

Legislative History for Connecticut Act

PA 87-589

An Act Concerning the Revisor's Technical Corrections to the General Statutes and
to Certain Public or Special Acts

Act Number:	589	Year:	1987
Bill Number:	HB 7598		
House Pages:	12789-12924		135
Senate Pages:	5393-5399		7
Committee:	Judiciary 0		
	Judiciary Minutes (from Archives) p.81		1
		Page Total:	143

NOTE: Additional material in Bill File, including added testimony.

Transcripts from the Joint Standing Committee Public Hearing(s) and/or Senate
and House of Representatives Proceedings

Connecticut State Library

Compiled 2013

H-484

CONNECTICUT
GEN. ASSEMBLY
HOUSE

PROCEEDINGS
1987

VOL. 30
PART 35
12789-13151

aak

463

House of Representatives

Tuesday, June 2, 1987

SPEAKER STOLBERG:

The House will come to order. Will the Clerk please return to the call of the Calendar.

CLERK:

Please turn to Page 1, Calendar 615,
Substitute for House Bill 7598. AN ACT CONCERNING
THE REVISOR'S TECHNICAL CORRECTIONS TO THE GENERAL
STATUTES AND TO CERTAIN PUBLIC OR SPECIAL ACTS.
Favorable Report of the Committee on JUDICIARY.

SPEAKER STOLBERG:

Representative Tulisano.

REP. TULISANO: (29th)

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

SPEAKER STOLBERG:

Will you remark?

REP. TULISANO: (29th)

Mr. Speaker the bill before us is called the Revisor's Technical Corrections bill. It is one which traditionally has been brought before the Chamber on faith that the Revisors have, without the knowledge of the Chairperson who brings it

aak

464

House of Representatives

Tuesday, June 2, 1987

before you, as to each and everything, are able to explain everything in it. It is a matter of faith that the revisors and the LCO has acted in good faith. That's not to say we haven't read it and made some corrections in it where we think it's inappropriate to make those corrections, but it is one that is technical in nature only.

There will be amendments presented later, however, Mr. Speaker, and I caution the General Assembly that as I call them I will, and this is my word and my reputation, in that, those things that are technical, I will explain what they are and state that they are technical. If I do not think they are technical, that I think they are of a substantive nature rather than technical I will so advise the Chair. We can all kill ourselves after tonight.

Mr. Speaker, the Clerk has Amendment LCO 8825.

SPEAKER STOLBERG:

Will the House come to order? While these are all technical Amendments, there will be a number of them. In order for the Members to follow them,

aak

465

House of Representatives

Tuesday, June 2, 1987

the House should remain in order during the course of the calling of these Amendments.

The Clerk has an Amendment LCO 8825 designated House "A". Will the Clerk please call and read.

CLERK:

LCO 8825 designated House "A" offered by Representatives Woodcock and Tulisano.

Delete section 11 in its entirety and renumber the remaining sections accordingly.

REP. TULISANO: (29th)

Mr. Speaker.

SPEAKER STOLBERG:

Representative Tulisano.

REP. TULISANO: (29th)

Mr. Speaker, I move for adoption.

SPEAKER STOLBERG:

Will you remark?

REP. TULISANO: (29th)

This amendment, we believe, although it was done unintentionally, the File Copy itself made a may have made a substantive change in our law. This keeps the statutes the way they have been for some

aak

466

House of Representatives

Tuesday, June 2, 1987

twenty odd years and we think that it's more appropriate until we look at it deeper, a deeper look, I would 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.

Will you remark further? Representative Tulisano.

REP. TULISANO: (29th)

Mr. Speaker, the Clerk has Amendment LCO 7279.

SPEAKER STOLBERG:

The Clerk has an Amendment LCO 7279, House "B". Will the Clerk please call.

CLERK:

LCO 7279 designated House Schedule "B"
offered by Representative Tulisano.

aak .

467

House of Representatives

Tuesday, June 2, 1987

SPEAKER STOLBERG:

Is there objection to summarization?

Seeing none, Representative Tulisano.

REP. TULISANO: (29th)

This Amendment is the technical revisor's amendment which is a, since the file copy was printed, the revisor's have picked up other sections which should be amended. This is the bill that was provided to us by the LCO. I would move its adoption.

SPEAKER STOLBERG:

Will you remark further on House "B"?

Will you remark further? Representative Farr.

REP. FARR: (19th)

Yes, Mr. Speaker. I had a little concern about the first section here. As I understand it, it increases from \$6000 to \$7,500 the amount of money that the Legislative Commissioner's office can purchase without going through a bond process. That seemed to me not to be technical. I don't know if I have any problems with it, but it didn't seem to strike me as technical. Through you, to Representative Tulisano, is that in fact a technical

aak

468

House of Representatives

Tuesday, June 2, 1987

change?

REP. TULISANO: (29th)

This is as I indicated, one that I have taken on faith, that I gather there was a bill that was changed and this was one section that had to be in conformity. This is the technical amendment provided to me and it was done in another bill.

REP. FARR: (19th)

Thank you, very much.

SPEAKER STOLBERG:

Will you remark further on House "B". If not all those in favor of the Amendment please indicate by saying Aye.

REPRESENTATIVES:

Aye.

SPEAKER STOLBERG:

To the contrary, Nay. The Amendment is adopted.

House Amendment Schedule "B":

After line 922, insert the following and re-number the remaining section accordingly:
"Sec. 29. Subsections (a) and (b) of

section 2-71p of the general statutes is repealed and the following is substituted in lieu thereof:

(a) (1) ALL purchases of, and contracts for, supplies, materials, equipment and contractual services, except gas, water and electric light and power services and purchases made pursuant to subsection (b) of this section or subsection (c) of section 4-132 required by the legislative department; and (2) all sales by said department of such personal property which has become obsolete, unserviceable or unusable, shall be based, when possible, on competitive bids, provided in the case of such sales, the joint committee on legislative management may, in its discretion, sell the property at public auction. The committee shall solicit sealed bids by sending notices to prospective suppliers and by posting notice on a public bulletin board in a building under the supervision and control of the joint committee on legislative management. Each bid shall be opened publicly at the time stated in the notice soliciting such bid. If the amount of the expenditure or sale is estimated to exceed [six thousand] SEVEN THOUSAND FIVE HUNDRED dollars, sealed bids shall be solicited by public notice, inserted at least once in not fewer than three daily newspapers published in the state, and at least five calendar days before the final date for submitting bids. All purchases or sales of [six thousand] SEVEN THOUSAND FIVE HUNDRED dollars or less in amount shall be made in the open market, but shall be based, when possible, on at least three competitive bids.

(b) The committee may waive the requirement of competitive bidding in the case of minor non-recurring and emergency purchases of [three] FOUR hundred dollars or less in amount.

Sec. 30. Section 16-235 of the general statutes is repealed and the following is substituted in lieu thereof:

Except as provided in section 16-243, the selectmen of any town, the common council of any city and the warden and burgesses of any borough shall, subject to the provisions of section 16-234, within their respective jurisdictions, have full

direction and control over the placing, erection and maintenance of any such wires, conductors, fixtures, structures or apparatus, including the relocation or removal of the same and the power of designating the kind, quality and finish thereof, but no authority granted to any city or borough or a town planning, zoning, inland wetland, historic district, building, gas, water or electrical board, commission or committee created under authority of the general statutes or by virtue of any special act, shall be construed to apply to so much of the operations, plant, building, structures or equipment of any public service company as is under the jurisdiction of the department of public utility control, or the Connecticut siting council, but zoning commissions and inland wetland agencies may, within their respective municipalities, regulate and restrict the proposed location of any steam plant, gas plant, gas tank or holder, water tank, electric substation, antenna, tower or earth station receiver of any public service company not subject to the jurisdiction of the [power facility evaluation] CONNECTICUT SITING council. Any local body mentioned in this section and the appellate body, if any, may make all orders necessary to the exercise of such power, direction or control, which orders shall be made within thirty days of any application and shall be in writing and recorded in the records of their respective communities, and written notice of any order shall be given to each party affected thereby. Each such order shall be subject to the right of appeal within thirty days from the giving of such notice by any party aggrieved to the department of public utility control, which, after rehearing, upon notice to all parties in interest, shall as speedily as possible determine the matter in question and shall have jurisdiction to affirm or modify or revoke such orders or make any orders in substitution thereof.

Sec. 31. Subsection (e) of section 46b-215 of the general statutes, as amended by section 10 of substitute house bill number 7629 of the current session, is repealed and the following is substituted in lieu thereof:

(e) Any court or family support magistrate, called upon to enforce a support order, shall insure that such order is reasonable in light of the obligor's ability to pay. Any support order entered pursuant to this section, or any support order from another jurisdiction subject to enforcement by the state of Connecticut, may be modified by motion of the party seeking such modification, provided the court or family support magistrate finds that the obligor or the obligee and any other interested party have received actual notice of the pendency of [said] SUCH motion and of the time and place of the hearing on such motion. In any hearing to modify ANY support order from another jurisdiction the court or the family support magistrate shall conduct the proceedings in accordance with the procedure set forth in section 46b-197.

Sec. 32. Subsection (b) of section 46b-324 of the general statutes, as amended by section 9 of substitute house bill number 7629 of the current session is repealed and the following is substituted in lieu thereof:

(b) Any court or family support magistrate, called upon to enforce a support order, shall insure that such order is reasonable in light of the obligor's ability to pay. Any support order entered pursuant to this section, or any support order from another jurisdiction subject to enforcement by the state of Connecticut, may be modified by motion of the party seeking such modification, provided the court or family support magistrate finds that the obligor or the obligee and any other interested party have received actual notice of the pendency of [said] SUCH motion and of the time and place of the hearing on such motion. In any hearing to modify ANY support order from another jurisdiction the court or the family support magistrate shall conduct the proceedings in accordance with the procedure set forth in section 46b-197.

Sec. 33. Subsection (c) of section 52-235a of the general statutes is repealed and the following is substituted in lieu thereof:

(c) If the action for which notice of lis pendens was recorded, is pending before any court,

House of Representatives

Tuesday, June 2, 1987

the property owner may at any time, unless the application under subsection (a) of this section has previously been ruled upon, move that SUCH NOTICE OF LIS PENDENS BE DISCHARGED OF RECORD.

Sec. 34. Subsection (b) of section 52-557b of the general statutes is repealed and the following is substituted in lieu thereof:

(b) A paid or volunteer fireman or policeman, a teacher or other school personnel on the school grounds or in the school building or at a school function, a member of a ski patrol, a life-guard, a conservation officer, patrolman or special policeman of the department of environmental protection, or ambulance personnel, who has completed a course in first aid offered by the American Red Cross, the American Heart Association, the department of health services or any director of health, as certified by the agency or director of health offering the course, and who renders emergency first aid to a person in need thereof, shall not be liable to such person assisted for civil damages for any personal injuries which result from acts or omissions by such person in rendering the emergency first aid, which may constitute ordinary negligence. No paid or volunteer fireman, [or] policeman OR AMBULANCE PERSONNEL who forcibly enters the residence of any person in order to render emergency first aid to a person whom he reasonable believes to be in need thereof shall be liable to such person for civil damages incurred as a result of such entry. The immunity provided in this subsection does not apply to acts or omissions constituting gross, wilful or wanton negligence.

Sec. 35. Subsection (g) of section 5 of substitute senate bill number 874 of the current session is repealed and the following is substituted in lieu thereof:

(g) The committee shall: (1) Monitor the number of participating physicians, participating physicians in each area of specialty as recorded in the medicare intermediary records and eligible persons enrolled in the program; (2) assess the effectiveness of the program in providing eligible persons access to medical care; (3) study the effects of higher health care costs to nonmedicare persons; (4) assess whether state funds are available to offset the potential cost shift created by

the acceptance of medicare assignment; (5) develop and implement an educational and recruitment program for eligible persons; and (6) assist the state society and the department on aging in identifying eligible persons who can enroll in the ConnPACE and the Medicare Courtesy Card programs. Each program shall refer [appropriate] applicants [among themselves] TO THE APPROPRIATE PROGRAM and shall review and monitor any complaints filed by participants or phsycians.

