal, or municipal law enforcement agency without fear of reprisal. Under Section 4-61dd, "A State employee may report certain improper activities to the Attorney General, who then has complete discretion as to how to handle that reported misconduct." But the State employee would not be protected under 4-61dd if he then reported the problem to his agency head, to the police, to the F.B.I., or any other law enforcement agency. This amendment attempts to put State employees in parity with those employees of the

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dk

private sector.

THE CHAIR:

Wish to remark further on the amendment? All those in favor of the amendment, signify by saying aye. Those opposed nay. The ayes have it, the amendment is adopted. Further amendments? Further amendments?

THE CLERK:

It's my understanding L.C.O. 6030 has been withdrawn. Senator O'Leary, is that correct? 6030 has been withdrawn.

THE CHAIR:

All right. No further amendments. We're now on the bill, as amended. Senator Zinsser.

SENATOR ZINSSER:

Thank you, Mr. President. Very briefly, what this legislation does, it protects an employee of a utility company against reprisal in case he goes to the D.P.U.C. with a problem, and he may report either misfeasance, belfeasance, or nonfeasance, to the D.P.U.C., and they will investigate and find out, in fact, if there's a basis for the problem. While this is being done, of course, the employee is then, hopefully, completely protected. If there is no further discussion, Mr. President, I'd ask to have this placed on the consent calendar.

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dk

THE CHAIR:

Hearing no objection, so ordered.

THE CLERK:

Page 3, Cal. No. 264, Substitute for Senate Bill No. 831, File 352. I'm sorry, this is Cal. 261, Substitute for Senate Bill No. 401, File 338. An Act Concerning Community Antenna Television Company Advisory Councils. Favorable Report of the Committee on Energy and Public Utilities.

THE CHAIR:

Senator Zinsser.

SENATOR ZINSSER:

Thank you Mr. President. I move the Committee's Favorable Report and passage of the bill.

THE CHAIR:

Clerk has amendments. Clerk, please call the first amendment.

THE CLERK:

L.C.O. No. 6014, introduced by Senator Streeter, Senate Amendment "A".

THE CHAIR:

Senator Streeter.

SENATOR STREETER:

Thank you, Mr. President. This is an amendment to a bill concerning community antenna television advisory councils.

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dk

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. HB 6642 300.

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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  
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PART 1

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COMM. DOWNEY: (continued)

for \$5.00 for interstate and intrastate trucking stamps, an annual thing. Failure to apply by December 31 of the year would impose a \$5.00 surcharge on the truck per stamp as to intrastate. It seems to me to be reasonable and you might say as to interstate it also might be reasonable but we believe we have a federal preemption problem. The Federal Act 89-170, our staff believes, would preclude our being able to charge an additional \$5.00. There's a federal max that I believe is \$10.00. We're at it now and there has been at least one court case in which the state agency was shot down for attempting to impose a surcharge beyond the federal max so we will be looking at it and hope to get a more definitive answer for you but perhaps your own people will want to look at it as well.

There's another bill, number 723, "An Act Concerning the Termination of Utility Service for Divorced and Separated Persons", so-called spousal liability bill. The department believes that there is a problem existing when a couple separates or is divorced and the utility seeks to collect its bill and one spouse has departed or, as may be the case, the so-called bread winner or spouse that was primarily responsible, the remaining spouse in the house is also liable for the bill. We would ask authority to promulgate regulations on this subject. This bill simply asks for that. It makes no judgment as to the merits of any issues. It's restricted to spouses in order to forestall concerns about college roommates and all sorts of living arrangements that may not be the ones that we see the problem at. We're simply asking for authority to go ahead to hold hearings and promulgate regulations after public input on the subject and I would urge your support for the bill.

Bill number 724, which is "An Act Concerning Immunity for Employees of Public Service Companies for the Disclosure of Information About Such Companies", so-called whistle blower legislation. We believe it would be proper and useful to have that in the community and we would urge your support and your passage of that bill.

Number 781, "An Act Concerning the Department of Public Utility Control of Electric and Gas Company Rates". The statute now provides that the department, on its own motion, review the rates of the utility company every two years. We would like that two year requirement lifted. It's

REP. ARTHUR: I guess I'm asking that because I don't agree with these two bills, just the way they're written, because the cases that I've been involved with most of the time, are resolved so we don't get into this late payment charge thing so I would like to know when it goes into effect.

ATTY. KING: I'll provide you with that information.

SEN. ZINSSER: Any further questions? We thank you, Sir.  
Mr. Morris.

MR. BRUCE MORRIS: My name is Bruce Morris and I'm with the Southern New England Telephone Company and I'm here today to testify on Senate Bill 647, Senate Bill 724, Senate Bill 782, Senate Bill 793, and House Bill 7486. I have submitted to testimony - written testimony, so I will try to synopsise my testimony today.