Sec. 36. Section 8 of the substitute house bill 7629 of the current session is repealed and the following is substituted in lieu thereof:

[Program] A PROGRAM of mediation services for persons filing for dissolution of marriage may be established in such judicial districts of the superior court as the chief court administrator may designate. Mediation services shall address property, financial, child custody and visitation issues.

Sec. 37. Subsection (d) of section 1 of public act 87-235 is repealed and the following is substituted in lieu thereof:

(d) If the commissioner issues an order pursuant to section 22a-6, [22a-418,] 22a-424, 22a-428, 22a-431, as amended by section 3 of this act, 22a-432, or section 22a-433 of the general statutes, as amended by section 3 of this act, to any persons or municipality for a discharge registered under this section, he may issue a permit under said section 22a-430 for such discharge upon compliance with the order.

Sec. 38. Section 2 of substitute house bill 7613 of the current session is repealed and the following is substituted in lieu thereof:

The retirement division of the comptroller's office shall [post] MAIL retirement benefit checks not later than three business days prior to the date on which such checks are payable.

Sec. 39. Section 3 of substitute house bill 7613 of the current session is repealed and the following is substituted in lieu thereof:

The teacher's retirement board shall [post] MAIL retirement benefit checks not later than three business days prior to the date on which such checks are payable.

Sec. 40. Section 23-26 of the general statutes is repealed and the following is substituted in lieu thereof:

(a) The commissioner may provide for the collection of parking fees and establish from time to time the daily and seasonal amount thereof and may enter into contractual relations with other persons for the maintenance of concessions and other sources of revenue to be derived from services to the general public using [said] STATE parks and may employ such assistants as may be necessary for the collection thereof, and shall deposit such revenue derived therefrom with the state treasurer in the general fund.

(b) The commissioner shall issue to any resident of the state, upon payment of a fee established by said commissioner, a nontransferable Connecticut private passenger motor vehicle pass which permits free parking Monday through Friday, excluding holidays, throughout the calendar year at any state recreational facility.

Sec. 41. Section 26-67 of the general statutes is repealed and the following is substituted in lieu thereof:

[Notice of such hearing shall be advertised in one or more newspapers having a general circulation in each of the counties of the state. Such notice shall specify the time, not less than fourteen days thereafter, the agenda and the place designated by the commissioner at which such hearing shall be held and at which persons having an interest therein will have an opportunity to be heard. The commissioner or his designated representative shall conduct such hearing and cause a record thereof to be made. After such notice and hearing, the]
THE commissioner may issue his regulations, based upon accepted standards of wildlife conservation including the following: (a) Scientific and factual findings of a biological nature; (b) the availability of the species involved; (c) unusual weather conditions and special hazards; (d) the available supply of food and natural cover; (e) the general condition of the woods and streams; (f) the control of the species; (g) the number of permits issued;

(h) the area available; (i) the rights and privileges of sportsmen, landowners and the general public; (j) the problem of providing and perpetuating a sound program of wildlife management and a sound recreational program consistent with the availability of the species.

Sec. 42. Subsection (b) of section 51-207 of the general statutes, as amended by section 4 of senate bill 818 of the current session, is repealed and the following is substituted in lieu thereof:

(b) If any judge is absent and such right is claimed or if any judge is disqualified and the absence or disqualification is not waived or if the business before the court requires it, the chief justice or, in the case of his absence or disqualification, the senior judge present and qualified may summon the sixth or seventh member, OR BOTH, of the supreme court or one or more of the judges of the superior court to constitute a full court, who shall attend and act as judges of the supreme court [, or both,] for the time being.

Sec. 43. Substitute house bill 5486 of the current session is repealed and the following is substituted in lieu thereof:

Any municipality operating a [solid waste] WATER POLLUTION ABATEMENT facility which receives or received funds pursuant to [chapter 446d] SECTION 22a-439 of the general statutes and which disposes of septic tank pumpings shall establish a uniform tipping fee for pumpings collected in such municipality and delivered to such facility for disposal by haulers located in the municipality or in any other municipality.

Sec. 44. Section 4 of substitute house bill 7280 of the current session is repealed and the following is substituted in lieu thereof:

(a) Any person, firm or coporation violating a permit or order issued by the commissioner of agriculture pursuant to any provision of chapter 432 to 434, inclusive, 436, 437, 437a of the general statutes shall post a bond or other security satisfactory to the commissioner, payable to the state. The commissioner shall determine the amount of the bond or other security, provided such amount shall not exceed ten thousand dollars. In determining the amount, the commissioner shall con-

House of Representatives

Tuesday, June 2, 1987

sider the extent of the violation, the number of repeated violations, the potential for the spread of disease and the threat to the public health and environment. Such bond, with sufficient surety or other security, shall be filed with the commissioner in such form as he prescribes and conditioned upon compliance with the terms or conditions of such permit or order.

(b) (1) Whenever the commissioner finds as the result of an investigation that the person, firm or corporation posting the bond or other security continues to violate the terms or conditions of the permit or order, the commissioner may send a notice to such person, firm or corporation by certified mail, return receipt requested. Any such notice shall include: (A) A reference to the title, chapter [,] OR SECTION OF THE GENERAL STATUTES, OR TO THE regulation, rule or order alleged to have been violated; (B) a short and plain statement of the matter asserted or charged; (C) the amount of the bond or other security that may be forfeited for such violation; and (D) the time and place for the hearing. Such hearing shall be fixed for a date not earlier than fourteen days after the notice is mailed.

(2) The commissioner shall hold a hearing upon the charges made unless such person, firm or corporation fails to appear at the hearing. Such hearing shall be held in accordance with the provisions of chapter 54 of the general statutes. After the hearing if the commissioner finds the person, firm or corporation has continued to violate the terms or conditions of the permit or order after posting a bond or other security pursuant to subsection (a) of this section, he shall order such bond or other security to be forfeited. The commissioner shall send a copy of any order issued pursuant to this subsection by certified mail, return receipt requested to any person, firm or corporation named in such order.

(3) Any person, firm or corporation aggrieved by an order of the commissioner issued pursuant to this subsection may appeal therefrom in accordance with the provisions of section 4-183 of the general statutes.

House of Representatives

Tuesday, June 2, 1987

(c) The commissioner shall adopt regulations in accordance with the provisions of chapter 54 of the general statutes to carry out the provisions of this section.

Sec. 45. Section 2 of substitute senate bill 123 of the current session is repealed and the following is substituted in lieu thereof:

The commissioner of environmental protection shall make [grants] A GRANT TO A MUNICIPALITY for each ton of solid waste [delivered] IT DELIVERS to a resources recovery facility [or system or to an incinerator] operating on June 1, 1987. The amount of the grants shall be (1) for the fiscal year beginning July 1, 1988, twenty-five per cent of the tipping fee not to exceed ten dollars per ton and (2) for the fiscal year beginning July 1, 1989, twelve per cent of the tipping fee not to exceed four dollars per ton. The tipping fee shall be reviewed by the commissioner and shall include but not be limited to any costs associated with debt service or system operations from the point the solid waste enters the system to the landfill disposal of its residual and nonprocessable components. The provisions of subsection (b) of section 22a-219b of the general statutes, as amended by section 1 of this act, shall apply to grants made under this section.

Sec. 46. Subsection (b) of section 10-73a of the general statutes, as amended by section 32 of substitute house bill 7645 of the current session is repealed and the following is substituted in lieu thereof:

(b) Tuition or registration fees shall not be charged by a sponsoring school district to adult residents of such district enrolled in any adult class or program of adult classes required under said section 10-69. Registration fees may be charged by a sponsoring school district OR COOPERATING ELIGIBLE ENTITY to a nonsponsoring school district [or cooperating eligible entity] for any adult residents of such nonsponsoring district who are enrolled in any adult class or program of adult classes maintained by such sponsoring school district OR COOPERATING ELIGIBLE ENTITY and required by said section.

aak

478

House of Representatives

Tuesday, June 2, 1987

Sec. 47. Subsection (a) of section 26-6 of the general statutes is repealed and the following is substituted in lieu thereof:

(a) Conservation officers, special conservation officers and patrolmen appointed by the commissioner under authority of section 26-5, shall enforce the provisions of title 23 and this title and chapters 246, 247, 248, 266 and 268 and regulations adopted pursuant to such titles and chapters and sections 22a-250, 29-28, 29-35, 29-38, 53-134, 53-190, 53-191, 53-194, 53-203, 53-204, 53-205, 53a-59 to 53a-64, inclusive, 53a-100 to 53a-117, inclusive, subsection (b) of section 53a-119b, 53a-122 to 53a-125, inclusive, 53a-130, 53a-133 to 53a-136, inclusive, 53a-147 to 53a-149, inclusive, 53a-157, 53a-165 to 53a-167c, inclusive, 53a-171, 53a-181 to [53a-183] 53a-183a, inclusive, 54-33d and 54-33e."

REP. TULISANO: (29th)

The Clerk has an Amendment, LCO 7291.

SPEAKER STOLBERG:

The Clerk has an Amendment LCO 9291,
House "C". Will the Clerk please call.

CLERK:

LCO 7291 designated House Schedule "C"
offered by Representative Tulisano.

SPEAKER STOLBERG:

Is there objection to summarization? Seeing
none, Representative Tulisano.

REP. TULISANO: (29th)

For the Chamber's information, Mr. Speaker,

aak .

479

House of Representatives

Tuesday, June 2, 1987

it is my opinion that this is quasi-technical, not like the other amendments I have brought out. It does define disable differently. The purpose is to include in the ConnPACE program, disabled persons meeting income levels which might exceed federal supplemental security income limits. The statute itself as we passed earlier this year may not quite do that. This is designed to make that work better. This is not technical as described before, although in the generic terms it might be. I would move its adoption.

SPEAKER STOLBERG:

Representative Belden.

REP. BELDEN: (113th)

Mr. Speaker, I certainly concur that this is probably not exactly technical, but it is in fact putting a definition of disabled under SSI into our statutes which as the course of this session unraveled, we found time and time again that it was perhaps lacking and so I certainly concur with this amendment.

SPEAKER STOLBERG:

Will you remark further on the Amendment?

aak

480

House of Representatives

Tuesday, June 2, 1987

Representative Emmons.

REP. EMMONS: (101st)

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

SPEAKER STOLBERG:

Please frame your question.

REP. EMMONS: (101st)

Representative Tulisano, not remembering the ConnPACE bill in its totality, on this disabled, do you get the ConnPACE eligibility by meeting the requirements by being Title 2 or 16 and no eligibility as to income.

SPEAKER STOLBERG:

Representative Tulisano.

REP. TULISANO: (29th)

Mr. Speaker, I have been advised that through you, Mr. Speaker the answer is yes.

SPEAKER STOLBERG:

Representative Emmons.

REP. EMMONS: (101st)

Mr. Speaker, I hate to say this but between the lapse, I forgot what the question was. It's yes....

aak .

481

House of Representatives

Tuesday, June 2, 1987

REP. TULISANO: (29th)

Through you, Mr. Speaker, I don't even remember what the question was and the answer is yes.

REP. EMMONS: (101st)

Well, Representative Tulisano, can I just ask it to you once more? On the using disabled does being disabled meeting this criteria allow you to be a member of the ConnPACE program regardless of income?

REP. TULISANO: (29th)

I'd like to yield on my expert in this area who is here advising me, Representative Gionfriddo, for an appropriate answer.

SPEAKER STOLBERG:

Representative Gionfriddo. Do you accept?

REP. GIONFRIDDO: (33rd)

Yes, Mr. Speaker. By this one would still need to meet the income eligibility levels, both under ConnPACE and either under Title 2 or Title 16.

REP. EMMONS: (101st)

Thank you, Mr. Speaker.

SPEAKER STOLBERG:

Will you remark further on House "C"?

aak

482

House of Representatives

Tuesday, June 2, 1987

Representatives Krawiecki.

REP. KRAWIECKI: (78th)

Thank you, Mr. Speaker. Question through you to Representative Gionfriddo, please?

SPEAKER STOLBERG:

Please frame your question.

REP. KRAWIECKI: (78th)

Representative Gionfriddo, I may not phrase it exactly the way I mean it and I'll repeat it if I don't get it out properly, but is this amendment now making people who are disabled as defined pursuant to Title 2 or Title 16 of the Social Security Act of '35, is that making it more liberal, less liberal in application or more people eligible or less people eligible, I guess, versus the SSI regulations as was originally adopted under the act, through you, Mr. Speaker.

SPEAKER STOLBERG:

Representative Tulisano. Representative Gionfriddo.

REP. GIONFRIDDO: (33rd)

Through you, Mr. Speaker. The idea is to make neither more people eligible nor less people

aak

483

House of Representatives Tuesday, June 2, 1987

eligible than what we adopted back in January. The idea is to clarify exactly who is eligible by making it clear that persons who are eligible under these definitions and under these federal standards are the persons to whom we were referring when we defined disability, a person with disability back in January.

REP.. KRAWIECKI: (78th)

Through you, Mr. Speaker, another question to Representative Gionfriddo. Are any individuals who were originally qualified now excluded?

Through you, Mr. Speaker.

REP. GIONFRIDDO: (33rd)

Through you, Mr. Speaker. No.

REP. KRAWIECKI: (78th)

And one last question, through you, Mr. Speaker, is this only for individuals who are under age 65? Through you, Mr. Speaker.

SPEAKER STOLBERG:

Representative Gionfriddo.

REP. GIONFRIDDO: (33rd)

Through you, Mr. Speaker, yes, this particular part is, yes.

aak

484

House of Representatives Tuesday, June 2, 1987

REP. KRAWIECKI: (78th)

Thank you, Representative Gionfriddo.

SPEAKER STOLBERG:

Will you remark further on House "C"? If not all those in favor of the Amendment indicate by saying Aye.

REPRESENTATIVES:

Aye.

SPEAKER STOLBERG:

All those to the contrary, Nay. The
Amendment is adopted.

House Amendment Schedule "C":

After line 922, insert a new section 29 as follows and renumber the remaining section accordingly:

"Sec. 29. Subsection (e) of section 17-510 of the general statutes, as amended by section 1 of public act 87-3, is repealed and the following is substituted in lieu thereof:

(e) "Disabled" means a person [with a disability, as defined by federal law or regulation for the Supplemental Security Income Program] OVER EIGHTEEN YEARS OF AGE WHO IS RECEIVED DISABILITY PAYMENTS PURSUANT TO EITHER TITLE 2 OR TITLE 16 OF THE SOCIAL SECURITY ACT OF 1935, AS AMENDED."

SPEAKER STOLBERG:

Will you remark further? Representative

aak .

485

House of Representatives

Tuesday, June 2, 1987

Tulisano.

REP. TULISANO: (29th)

Mr. Speaker, the Clerk has Amendment LCO
8264.

SPEAKER STOLBERG:

The Clerk has an Amendment LCO 8264
designated House "D". Will the Clerk please call.
Excuse me, neither the Majority side or the
Minority side seem to have copies of this Amendment.

REP. TULISANO: (29th)

Does the Chair have it.

SPEAKER STOLBERG:

No, I have the Clerk's in my hand.

REP. TULISANO: (29th)

May I withdraw it at this point of time
until the copies are made.

SPEAKER STOLBERG:

If there are no objections, we will skip
over this item. It has not been designated and
maybe in the meantime somebody can get some copies
made.

REP. TULISANO: (29th)

Mr. Speaker, the Clerk has Amendment LCO

aak .

486

House of Representatives

Tuesday, June 2, 1987

5963.

SPEAKER STOLBERG:

The Clerk has an Amendment LCO 5963 which will be designated House Amendment Schedule "D". Will the Clerk please call.

CLERK:

LCO 5963 designated House Schedule "D"
offered by Representative Gionfriddo.

SPEAKER STOLBERG:

Is there objection to summarization?
Seeing none, Representative Tulisano.

REP. TULISANO: (29th)

Mr. Speaker, I believe I can call this technical. The language that you see in caps on the File Copy on line 28 was originally place in the bill we passed, I think, last evening. On lines 32 we are bracketing in lines 33 and moving them to the correct section in the statute where it belongs. It only fouls up the intent of the legislation that was passed. I would move its adoption.

SPEAKER STOLBERG:

Will you remark further on House "D"? If

aak

487

House of Representatives

Tuesday, June 2, 1987

not all those in favor of the Amendment, indicate by saying Aye.

REPRESENTATIVES:

Aye.

SPEAKER STOLBERG:

Those to the contrary, Nay. The Amendment is adopted.

House Amendment Schedule "D":

After line 922, add section 29 as follows and renumber the remaining section accordingly:

"Sec. 29. Subsections (c) and (d) of section 192-242 of the general statutes, as amended by substitute house bill 5940 of the current session, is repealed and the following is substituted in lieu thereof:

(c) On and after July 1, 1988, each district health department shall provide for the services of a sanitarian certified under chapter 395, as amended by this act, to work under the direction of the district director of health. WHERE PRACTICAL, THE DISTRICT DIRECTOR OF HEALTH MAY ACT AS THE SANITARIAN.

(d) As used in this chapter, "authorized agent" means a sanitarian certified under said chapter 395 and any individual certified for a specific program of environmental health by the commissioner of health services in accordance with the public health code. [Where practical, the local director of health may act as the sanitarian.] "

In line 924, after "passage" and before the period insert "except that section 29 shall take effect October 1, 1987."

aak

488

House of Representatives Tuesday, June 2, 1987

SPEAKER STOLBERG:

Will you remark further? Representative
Tulisano.

REP. TULISANO: (29th)

Mr. Speaker, the Clerk has Amendment
LCO 8331.

SPEAKER STOLBERG:

The Clerk has an Amendment LCO 8331 designated
House Amendment Schedule "E". Will the Clerk
please call.

CLERK:

LCO 8331 designated House Schedule "E"
ofference by Representative Mushinsky.

REP. TULISANO:

Mr. Speaker. Permission to summarize?

SPEAKER STOLBERG:

Is there objection to summarization? Seeing none,
Representative Tulisano.

REP. TULISANO: (29th)

Mr. Speaker, this amendment is, I believe,
technical...

SPEAKER STOLBERG:

Representative Tulisano, just a moment.

aak

489

House of Representatives

Tuesday, June 2, 1987

Please proceed.

REP. TULISANO: (29th)

Mr. Speaker. This is technical in nature. It just changes the words "this act" to "Substitute House Bill 7208 of the current session" It clarifies that we are applying to the new law that was passed this year. Technical in nature. I move its adoption.

SPEAKER STOLBERG:

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

REPRESENATATIVES:

Aye.

SPEAKER STOLBERG:

All those to the contrary, Nay. The Amendment is adopted.

House Amendment Schedule "E":

After line 922, add the following and re-number the remaining section accordingly:

"Sec. 29. Section 22a-134a of the general statutes, as amended by section 2 of substitute house bill 7208 of the current session is repealed and the following is substituted in lieu thereof:

(a) No person shall transfer an establishment

House of Representatives

Tuesday, June 2, 1987

except in accordance with the provisions of section 22a-134 to 22a-134d, inclusive, as amended by [this act] SUBSTITUTE HOUSE BILL 7208 OF THE CURRENT SESSION.

(b) Prior to transferring an establishment, the owner or operator shall submit a negative declaration to the transferee and shall, within fifteen days after the transfer, submit a copy of such declaration to the commissioner.

(c) If the owner or operator is unable to submit a negative declaration, prior to the transfer the transferee or other party to the transfer shall certify to the commissioner that to the extent necessary to minimize or mitigate a threat to human health or the environment, he shall contain, remove or otherwise mitigate the effects of any discharge, spillage, uncontrolled loss, seepage or filtrartion of hazardous waste on-site in accordance with procedures and a time schedule approved by the commissioner pursuant to an order, stipulated judgment or consent agreement.

(d) A lien pursuant to section 22a-452a, as amended by section 3 of [this act] SUBSTITUTE HOUSE BILL 7208 OF THE CURRENT SESSION, shall not be placed against real estate on which a service station was transferred and in operation on or after May 1, 1967, provided the transferor certifies to the transferee that regulations adopted by the commissioner of envrionmental protection pursuant to subsection (d) of section 22a-449 concerning design, construction, installation and maintenance of underground facilities storing oil or petroleum liquids, (2) there has been no spill on the real estate [, (3)] OR any spill has been cleaned up in accordance with procedures approved by the commissioner [or that] AND the commissioner has determined that such spill does not pose a threat to human health or safety or to the environment which would warrant containment or removal or other mitigation measures and [(4)] (3) any hazardous waste or oil or petroleum liquid remaining on the real estate is being managed in accordance with the provisions of chapters 445 and 446k and regulations adopted thereunder.

(e) The commissioner may adopt regulations in accordance with the provisions of chapter 54 to implement the provisions of this section."

aak

491

House of Representatives

Tuesday, June 2, 1987

SPEAKER STOLBERG:

Will you remark further?

REP. TULISANO: (29th)

Mr. Speaker, the Clerk has Amendment LCO 5958.

SPEAKER STOLBERG:

The Clerk has an Amendment LCO 5958 designated House Amendment Schedule "F". Will the Clerk please call.

CLERK:

LCO 5958 designated House Schedule "F"
offered by Representative Anderson.

SPEAKER STOLBERG:

Is there objection to summarization?
Representative Tulisano.

REP. TULISANO: (29th)

Mr. Speaker, correction to a typo in the original File Copy, change from 6 to 8, I move for its adoption.

SPEAKER STOLBERG:

Is there objection? Will you remark further?
If not, all those in favor of the Amendment please indicate by saying Aye.

aak

492

House of Representatives Tuesday, June 2, 1987

REPRESENTATIVES:

Aye.

SPEAKER STOLBERG:

All those to the contrary, Nay. The
Amendment is adopted.

House Amendment Schedule "F":

After line 922, add the following and re-number the remaining section accordingly:

"Sec. 29. Subsection (a) of section 22a-234 of the general statutes, as amended by section 8 of substitute house bill 5686 of the current session is repealed and the following is substituted in lieu thereof:

(a) There is established an advisory board for solid waste management alternatives. The board shall consist of [six] EIGHT members as follows: A person expert in health risk analysis, a professional engineer familiar with resources recovery technology, one person experienced in environmental monitoring, one person representing the council on environmental quality, one person representing an environmental group, one person representing a municipality where a resources recovery facility is located, one person representing recycling industries and the commissioner of health services or his designee. The members shall serve terms of three years and shall be appointed as follows: Three by the governor, two by the speaker of the house of representatives and two by the president pro tempore of the senate. The appointment of the member representing the municipality where a resources recovery facility is located shall be approved by the chief elected official of such municipality. Each appointed member shall be entitled to reimbursement for reasonable and necessary traveling expenses incurred in

aak

493

House of Representatives

Tuesday, June 2, 1987

the performance of his duties. The board shall elect a chairman from among its membership at the first meeting. The board shall meet at least once in each quarter of the calendar year and such other times as the chairman deems necessary."

SPEAKER STOLBERG:

Will you remark further?

REP. TULISANO: (29th)

The Clerk has amendment LCO 7466.

SPEAKER STOLBERG:

The Clerk has an Amendment LCO 7466, designated House "G". Will the Clerk please call.

CLERK:

LCO 7466 designated House Schedule "G"

offered by Representative Tulisano.

REP. TULISANO: (29th)

Mr. Speaker, this changes the word "account" to "board" dealing with the victim compensation board making it technical in nature, may already be out of sync with the statute.