The Southern New England Telephone Company supports proposed bill 647 which will provide for reimbursement to utility companies for the cost of relocation of utility facilities in federally aided urban highway systems. Presently, the companies are provided under a limited set of circumstances. This particular bill would alleviate that burden and we feel that when the money is available, that it should - we should be reimbursed and therefore, I would request that the committee support this particular bill.

By the way, just for your information, in 1984 the cost to us was \$242,000.

We're also opposed to proposed bill 724 concerning the immunity of employees of public service companies for disclosure information. We're not opposed to the intent and we recognize the public interest but we feel that there is a more presently in place in our General Statutes, 16-51m, which is commonly known as the "whistleblower law", and also Section 4-61dd of the General Statutes which applies to state employees so we're opposed to this particular piece of legislation.

We're in support of committee bill 782 which provides that each utility company shall publicize the telephone number of the Department of Public Utility Control under notification of its intent to seek a rate increase. We feel that that cost would be minimal to the company.

by the DPUC, or to defend an award by the DPUC, appealed by the aggrieved utility. This right of appeal currently exists for matters now decided by the DPUC (C.G.S. Sec. 16-35), and, to attempt to deny it, in these limited DPUC proceedings, could permanently deprive consumers of any remedy for damage claims under \$2,500.00.

Adjudication of legal rights, protected by property and tort law, are not now required to be determined by an agency, and should not be. To do otherwise would result in a major revision of the statutory and common-law system now governing these areas.

This legislation, considered in its most favorable light, is at the very least, unnecessary and ineffectual in accomplishing its stated ends and should not be enacted.

**6. An Act To Authorize Rather Than Require the DPUC to Review the Rates of Electric and Gas Companies Every Two Years (S.B. 781)**

CNG supports this proposal and concurs with the DPUC that the current requirement to conduct a review of rates every two years may inadvertently create incentives for biannual rate increases. Under current filing and disclosure requirements, the DPUC can effectively monitor the financial status of electric and gas companies and determine whether rates are properly set.

**7. An Act Concerning Immunity for Employees of Public Service Companies for the Disclosure of Information About Such Companies (S.B. 724)**

As a regulated company, CNG believes that virtually all of the ills a whistle-blowing statute seeks to eliminate, or protect against, are currently addressed by existing federal and state statutes and regulations regarding disclosure of information, auditing and reporting requirements, and safety compliance and inspection procedures. In fact, the DPUC, among others, is already responsible for insuring compliance with most of these existing requirements, and should discover any "substantial misfeasance, malfeasance or nonfeasance" (as stated in the bill) in the diligent performance of its duties.

Further, under Connecticut law, any person may currently make a complaint to the DPUC of any defects in any portion of the plant or equipment of any public service company, or of the manner of operating such plant, by reason of which the public safety or the health or safety of employees is endangered." (C.G.S. Sec. 16-12) Under the provision of that section (as in the current DPUC proposal) the complainant's name is not divulged unless the department believes that the nature of the complaint demands publicity. Remedies for a wrongful discharge from making such a disclosure, applicable to all employers both private and public sector, are currently being fashioned by the courts and have been recognized in Connecticut. To delegate to the DPUC the function of investigating, and perhaps adjudicating, personnel matters, adds a new dimension to its regulatory duties. This proposal, if enacted, would require the DPUC to become excessively entangled in the management decisions of the Company, a prerogative most courts have left to the officers and directors of public utilities. Internal rules and regulations and the union contracts currently govern matters involving employee discharge and discipline. CNG believes these established

procedures, along with existing state and federal statutes, provide ample protection against unwarranted discharges. Further, CNG wishes to emphasize that it considers safety of paramount importance in its operation, and notes that its employment policies are designed to foster this concern. Thus, it opposes this legislation as an unnecessary encroachment on its management rights and beyond the scope of the intended mandate of the DPUC.

**8. An Act Concerning the Termination of Utility Service for Divorced and Separated Persons** (S.B. 723)

This act would permit the DPUC to adopt regulations governing the termination of utility service to dwellings occupied by divorced and separated persons for the nonpayment for utility service obtained in the name of the person's spouse or former spouse. CNG opposes this bill both procedurally and substantively.

Regulations approved pursuant to the authorization contained in this bill would provide special protections against termination of services to divorced and separated persons, which could ultimately result in increased uncollectible accounts to be borne by all ratepayers. The social and economic implications of ratepayers, rather than tax payers, subsidizing delinquent accounts resulting from those burdened with family problems, merit close scrutiny. We believe, the General Assembly and Governor, rather the DPUC should fashion a policy, which in the final analysis is but one element of the broader welfare concerns of the state.