SPEAKER STOLBERG:

Seeing no objection to summarization, is there objection to the Amendment? Seeing no objection, all those in favor of the Amendment, please

aak

494

House of Representatives

Tuesday, June 2, 1987

indicate by saying Aye.

REPRESENTATIVES:

..... Aye.

SPEAKER STOLBERG:

To the contrary, Nay. The Amendment is
adopted.

House Amendment Schedule "G":

After line 922, insert the following and renumber the remaining section accordingly:

"Sec. 29. Section 6 of substitute house bill 7625 of the current session is repealed and the following is substituted in lieu thereof:

Funds appropriated to the judicial department under section 1 of substitute house bill 7240 of the current session for victim advocates within family violence intervention units shall be transferred to the criminal injuries compensation [fund] BOARD for the purpose of funding family violence victim advocates under section 46b-38c of the general statutes.

Sec. 30. Section 3 of substitute senate bill 200 of the current session is repealed and the following is substituted in lieu thereof:

The sum of fifty thousand dollars is appropriated to the criminal injuries compensation [account] BOARD, for the fiscal year ending June 30, 1988, from the sum appropriated to the finance advisory committee under section 1 of substitute house bill 7240 of the current session, for 1987 acts without appropriations, for the purposes of section 1 of this act."

In line 924, after "passage" inser the following:

", except that sections 29 and 30 shall take effect July 1, 1987."

aak

495

House of Representatives

Tuesday, June 2, 1987

REP. TULISANO: (29th)

Clerk has Amendment LCO 7542.

SPEAKER STOLBERG:

The Clerk has an Amendment LCO 7542 designated House Amendment Schedule "H". Will the Clerk please call.

CLERK:

LCO 7542 designated House Schedule "H"

offered by Representatives Tulisano, Wollenburg and Gionfriddo.

REP. TULISANO: (29th)

Mr. Speaker.

SPEAKER STOLBERG:

Is there objection to summarization? Seeing none, Representative Tulisano.

REP. TULISANO: (29th)

Mr. Speaker, this is not a technical amendment in my opinion. This is not one of those which is just doesn't do anything. It does, however, include in the words "conscious sedation", the words are "Any orally administered sedation" in addition to those that are specifically stated already in the statutes. I would move its adoption.

aak

496

House of Representatives

Tuesday, June 2, 1987

SPEAKER STOLBERG:

Will you remark on "H"? If not, all those in favor of the Amendment, please indicate by saying Aye.

REPRESENTATIVES:

Aye.

SPEAKER STOLBERG:

To the contrary, Nay. The Amendment is adopted.

House Amendment Schedule "H":

After line 922, insert the following new section 29 and renumber the remaining section accordingly:

"Sec. 29. Section 20-123a of the general statutes is repealed and the following is substituted in lieu thereof:

For purposes of this section and section 20-123b:

(a) "Conscious sedation" means a drug-induced state in which the patient is calmed and relaxed, capable of making rational responses to commands and has all protective reflexes intact, including the ability to clear and maintain his own airway in a patent state, but does not include nitrous oxide sedation OR ANY ORALLY ADMINISTERED SEDATION;

(B) "General anesthesia" means a controlled state of unconsciousness produced by pharmacologic or nonpharmacologic methods, or a combination thereof, accompanied by a partial or complete loss of protective reflexes including an inability to independently maintain an airway and to respond purposefully to physical stimulation or verbal

aak

497

House of Representatives

Tuesday, June 2, 1987

commands; and

(c) "Commissioner" means the commissioner of health services."

SPEAKER STOLBERG:

Will you remark further? Representative Tulisano.

REP. TULISANO: (29th)

Mr. Speaker, the Clerk has an Amendment LCO 7508.

SPEAKER STOLBERG:

The Clerk has an Amendment LCO 7508 designated House Amendment Schedule "I". Will the Clerk please call.

CLERK:

LCO 7508 designated House Schedule "I" offered by Representative Mushinsky.

SPEAKER STOLBERG:

Is there any objection to summarization? Seeing none, Representative Tulisano.

REP. TULISANO: (29th)

Mr. Speaker, this takes out reference to a particular section. I think it conforms with other legislation we've already done. I believe this one

aak

498

House of Representatives Tuesday, June 2, 1987

to be technical in nature. I move its adoption.

SPEAKER STOLBERG:

Will you remark further on "I"? 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 amendment is adopted.

House Amendment Schedule "I":

After line 922, add the following and re-number the remaining section accordingly:

"Sec. 29. Subsection (d) of section 1 of public act 87-235 is repealed and the following is substituted in lieu thereof:

(d) If the commissioner issues an order pursuant to section 22a-6, [22a-418,] 22a-424, 22a-428, 22a-431, as amended by section 3 of this act, 22a-432 or section 22a-433 of the general statutes, as amended by section 3 of this act, to any person or municipality for a discharge registered under this section, he may issue a permit under said section 22a-430 for such discharge upon compliance with the order."

aak

499

House of Representatives

Tuesday, June 2, 1987

SPEAKER STOLBERG:

Will you remark further?

REP. TULISANO: (29th)

Mr. Speaker, Clerk has an Amendment LCO 7578.

SPEAKER STOLBERG:

The Clerk has an Amendment LCO 7578 designated House Amendment Schedule "J". Will the Clerk please call.

CLERK:

LCO 7578 designated House Schedule "J"
offered by Representative Mintz.

SPEAKER STOLBERG:

Is there objection to summarization? Seeing none, Representative Tulisano.

REP. TULISANO: (29th)

Mr. Speaker, this deals and it not technical. It is not technical at all, it's substantive. It makes a change in the current legislation we passed this year to say that when purchased and placed in an interest-bearing escrow account, the interest is divided between the buyer and the seller. You may recall we did that bill earlier. This would exempt iolta accounts, that is, accounts that are

aak .

500

House of Representatives

Tuesday, June 2, 1987

established in order to provide funds to legal services. I move its adoption.

SPEAKER STOLBERG:

Will you remark on "J". Representative Farr.

REP. FARR: (19th)

Yes, Mr. Speaker, to Representative Tulisano. Is it my understanding that line, that paragraph b then tracks the new language that we passed in the previous bill?

REP. TULISANO: (29th)

Through you, Mr. Speaker, except for that which is in caps, yes.

REP. FARR: (19th)

Yes, my other question then, is, has that in fact been enacted?

REP. TULISANO: (29th)

Mr. Speaker, as I understand it, it was passed by both Houses of the General Assembly. The Governor hasn't necessarily adopted it yet and signed it yet. I don't know that.

REP. FARR: (19th)

I'm just a little leary of putting technical amendments on a bill that may not have been enacted.

aak

501

House Of Representatives Tuesday, June 2, 1987

SPEAKER STOLBERG:

Will you remark further on "J"? 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 Amendment is adopted.

House Amendment Schedule "J":

After line 922, add section 29 as follows and renumber the remaining section accordingly:

"Sec. 29. Subsection (b) of section 47-271 of the general statutes, as amended by section 5 of substitute house bill 7527 of the current session, is repealed and the following is substituted in lieu thereof:

(b) If such deposit is made in connection with the purchase or reservation of a unit to be occupied by the purchaser and is placed in an interest-bearing escrow account OTHER THAN AN ACCOUNT ESTABLISHED AND MAINTAINED PURSUANT TO SECTION 51-81c, any interest which accrues thereon from the date of such deposit until its disposition pursuant to subdivision (1), (2) or (3) of subsection (a) of this section shall be distributed as follows: (1) If

aak

502

House of Representatives

Tuesday, June 2, 1987

such deposit is delivered to the declarant at closing or refunded to the purchaser, such interest shall be divided equally between the purchaser and the declarant; and (2) if such deposit is delivered to the declarant because of the purchaser's default under a contract to purchase the unit, such interest shall be paid to the declarant.

In line 924, after "passage" and before the period insert ", except section 29 shall take effect October 1, 1987"

SPEAKER STOLBERG:

Will you remark further?

REP. TULISANO: (29th)

Mr. Speaker, the Clerk has an Amendment 7584.

SPEAKER STOLBERG:

The Clerk has an Amendment LCO 7584 House Amendment Schedule "K". Will the Clerk please call.

CLERK:

LCO 7584 designated House Schedule "K" offered by Representative Mushinsky.

REP. TULISANO: (29th)

Mr. Speaker.

SPEAKER STOLBERG:

Is there objection to summarization? Seeing none, Representative Tulisano.

aak

503

House of Representatives Tuesday, June 2, 1987

REP. TULISANO: (29th)

This changes the language of the statute originally signed to deal with water pollution in bathing facilities, solid waste should have been removed and that word put in and I guess that was the intent of the and conforms with the rest of the statute that was passed under House Bill 5486. I would move its adoption. This should be technical in nature.

SPEAKER STOLBERG:

Will you remark further on "K"? If not, all those in favor, please indicate by saying Aye.

REPRESENTATIVES:

Aye.

SPEAKER STOLBERG:

All those to the contrary, Nay. The
Amendment is adopted.

House Amendment Schedule "K":

After line 922, add the following and re-number the remaining section accordingly:

"Sec. 29. Substitute house bill 5486 of the current session is repealed and the following is substituted in lieu thereof:

Any municipality operating a [solid waste]

aak

504

House of Representatives Tuesday, June 2, 1987

WATER POLLUTION ABATEMENT facility which receives or received funds pursuant to [chapter 446d] SECTION 22a-439 of the general statutes and which disposes of septic tank pumpings shall establish a uniform tipping fee for pumpings collected in such municipality and delivered to such facility for disposal by haulers located in the municipality or in any other municipality."

SPEAKER STOLBERG:

Will you remark further? Representative Tulisano.

REP. TULISANO: (29th)

The Clerk has Amendment LCO 7662.

SPEAKER STOLBERG:

The Clerk has Amendment LCO 7662 designated House Amendment Schedule "L". Will the Clerk please call.

CLERK:

LCO 7662 designated House Schedule "L"
offered by Representatives Tulisano and Levin.

SPEAKER STOLBERG:

Representative Tulisano.

REP. TULISANO: (29th)

Mr. Speaker. This is a bit more substantive in nature, though it does reflect the intent, I

aak

505

House of Representatives Tuesday, June 2, 1987

believe of the a statute that was already passed. I've been advised that the bill we passed, that we have to change the effective date if you notice on lines 29 and 30 because of some problem of working in the second injury fund when things will be paid and when they will not be paid. It does carry out the intent of the original legislation, but since it does change the effective date, I would say this is something more than just plain technical, although it does carry out the intent of the Assembly earlier in the year. I move its adoption.

SPEAKER STOLBERG:

Will you remark further on "L"? If not, all those in favor please indicate by saying Aye.

REPRESENTATIVES:

Aye.

SPEAKER STOLBERG:

All those to the contrary, Nay. The
Amendment is adopted.

House Amendment Schedule "L":

After line 922, add sections 29 and 30 as follows and renumber the remaining section accordingly:

aak

506

House of Representatives Tuesday, June 2, 1987

"Sec. 29. The second injury and compensation assurance fund may be used as provided in sections 31-354 of the general statutes, as amended by section 1 of senate bill 1126 of the current session, and 31-355 of the general statutes, as amended by section 2 of senate bill number 1126 of the current session, in the fiscal year ending June 30, 1988, to supplement appropriations made for that year to the workers' compensation commission for such costs or expenses incurred by the treasurer and the attorney general.

Sec. 30. Section 4 of senate bill number 1126 of the current session is repealed and the following is substituted in lieu thereof:

This act shall take effect July 1, 1987.
[, except that sections 1 and 2 shall take effect July 1, 1988.] "

In line 924, after "passage" and before the period insert "except that sections 29 and 30 shall take effect July 1, 1987"

SPEAKER STOLBERG:

Will you remark further?

REP. TULISANO: (29th)

The Clerk has Amendment LCO 7881.

SPEAKER STOLBERG:

The Clerk has an Amendment LCO 7881

House Amendment Schedule "M". Will the Clerk please call.

CLERK:

LCO 7881 designated House Schedule "M"

offered by Representative Tulisano.

aak

507

House of Representatives

Tuesday, June 2, 1987

SPEAKER STOLBERG:

Is there objection to summarization?

Seeing none, Representative Tulisano.

REP. TULISANO: (29th)

Mr. Speaker, this amendment before us is not technical, it is substantive in nature. It reflects, it modifies our statute with recording tax liens, federal tax liens and indicates that all liens upon real property payable to the United States may be recorded with the town clerk's office and if it's on personal property in the Secretary of State's office. It follows the law with regard to filing of liens, generally in Connecticut. Recently a federal law was passed in which with solid waste clean up etc. which indicated that if there was a state law indicating how matters would be filed, we would follow that and on the other case would be filed in the Secretary of State's office current Connecticut practice. People would not look for federal tax liens on real property in the Secretary of State's office where they might be aware of it and we are creating a federal tax law, a state law so that such liens would be recorded in

aak

508

House of Representatives Tuesday, June 2, 1987

the town clerk's record as normally required.

I would move its adoption.

SPEAKER STOLBERG:

Will you remark further? Representative Belden.

REP. BELDEN: (113th)

Mr. Speaker, if I might, a question to the proponent. Representative Tulisano, in lines 82, 83 we are deleting some language there that I assume was in the File that was passed earlier in this session. Could you possibly tell us if that has any ramifications.

REP. TULISANO: (29th)

Through you, Mr. Speaker. The original law that we are amending was a uniform law. Because of these changes, and we don't think it's appropriate to call uniform law anymore. This is following uniform sections, so it can't be cited that way any longer or shouldn't be cited that way any longer.

REP. BELDEN: (113th)

Through you, Mr. Speaker, another question, if I might. Representative Tulisano, does that mean now that our particular statute when enacted will

aak

509

House of Representatives

Tuesday, June 2, 1987

stand on its own and in no way will relate to this federal law or any interpretations that might have been generated for the uniform federal tax?

REP. TULISANO: (29th)

Through you, Mr. Speaker. No, that was uniform law for filing of federal tax liens. The purpose of this is in fact to expand our uniform law to say that any federal lien that has been or will ever be invented in the future will be recorded in the same manner, that is the manner which practitioners have become used in the State and can find if that there's any liens in the future.

REP. BELDEN: (113th)

Thank you, Representative Tulisano.

SPEAKER STOLBERG:

Will you remark further on House Amendment Schedule "M"? If not all those in favor of the Amendment, please indicate by saying Aye.

REPRESENTATIVES:

Aye.

SPEAKER STOLBERG:

Those to the contrary, Nay. The Amendment is adopted.

House of Representatives

Tuesday, June 2, 1987

House Amendment Schedule "M":

After line 922, insert a new section 29 as follows and renumber the remaining section accordingly:

"Sec. 29. Section 49-32a of the general statutes is repealed and the following is substituted in lieu thereof:

(a) (1) Notices of liens upon real property for taxes payable to the United States AND NOTICES OF LIENS UPON REAL PROPERTY FOR COSTS AND DAMAGES PAYABLE TO THE UNITED STATES, and certificates and notices affecting [the] SUCH liens shall be filed in the office of the clerk of the town in which the real property subject to a federal tax lien OR OTHER FEDERAL LIEN is situated. (2)

Notices of liens upon personal property, whether tangible or intangible, for taxes payable to the United States AND FOR COSTS AND DAMAGES PAYABLE TO THE UNITED STATES and certificates and notices affecting [the] SUCH liens shall be filed in the office of the secretary of the state.

(b) Certification by the Secretary of the Treasury of the United States or his delegate of notices of liens, certificates or other notices affecting tax liens OR OTHER FEDERAL LIENS entitles them to be filed and no other attestation, certification or acknowledgment is necessary.

(c) (1) If a notice of federal tax lien OR OTHER FEDERAL LIEN, a refiling of a notice of tax lien OR OTHER FEDERAL LIEN or a notice of revocation of any certificate described in subdivision (2) is presented to the filing officer and (A) he is the secretary of the state, he shall cause the notice to be marked, held and indexed in accordance with the provisions of subsection (4) of section 42a-9-403, as if the notice were a financing statement within the meaning of that section; or (B) he is a town clerk, he shall endorse thereon his identification and the date and time of receipt and forthwith record it in accordance with section 42a-9-409. (2) If a

House of Representatives

Tuesday, June 2, 1987

certificate of release, nonattachment, discharge or subordination of any tax lien OR OTHER FEDERAL LIEN is presented to the secretary of the state for filing he shall (A) cause a certificate of release or nonattachment to be marked, held and indexed as if the certificate were a termination statement within the meaning of the Uniform Commercial Code, except that the notice of lien to which the certificate relates shall not be removed from the files, and (B) cause a certificate of discharge or subordination to be held, marked and indexed as if the certificate were a release of collateral within the meaning of the Uniform Commercial Code. (3) If a refiled notice of federal tax lien OR OTHER FEDERAL LIEN referred to in subdivision (1) or any of the certificates or notices referred to in subsection (b) is presented for filing with any other filing officer specified in subsection (a), he shall record it in accordance with subsection (2) of section 42a-9-409 if the original was recorded or, if the original was filed, permanently attach the refiled notice or the certificate to the original notice of lien and enter the refiled notice or the certificate with the date of filing in any alphabetical federal tax lien index OR OTHER FEDERAL LIEN INDEX on the line where the original notice of lien is entered. (4) Upon request of any person, the filing officer shall issue his certificate showing whether there is on file, on the date and hour stated therein, any notice of federal tax lien OR OTHER FEDERAL LIEN or certificate or notice affecting the lien, file on or after July 1, 1967, naming a particular person, and if a notice or certificate is on file, giving the date and hour of filing of each notice or certificate. The fee for such a certificate and for a copy of any notice of federal tax lien OR OTHER FEDERAL LIEN or notice or certificate affecting a federal tax lien OR OTHER FEDERAL LIEN shall be computed in accordance with subsection (2) of section 42a-9-407.

(d) The fee for filing and indexing each notice of lien or certificate or notice affecting the tax lien OR OTHER FEDERAL LIEN is: (1) For a tax lien OR OTHER FEDERAL LIEN on real estate, as

aak

512

House of Representatives

Tuesday, June 2, 1987

provided in section 7-34a; (2) for a tax lien on tangible and intangible personal property, three dollars; (3) for all other notices, including a certificate of release, discharge, subordination or nonattachment, one dollar.

[(e) This section shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it.

(f) This section may be cited as the Uniform Federal Tax Lien Registration Act.] "

SPEAKER STOLBERG:

Will you remark further?

REP. TULISANO: (29th)

Mr. Speaker, the Clerk has an Amendment, LCO 8257.

SPEAKER STOLBERG:

The Clerk has an Amendment LCO 8257 House Amendment Schedule "N". Will the Clerk please call.

CLERK:

LCO 8257 designated House Schedule "N" offered by Representative Favreau.

REP. TULISANO: (29th)

Mr. Speaker. This changes the word from "may" to "shall", though I understand it is, sounds not technical to me, but I understand they have to

aak

513

House of Representatives

Tuesday, June 2, 1987

do it anyway, they have to do it anyway, it's complying with federal law, but I don't know if we have a choice. But I would not call it technical, since it would require somebody to do it, it would be substantive in my opinion. But we don't have a choice.

SPEAKER STOLBERG:

Representative Belden.

REP. BELDEN: (113th)

Mr. Speaker, thank you, I would concur with Representative Tulisano. We certainly did not have it marked as technical. If I might, a question, will this in any way change what the current practice is by the commissioner of income maintenance in the State of Connecticut at this time?

REP. TULISANO: (29th)

Through you, Mr. Speaker. Chairperson of the Committee of Cognizance is indicated, no, it will not change practices.

REP. BELDEN: (113th)

Through you, Mr. Speaker, one more question, if I might. Will it increase costs over what we're currently planning to expend to support the programs

aak

514

House of Representatives

Tuesday, June 2, 1987

cited.

REP. TULISANO: (29th)

Through you, Mr. Speaker, may I yield to Representative Favreau.

SPEAKER STOLBERG:

Representative Favreau.

REP. FAVREAU: (24th)

I accept the yield, Mr. Speaker and the answer to the question is no, it won't cost us any more money.

REP. BELDEN: (113th)

Thank you.

SPEAKER STOLBERG:

Will you remark further on House Amendment Schedule "N"? If not, all those in favor of the Amendment, please indicate by saying Aye.

REPRESENTATIVES:

Aye.

SPEAKER STOLBERG:

All those opposed, Nay. The Amendment is adopted.

House Amendment Schedule "N":

aak

515

House of Representatives

Tuesday, June 2, 1987

After line 922, add the following and renumber the remaining section accordingly:

"Sec. 29. Section 17-109 of the general statutes, as amended by substitute house bill number 7149 of the current session is repealed and the following is substituted in lieu thereof:

The commissioner of income maintenance [may] SHALL administer a program of optional state supplementation as provided for by title XVI of the Social Security Act, as amended, and shall administer the program in accordance with the requirements provided therein. In accordance with the requirements of title XVI of said Social Security Act, optional state supplementation may be provided to aged, blind and disabled individuals who receive supplemental security income benefits or who would be eligible to receive such benefits except for income, provided that any applicant or recipient of optional state supplementation shall be ineligible for such supplementary assistance if such person has made, within twenty-four months prior to the date of application for such aid, an assignment or transfer or other disposition of property for less than fair market value, for the purpose of establishing eligibility for benefits or assistance under this section, provided ineligibility because of such disposition shall continue only for either (1) twenty-four months after the date of disposition or (2) that period of time from date of disposition over which the fair market value of such property, less any consideration received in exchange for its disposition, together with all other income and resources, would furnish support on a reasonable standard of health and decency, whichever period is shorter, except that in any case where the uncompensated value of disposed of resources exceeds twelve thousand dollars, the commissioner of income maintenance shall provide for a period of ineligibility based on the uncompensated value which exceeds twenty-four months. Any disposition shall be presumed to have been made for the purpose of establishing eligibility for benefits or assistance unless the individual furnishes convincing evidence to establish that the transaction

aak

516

House of Representatives

Tuesday, June 2, 1987

was exclusively for some other purpose. Property which is exempted from consideration in determining the financial eligibility of an individual for benefits or assistance, such as a house in which the individual resides, shall not be subject to the provisions of this section regarding transfers of property if such property is disposed of while an individual is receiving benefits or assistance under this section. The program of optional state supplementation shall be administered in accordance with regulations to be adopted by the department of income maintenance, which regulations shall be consistent with the requirements of title XVI of the Social Security Act pertaining to programs of optional state supplementation. Until such time as regulations are adopted by the department governing the program of optional state supplementation, the department is authorized to administer said program in accordance with the regulations and departmental policy manual provisions applicable to the aid to the elderly, aid to the blind and aid to the disabled program, which regulations and policy manual provisions shall be fully applicable to the program of optional state supplementation, except that in no even shall optional state supplementation be given to persons who are either not recipients of federal supplemental security income benefits or are not persons who, except for income, would be eligible for supplemental security income benefits."

SPEAKER STOLBERG:

Will you remark further?

REP. TULISANO: (29th)

Mr. Speaker.

DEPUTY SPEAKER CIBES:

Will you remark further on the bill?

aak .

517

House of Representatives

Tuesday, June 2, 1987

REP. TULISANO: (29th)

Mr. Speaker, the Clerk has an Amendment LCO 8092.

DEPUTY SPEAKER CIBES:

The Clerk is in the possession of another Amendment LCO 8092 designated House Amendment Schedule "O". Clerk please call.

CLERK:

LCO 8092 designated House Schedule "O"
offered by Representative Kusnitz and Tulisano.

REP. TULISANO: (29th)

Mr. Speaker.

DEPUTY SPEAKER CIBES:

Representative Tulisano.

REP. TULISANO: (29th)

Mr. Speaker, this amendment is not technical. It is in my opinion it is certainly substantitive, but however, it does, as I understand it. This peanut gallery is getting to be too much. It does in fact, Mr. Speaker, indicate that maintenance in, required under the Public Act 87-81 where a nursing home may not charge a family, may not be retroactive, on 60 days after the day of the patient.

aak

518

House of Representatives

Tuesday, June 2, 1987

For further explanation I am going to yield to Representative Kusnitz who will explain why it's not technical.

DEPUTY SPEAKER CIBES:

Representative Tulisano, would you move adoption, sir.

REP. TULISANO: (29th)

I move adoption.

DEPUTY SPEAKER CIBES:

Question is on adoption. Representative Kusnitz, will you accept the yield?

REP. KUSNITZ: (112th)

Yes, I will. Thank you, Mr. Speaker. It's not often I can accept the yield from Representative Tulisano. This bill was passed earlier in this session in which we gave a 60-day grace period to a nursing home to refund the moneys that might have been paid for them for a patient who died. When the actual draft came out, it made it appear that on the 61st day that an interest penalty would be applied. The way the bill was drafted would have made the interest payment apply to the day of death and you can't give a grace period and then

aak

519

House of Representatives

Tuesday, June 2, 1987

charge them interest for the same day until after the grace period expires. This amendment will correct that.

REP. TULISANO: (29th)

Mr. Speaker, at this point in time may this Amendment be passed temporarily?

DEPUTY SPEAKER CIBES:

Representative Tulisano, as you are aware if we pass an amendment temporarily we must pass the bill temporarily.

REP. TULISANO: (29th)

May I withdraw this Amendment at this time?

DEPUTY SPEAKER CIBES:

The gentleman is requesting permission to withdraw the Amendment. Is there objection? Is there objection to withdrawal? If not, the Amendment is withdrawn.

Will you remark further on the bill?

REP. TULISANO: (29th)

Mr. Speaker, the Clerk has an Amendment LCO 8282.

DEPUTY SPEAKER CIBES:

aak

520

House of Representatives

Tuesday, June 2, 1987

The Clerk is in possession of an Amendment LCO 8282 designated House Amendment Schedule "P". Will the Clerk please call.

CLERK:

LCO 8282 designated House Amendment Schedule "P" offered by Representative Joyce.

REP. TULISANO: (29th)

Mr. Speaker, I believe...

DEPUTY SPEAKER CIBES:

Gentleman is requesting permission to summarize. Proceed, sir.

REP. TULISANO: (29th)

Mr. Speaker, I believe this amendment is technical in nature and just clarifies that the department may prescribe regulations. I think generally they do. This is more specific. I would move its adoption.

DEPUTY SPEAKER CIBES:

The question is on adoption. Will you remark? Will you remark further on adoption? If not, all those in favor please indicate by saying Aye.

aak .

521

House of Representatives

Tuesday, June 2, 1987

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER CIBES:

Those opposed indicate by saying No.

REPRESENTATIVES:

No.

DEPUTY SPEAKER CIBES:

The Ayes have it two to one. The Amendment
is adopted,

House Amendment Schedule "P":

After line 922, insert the following new section and renumber the remaining section accordingly:

"Sec. 29. Section 16-351 of the general statutes, as amended by section 5 of public act 87-71, is repealed and the following is substituted in lieu thereof:

A public utility receiving notice pursuant to section 16-349 shall inform the person, public agency or public utility proposing to excavate, discharge explosives or demolish a structure of the approximate location of its underground facilities in the area in such manner as will enable such person, public agency or public utility to establish the precise location of the underground facilities, and shall provide such other assistance in establishing the precise location of the underground facilities as the department may require by regulation pursuant to section 9 of [this act] PUBLIC ACT 87-71. Such person, public agency or public utility shall designate the area of the proposed excavation, demolition or discharge of explosives AS THE DEPARTMENT MAY PRESCRIBE BY

aak

522

House of Representatives

Tuesday, June 2, 1987

REGULATION. The public utility receiving notice shall mark the approximate location of its underground facilities in such manner and using such methods, including color coding, as the department may prescribe by regulation. If the precise location of the underground facilities cannot be established, the person, public agency or public utility shall so notify the public utility whose facilities may be affected, which shall provide such further assistance as may be needed to determine the precise location of the underground facilities in advance of the proposed excavation, discharge of explosives or demolition."

DEPUTY SPEAKER CIBES:

Will you remark further on the bill?

REP. TULISANO: (29th)

Mr. Speaker, the Clerk has an Amendment LCO 7666.

DEPUTY SPEAKER CIBES:

The Clerk has an Amendment LCO 7666 designated House Amendment Schedule "Q". Will the Clerk please call.

CLERK:

LCO 7666 designated House Schedule "Q"
offered by Representative Tulisano.

REP. TULISANO: (29th)

Mr. Speaker.

aak

523

House of Representatives

Tuesday, June 2, 1987

DEPUTY SPEAKER CIBES:

The gentleman has requested permission to summarize. Is there objection? Hearing none, sir, please proceed.

REP. TULISANO: (29th)

This is not substantiative in nature. It is technical although it doesn't make much of a change in the current law. Current law allows a number of times a prescription may be refilled, be written on a prescription, this would allow you to use the refill terms "Prn" and "Ad Lib" in lieu of a specific number which is infact is a designation often used by M.D.s to determine number. I would move its adoption.

DEPUTY SPEAKER CIBES:

Question is on adoption. Will you remark further on House "Q"? If not, all those in favor please indicate by saying Aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER CIBES:

Those opposed, indicate by saying No.
The Ayes have it. The Amendment is adopted.

aak

524

House of Representatives

Tuesday, June 2, 1987

House Amendment Schedule "Q":

After line 922, insert the following new section 29 and renumber the remaining section accordingly:

"sec. 29. Section 20-184b of the general statutes is repealed and the following is substituted in lieu thereof:

Whenever a pharmacy receives an oral prescription, except for a controlled drug as defined under section 21a-240, the pharmacist, assistant pharmacist, registered intern or registered apprentice shall immediately record such prescription on a prescription form including the name and address of the prescribing practitioner; the date of the prescription; the name, the strength, where applicable, and the amount of the medication prescribed, the name and address of the patient or, for veterinary prescriptions, the name and address of the owner and the species of the animal; the directions for use; any required cautionary statements; the number of times the prescription may be refilled, INCLUDING THE USE OF REFILL TERMS "PRN" AND "AD LIB" IN LIEU OF A SPECIFIC NUMBER OF AUTHORIZED REFILLS, and the serial number assigned to the prescription. Each written prescription shall bear the written signature of the prescribing practitioner; his address; the date of the prescription; the name, strength, where applicable, and amount of medication prescribed; directions for use; any required cautionary statements, the name and address of the patient or, for veterinary prescriptions, the name and address of the owner and the species of the animal, and the number of times the prescription may be refilled, INCLUDING THE USE OF REFILL TERMS "RPN" AND "AD LIB" IN LIEU OF A SPECIFIC NUMBER OF AUTHORIZED REFILLS. No prescription blank containing a prescription for a schedule II substance shall contain more than one prescription."

DEPUTY SPEAKER CIBES:

aak

House of Representatives

Tuesday, June 2, 1987

Will you remark further on the bill?

REP. TULISANO: (29th)

Mr. Speaker, the Clerk has an Amendment LCO 8333.

DEPUTY SPEAKER CIBES:

The Clerk is in the possession of an Amendment, LCO 8333 designated House Amendment Schedule "R". Will the Clerk please call.

CLERK:

LCO 8333 designated House Schedule "R"

offered by Representative Tulisano.

REP. TULISANO: (29th)

Mr. Speaker.

DEPUTY SPEAKER CIBES:

Representative Tulisano.

REP. TULISANO: (29th)

Mr. Speaker, this is an amendment that is not technical. It is, in my opinion, substantive. It makes a change the current, no smoking in school provisions to indicating that a board of education may designate one or more smoking areas rather than the old language of a smoking area would indicate that they may use more than one place

House of Representatives

Tuesday, June 2, 1987

for people to smoke in. It is not substantative.

DEPUTY SPEAKER CIBES:

Question is on adoption. Will you remark further on House "R"? Will you remark further on House "R"? If not, all those in favor of House "R" please indicate by saying Aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER CIBES:

Those opposed indicate by saying No.

REPRESENTATIVES:

No.

DEPUTY SPEAKER CIBES:

The Ayes have it the amendment is adopted.

House Amendment Schedule "R":

After line 922, add section 29 as follows and renumber the remaining section accordingly:

"Sec. 29. Subsection (b) of section 1-21b of the general statutes, as amended by public act 87-201, is repealed and the following is substituted in lieu thereof:

(b) No person shall smoke: (1) in any room in a building owned or leased by the state or any political subdivision thereof (A) while a governmental meeting or a public college class is in progress in such room or (B) where such room is open to the general public and used primarily as a reception or waiting room; (2) in any area of a health care institution unless a sign is posted which indicates that smoking is permitted in such area, except that smoking shall not be permitted in any diagnostic or treatment area or any waiting

aak

527

House of Representatives

Tuesday, June 2, 1987

room thereof. Notice shall be posted at entrances to such institutions that smoking is prohibited by state law except in designated smoking areas. Any person admitted to a health care institution shall, upon request, be assigned to a room in which smoking is not permitted, and shall be entitled to be assigned to such room for the duration of his stay or until he requests an alternate assignment; (3) in any area of a retail food store open to the general public; (4) in any public area of a restaurant having a seating capacity of seventy-five or more persons unless a sign is posted which indicates that smoking is permitted in such area, provided (i) no such restaurant shall be designated, in its entirety, as a smoking area, (ii) smoking shall not be prohibited in rooms used for private social functions, and (iii) a sign is posted at the entrance of the restaurant indicating the availability of nonsmoking areas; (5) notwithstanding the provisions of section 31-40g, as amended by section 1 of public act 87-149, within a public school building while school is in session or student activities are being conducted, except that a local or regional board of education may designate [a] ONE OR MORE smoking [area] AREAS for its employees and may permit smoking in rooms used for private functions; and (6) in any passenger elevator, provided no person shall be arrested for violating this subsection unless there is posted in such room or elevator a sign which indicates that smoking is prohibited by state law. This subsection shall not apply to classrooms where demonstration smoking is taking place as part of a medical or scientific experiment or less."

In line 924, after "passage" and before the period, insert ", except that section 29 shall take effect October 1, 1987.

DEPUTY SPEAKER CIBES:

Will you remark further?

REP. TULISANO: (29th)

aak

528

House of Representatives

Tuesday, June 2, 1987

Mr. Speaker, the Clerk has an Amendment
LCO 8432.

DEPUTY SPEAKER CIBES:

The Clerk is in possession of an Amendment
LCO 8432 designated House Amendment Schedule "S".
Will the Clerk please call.

CLERK:

LCO 8432 designated House Schedule "S"
offered by Representative Favreau.

DEPUTY SPEAKER CIBES:

Gentleman is requesting permission to
summarize. Please proceed, sir.

REP. TULISANO: (29th)

Mr. Speaker, I believe this is technical
in nature. It takes out language as amended by
this act and allows the commissioner of income
maintenance to make revisions. The way they do
keeps maximum allowable rates for pre-admission
screening, whatever that is, until revised in ac-
cordance with the section allowed. I move adoption.
It's purely technical.

DEPUTY SPEAKER CIBES:

Question is on adoption of House Amendment

aak .

529

House of Representatives

Tuesday, June 2, 1987

Schedule "S". Will you remark further? Will you remark further on House "S"? Representative Linda Emmons.

REP. EMMONS: (101st)

Mr. Speaker, just a question. When it says on line 37, until revised in accordance with this section, does that mean he can revise them as he wishes, rather than be the rates as amended under this act?

REP. TULISANO: (29th)

Through you, Mr. Speaker, to Representative Favreau, I yield.

DEPUTY SPEAKER CIBES:

Do you accept the yield, Representative Favreau?

REP. FAVREAU: (24th)

Yes, Mr. Speaker. Actually what happened to this bill, Representative Emmons, is when it was originally prepared it was designed to be put on another bill which actually was the pre-admission screening program act. Because that bill went on the Consent Calendar, that Amendment was never offered on it and it was put on the subsequent related

aak

530

House of Representatives

Tuesday, June 2, 1987

bill, but since it wasn't that act, LCO felt that what they had to do was make it relevant to that section, the statutes we are referring to and not the act, so it's strictly a LCO special from and have absolutely no effect on our intention.

DEPUTY SPEAKER CIBES:

Will you remark further on House "S"?

If not, all those in favor, please indicate by saying Aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER CIBES:

Those opposed, indicate by saying No.

The Ayes have it two to no. The Amendment is adopted.

House Amendment Schedule "R":

After line 922, add the following and re-number the remaining section accordingly:

"Sec. 29. Section 17-314c of the general statutes, as amended by senate Bill No. 936 of the current session, is repealed and the following is substituted in lieu thereof:

The commissioner of income maintenance, in consultation with the commissioner of human resources and the commissioner on aging, shall establish annually the maximum allowable rate to be paid by said agencies for homemaker services, chore person services, companion services, respite care, meals on wheels, adult day care services, case management

House of Representatives

Tuesday, June 2, 1987

and assessment services, transportation, mental health counseling and elderly foster care. The commissioner of income maintenance shall prescribe uniform forms on which agencies providing such services shall report their costs for such services. Such rates shall be determined on the basis of a reasonable payment for necessary services rendered. The maximum allowable rates established by the commissioner of income maintenance for the pre-admission screening and community based services program established under section 17-314b [, as amended by this act,] shall constitute the rates required under this section UNTIL REVISED IN ACCORDANCE WITH THIS SECTION. Nothing contained in this section shall authorize a payment by the state to any agency for such services in excess of the amount charged by such agency for such services to the general public."

DEPUTY SPEAKER CIBES:

Will you remark further?

REP. TULISANO: (29th)

Mr. Speaker, the Clerk has an Amendment LCO 8539.

DEPUTY SPEAKER CIBES:

The Clerk is in possession of LCO 8539 designated House Amendment Schedule "T". Will the Clerk please call.

CLERK:

LCO 8539 designated House Schedule "T"
offered by Representative Smoko.

aak

532

House of Representatives

Tuesday, June 2, 1987

DEPUTY SPEAKER CIBES:

The gentleman has requested permission to summarize. Is there objection? Hearing none, sir, please proceed.

REP. TULISANO: (29th)

Mr. Speaker, this Amendment is, I am advised is technical in nature, although it looks substantive it clarifies an additional problem in the original act that we passed. I would move its adoption.

DEPUTY SPEAKER CIBES:

Question is on adoption. Will you remark further on House Amendment Schedule "T"? Will you remark further on House "T"? If not, all those in favor please indicate by saying Aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER CIBES:

Those opposed, please indicate by saying No. The Ayes have it. The Amendment is adopted.

House Amendment Schedule "T":

Strike lines 923 and 924 in their entirety and insert the following in lieu thereof:

aak

533

House of Representatives

Tuesday, June 2, 1987

"Sec. 29. Subparagraph (G) of subdivision (5) of subsection (k) of section 2 of substitute senate bill 880 of the current session is amended to read as follows:

[Construction of] PLANNING FOR a consolidated service facility, not exceeding three hundred fifty thousand dollars.

Sec. 30. Subsection (r) of section 2 of substitute senate bill 880 of the current session is amended to read as follows:

For Contingency Reserve: Additions to the amount hereinbefore stated for any of the foregoing projects or purposes, amounts in the aggregate not exceeding twelve million [seven] FOUR hundred ninety-four thousand three hundred dollars.

Sec. 31. This act shall take effect from its passage, except sections 29 and 30 shall take effect July 1, 1987."

DEPUTY SPEAKER CIBES:

Will you remark further on the bill?

REP. TULISANO: (29th)

Mr. Speaker, the Clerk has Amendment LCO 8716.

DEPUTY SPEAKER CIBES:

The Clerk is in possession an Amendment LCO 8716 designated House Amendment Schedule "U".

Will the Clerk please call.

CLERK:

LCO 8716 designated House Schedule "U"

offered by Representatives Tulisano and Ritter.

DEPUTY SPEAKER CIBES:

aak

House of Representatives

Tuesday, June 2, 1987

The gentleman is requesting permission to summarize. Will you proceed, sir.

REP. TULISANO: (29th)

Mr. Speaker, my opinion is that this is technical in nature in all the areas that currently should be Public Works, we changed the statute the other day, we changed it from administrative services to public works. I would move its adoption.

DEPUTY SPEAKER CIBES:

Question is on adoption. Will you remark further on House "U"? Representative Robert Farr.

REP. FARR: (19th)

Mr. Speaker, just a comment. Frankly, I think this Amendment should have been put on the other bill. I think the problem is, of course, if for some reason the bill were to die, you'd end up having a really screwed up situation here. In terms of process, it would have been better to put this on the other bill and not put it here. I support the Amendment.

REP. TULISANO: (29th)

He's right in terms of process.

DEPUTY SPEAKER CIBES:

aak

535

House of Representatives

Tuesday, June 2, 1987

Representative Tulisano, thank you, sir.
Will you remark further on House "U"? Will you
remark further on House "U". If not, all those
in favor, please indicate by saying Aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER CIBES:

Those opposed, indicate by saying No.

The Ayes have it. The Amendment is adopted.

House Amendment Schedule "U":

After section 28, insert the following
sections and renumber the remaining section accord-
ingly:

"Sec. 29. Subsection (c) of section 4-87
of the general statutes, as amended by section 1
of public act 87-326, is repealed and the following
is substituted in lieu thereof:

(c) Whenever any appropriation of a budgeted
agency located within the city of Hartford proves
insufficient to pay the expenditures required for
such agency to relocate outside the city of Hartford,
the governor, at the request of such agency, and
with the consent of the finance advisory committee,
may transfer to such agency, from appropriations made
to the department of [administrative services] PUBLIC
WORKS for rents and moving, such amount as the
governor deems necessary to meet such expenditures.

Sec. 30. Section 1 of special act 87-30
is amended to read as follows:

The commissioner of [administrative services]
PUBLIC WORKS shall convey, subject to the approval
of the state properties review board and at a cost
equal to the administrative costs of the making of

House of Representatives

Tuesday, June 2, 1987

such conveyance, to the town of East Lyme, a certain piece or parcel of land situated in the town of East Lyme, county of New London and state of Connecticut, more particularly described as follows: Beginning at a point in the easterly right of way of North Bridgebrook Road N 28°-09'-53" W a distance of 200.00 feet from the intersection of North Bridebrook Road and West Main Street, also known as Connecticut Route 156 and running N 28°-09'-53" W along the Easterly right of way of North Bridebrook Road a distance of 905.59 feet to a point; thence N 55°-48'-47" E along other land of the state of Connecticut a distance of 282.86 feet to a point; thence N 69°-27'-52" E along other land of the state of Connecticut a distance of 418.26 feet to a point; thence N 72°-24'-49" E along other land of the state of Connecticut a distance of 347.25 feet to a point; thence S 10°-42'-56" E along other land of the state of Connecticut a distance of 1170.85 feet to a point; thence S 70°-42'-06" W along other land of the state of Connecticut a distance of 385.54 feet to a point in the northerly right of way of West Main Street, also known as Connecticut Route 156; thence S 69°-35'-09" W along the northerly right of way of West Main Street, also known as Connecticut Route 156 a distance of 106.30 feet to a point; thence N 28°-09'-53" W along other land leased to the town of East Lyme a distance of 200.00 feet to a point; thence S 69°-35'-09" W along other land leased to the town of East Lyme a distance of 200.00 feet to the point of beginning. As shown on a map entitled Town of East Lyme Map Showing Land of the Connecticut Correctional Institution Niantic to be leased to the town of East Lyme for Recreational Purposes by the state of Connecticut, Department of Correction, Area = 22 Acres, prepared by the Town Engineers Office, Scale 1' = 60', August 1, 1984; December 13, 1984 Revision.

Sec. 31. Section 3 of special act 87-30 is amended to read as follows:

The state properties review board shall approve or disapprove the conveyance of the land described in section 1 of [this act] SPECIAL ACT

87-30 as expeditiously as possible after the board receives a proposed agreement from the commissioner of [administrative services] PUBLIC WORKS. The land shall remain under the care and control of the commissioner of correction until a conveyance is made in accordance with the provisions of section 1 to 3, inclusive, of [this act] SPECIAL ACT 87-30. The state treasurer shall execute and deliver any deed or instrument necessary for a conveyance under [this act] SPECIAL ACT 87-30 and the commissioner of administrative services PUBLIC WORKS shall have the sole responsibility for all other incidents of such conveyance.

Sec. 32. Section 4 of special act 87-30 is amended to read as follows:

(a) The commissioner of [administrative services] PUBLIC WORKS shall convey, subject to the approval of the state properties review board and for the sum of one dollar, to the town of East Lyme, county of New London and state of Connecticut, more particularly bounded and described as follows: Beginning at a point at the northwesterly corner of a parcel of land previously conveyed to the town of East Lyme for a well site, said parcel being described in a deed from the state of Connecticut to the town of East Lyme dated December 15, 1975 and recorded in volume 162, page 246, of the East Lyme land records; thence running N 20 degrees 40 minutes 10 seconds E a distance of 70 feet, more or less; thence turning at an interior angle of 85 degrees and running S 63 degrees 52 minutes 40 seconds E a distance of 570 feet, more or less; thence running S 69 degrees 42 minutes 10 feet, 10 seconds W at a distance of 730 feet, more or less, thence running W 16 degrees 30 minutes 00 seconds W a distance of 75 feet, more or less, to the southerly line of an easement in favor of the town of East Lyme, said easement being described in a deed from the state of Connecticut to the town of East Lyme dated December 15, 1975, recorded in volume 162, page 244 of the East Lyme land records; thence running N 51 degrees 51 minutes 10 seconds E along the southerly line of said easement a distance of 89 feet, more or less; thence running N 34 degrees

56 minutes 10 seconds E along the southerly line of said easement a distance of 88 feet, more or less; thence running N 20 degrees 48 minutes 10 seconds # along the southerly line of said easement a distance of 239 feet, more or less, to a point in the southerly line of the property described in the aforesaid well site deed from the state of Connecticut to the town of East Lyme; thence running N 69 degrees 11 minutes 50 seconds W along the southerly line of said well site a distance of 25 feet to a point in the northerly line of the easement described in the aforesaid easement deed from the state of Connecticut to the town of East Lyme; thence running N 20 degrees 48 minutes 10 seconds E along the northwesterly line of said well site a distance of 25 feet to the point and place of beginning.

(b) If the land described in subsection (a) of this section is not used by the town of East Lyme as a well site, said land shall revert to the state.

(c) Said land shall remain under the care and control of the commissioner of correction until a conveyance is made in accordance with the provisions of this section. The state treasurer shall execute and deliver any deed or instrument necessary for a conveyance under this section and the commissioner of [administrative services] PUBLIC WORKS shall have the sole responsibility for all other incidents of such conveyance.

Sec. 33. Subsections (c) and (d) of section 4-131a of the general statutes, as amended by public act 87-168, are repealed and the following is substituted in lieu thereof:

(c) There is established within the general fund a state building works of art account, which shall be a separate, nonlapsing account. The moneys within said account shall be used (1) for the purchase of works of art from distinguished Connecticut artists, which shall be placed on public view in state buildings and (2) to establish a bank of major works of art, from which individual works of art may be circulated among state buildings. The state commission on the arts, in consultation with the commissioner of [administrative services] PUBLIC WORKS, shall adopt regulations in accordance with the provisions of chapter 54, which shall (A) indicate the portion of the one per cent allocation

aak

539

House of Representatives

Tuesday, June 2, 1987

under subsection (b) of this section, up to one quarter of such allocation, which shall be deposited in the general fund and credited to said account, (B) set forth the manner in which the moneys in said account shall be allocated and expended for the purposes of this subsection and (C) establish procedures to ensure accountability in maintaining the integrity of such bank of works of art.

(d) The state commission on the arts, shall, with respect to work of art in any project under subsection (b) of this section, be responsible for the selection of any artist, artisan or craftsperson review of any design or plan, and execution, completion, acceptance and placement of such work of art, provided any work of art to be located in any building under the supervision, security, utilization and control of the joint committee on legislative management shall be approved by said committee. The commissioner of [administrative services] PUBLIC WORKS, in consultation with said commission, (1) shall be responsible for the contractual arrangements with any such artist, artisan or craftsperson and (2) shall prescribe regulations concerning implementation of the purposes of subsection (b) of this section and this subsection.

Sec. 34. Subsection (b) of section 4-26 of the general statutes, as amended by section 1 of substitute house bill 6649 of the current session, is repealed and the following is substituted in lieu thereof:

(b) Any state agency, department or institution having custody and control of land, an improvement to land or interest in land, belonging to the state, shall inform the commissioner of administrative services and the commissioner of housing, in writing, when such land, improvement or interest or any part thereof is not needed by the agency, department or institution. Within thirty days of receipt of such notification, the commissioner of housing shall inform the commissioner of administrative services, in writing, whether such land, improvement to land or interest in land can be utilized or adapted for use as an emergency shelter or transitional living facility for home-

House of Representatives

Tuesday, June 2, 1987

less persons. If the commissioner of administrative services determines that such land, improvement, interest or part thereof may properly be treated as surplus, he may after notifying the municipality or municipalities in which such land, improvement or interest is located and with the approval of the secretary of the office of policy and management, the state properties review board and the joint standing committees of the general assembly having cognizance of matters relating to state revenue and the purchase and sale of state property and facilities, sell, exchange, lease or enter into agreements concerning, such land, improvement, interest or part thereof. In the case of a proposed lease of land, an improvement to land or an interest in land, or any part thereof, with a person, firm or corporation in the private sector, for a term of six months or more, the commissioner of [administrative services] PUBLIC WORKS shall comply with such municipal notice requirement by notifying in writing the chief executive officer of the municipality in which the land, improvement or interest is located, not less than two weeks before seeing the approval of said secretary, board and committees, concerning the proposed lease and the manner in which the lessee proposes to use the land, improvement or interest. Each agency, department or institution which informs the commissioner that any land, improvement or interest in land is not needed shall retain responsibility for its security and maintenance until the commissioner completes his disposition of the property, if any. The treasurer shall execute and deliver any deed or instrument necessary to convey the title to any property the sale or exchange of which or a contract for the sale or exchange of which is authorized by this section.

Sec. 35. Subsection (n) of section 4-26b of the general statutes, as amended by section 1 of substitute house bill 7318 of the current session, is repealed and the following is substituted in lieu thereof:

(n) Not later than January 1, 1988, the commissioner of [administrative services] PUBLIC WORKS shall adopt regulations, in consultation

House of Representatives

Tuesday, June 2, 1987

with the secretary of the office of policy and management and the state properties review board, and in accordance with the provisions of chapter 54, setting forth the procedures which the department of [administrative services] PUBLIC WORKS and such office and board shall follow in carrying out their responsibilities concerning state leasing of offices, space or other facilities. Such regulations shall specify, for each step in the leasing process at which an approval is needed in order to proceed to the next step, what information shall be required, who shall provide the information and the criteria for granting the approval. Notwithstanding any other provision of the general statutes, such regulations shall provide that: (1) The commissioner of [administrative services] PUBLIC WORKS shall (A) review all lease requests included in, and scheduled to begin during, the first year of each approved state-wide facility and capital plan and (B) provide the secretary of the office of policy and management with an estimate of the gross costs and total square footage need for each lease, (2) the secretary shall approve a gross cost and a total square footage for each such lease and transmit each decision to the requesting agency, the commissioner and the state properties review board, (3) the commissioner shall submit to the secretary, for approval, only negotiated lease requests which exceed such approved cost, or which exceed such approved square footage by at least ten per cent, and (4) the secretary shall approve or disapprove any such lease request not more than ten working days after he receives the request. If the secretary fails to act on the request during such period, the request shall be deemed to have been approved and shall be forwarded to the board.

Sec. 36. Section 4-128 of the general statutes, as amended by section 3 of substitute house bill 7318 of the current session, is repealed and the following is substituted in lieu thereof:

(a) The commissioner of [administrative services] PUBLIC WORKS shall assign office space and provide necessary accommodations in state-owned

House of Representatives

Tuesday, June 2, 1987

facilities for state agencies, other than institutions, the legislative department and the judicial department. Subject to the provisions of section 4-26b the commissioner shall execute all leases for offices or any other type of space or facility necessary to meet the needs of all state agencies, the judicial department, the division of criminal justice, the public defender services commission and institutions. Any provisions of the general statutes to the contrary notwithstanding the commissioner of administrative services shall be the sole authority for negotiating such leases, provided any such leases, intending to provide for the needs of institutions, shall further be subject to the approval of the board of trustees of the institution involved and, when such leases exceeding one thousand dollars per annum involve institutions of higher education, be subject to the approval of the board of governors of higher education, and provided further, the commissioner of administrative services shall expedite the handling of leases to meet emergency and short term needs. For the purposes of this section, the term "judicial department" does not include the courts of probate, the division of criminal justice and the public defender services commission, except where they share facilities in state-maintained courts.

(b) The commissioner of [administrative services] PUBLIC WORKS shall have the primary responsibility for ensuring that the lessor of the offices, space or other facilities which are covered by each such lease complies with the provisions of the lease. In carrying out such responsibility the commissioner shall inspect such offices, space and other facilities at least once annually. Not later than September first, annually, the commissioner shall submit to the state properties review board a report summarizing the findings of such inspections. No person employed by the department of [administrative services] PUBLIC WORKS whose primary function is negotiating leases shall be assigned any of the duties required of the commissioner under this subsection.

Sec. 37. Section 4-26f of the general

aak

543

House of Representatives

Tuesday, June 2, 1987

statutes, as amended by section 4 of substitute house bill 7318 of the current session, is repealed and the following is substituted in lieu thereof:

No employee of the properties review board shall hold another state or municipal position, nor shall any such employee or any person employed by the department of [administrative services] PUBLIC WORKS as a leasing agent or as an immediate supervisor of a leasing agent be directly involved in any enterprise which does business with the state or be directly or indirectly involved in any enterprise concerned with real estate acquisition or development. Each member and employee of the state properties review board shall file, with the board and with the state ethics commission, and each such employee of the department shall file, with the department and with the state ethics commission, a financial statement indicating all sources of business income and business affiliations of such person and his or her spouse, which statement shall be a public record."

In line 924, after the word "passage" and before the period, insert the following: ", except that sections 29 to 37, inclusive, shall take effect July 1, 1987"

DEPUTY SPEAKER CIBES:

Will you remark further on the bill?

REP. TULISANO: (29th)

Mr. Speaker, the Clerk has an Amendment LCO 8820.

DEPUTY SPEAKER CIBES:

The Clerk is in possession of an Amendment LCO 8820 designated House Amendment Schedule "V". Will the Clerk please call.

aak

544

House of Representatives

Tuesday, June 2, 1987

CLERK:

LCO 8820 designated House Schedule "V"

offered by Representatives Taborsak and Favreau.

DEPUTY SPEAKER CIBES:

Representative Tulisano, the gentleman has requested permission to summarize. Is there any objection? Hearing none, sir, please proceed.

REP. TULISANO: (29th)

Mr. Speaker, this takes out the word "or". I believe it is technical in nature. I move its adoption.

DEPUTY SPEAKER CIBES:

Question is on adoption of House Amendment Schedule "V". Will you remark further? Will you remark further on House "V"? If not, all those in favor, please indicate by saying Aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER CIBES:

Those opposed, indicate by saying No. The Ayes have it. The Amendment is adopted.

House Amendment Schedule "V":

After line 922, add the following and renumber the remaining section accordingly:

"Sec. 29. Section 17-292e of the general statutes, as amended by substitute house bill 5518 of the current session is repealed and the following is substituted in lieu thereof:

(a) An aggrieved person, or the conservator of such person on his behalf, authorized by law to request a fair hearing to review a decision of a public welfare official may make a signed application for such hearing to the commissioner and shall state in such application why he claims to be aggrieved. Such application shall be mailed to the commissioner within ten days of such decision. Within fifteen days after receipt of an application to review a decision of a public welfare official, or within four business days if the application concerns a decision on an application for assistance, the commissioner shall hold a fair hearing at a location convenient to the person requesting the hearing.

(b) At least seven days prior to the date of such hearing, the commissioner shall mail a notice to such aggrieved person, giving the time and place of the hearing. [or,] If the hearing concerns a decision on an application for assistance, the commissioner shall make all reasonable efforts to provide notice of the time and place of the hearing to such aggrieved person at least one business day before the hearing. A reasonable period of continuance may be granted for good cause. No hearing shall be held after the decease of the aggrieved person. The aggrieved person shall appear personally at the hearing and may be represented by an attorney or other authorized representative. A stenographic or mechanical record shall be made of each hearing, but need not be transcribed unless (1) an appeal from the decision of the hearing officer is made or (2) a copy is requested by the aggrieved person, in either of which cases it shall be furnished by the commissioner of income maintenance without charge. The co-missioner of income

House of Representatives

Tuesday, June 2, 1987

maintenance and any person authorized by him to conduct any hearing under the provisions of this section shall have power to administer oaths and take testimony under oath relative to the matter of the hearing and may subpoena witnesses and require the production of records, papers and documents pertinent to such hearing. No witness under subpoena authorized to be issued by the provisions of this section shall be excused from testifying or from producing records, papers or documents on the ground that such testimony or the production of such records or other documentary evidence would tend to incriminate him, but such evidence or the records or papers so produced shall not be used in any criminal proceeding against him. If any person disobeys such process or, having appeared in obedience thereto, refuses to answer any pertinent question put to him by the commissioner or his authorized agent or to produce any records and papers pursuant thereto, the commissioner or his agent may apply to the superior court for the judicial district of Hartford-New Britain or for the judicial district wherein the person resides, or to any judge of said court if the same is not in session, setting forth such disobedience to process or refusal to answer. Said court or such judge shall cite such person to appear before said court or such judge to answer such question or to produce such records and papers and, upon his refusal to do so, shall commit such person to a community correctional center until he testifies, but not for a term longer than sixty days. Notwithstanding the serving of the term of such commitment by any person, the commissioner or his agent may proceed with such inquiry and examination as if the witness had not previously been called upon to testify. Officers who serve subpoenas issued by the commissioner or under his authority and witnesses attending hearings conducted by him hereunder shall receive like fees and compensation as officers and witnesses in the courts of this state to be paid on vouchers of the commissioner on order of the comptroller."

aak

547

House of Representatives Tuesday, June 2, 1987

DEPUTY SPEAKER CIBES:

Will you remark further?

REP. TULISANO: (29th)

Mr. Speaker, the Clerk has an Amendment LCO 8831.

DEPUTY SPEAKER CIBES:

The Clerk is in the possession of an Amendment LCO 8831 designated House Amendment Schedule "W". Will the Clerk please call.

CLERK:

LCO 8831 designated House Schedule "W"
offered by Representative Tulisano.

REP. TULISANO: (29th)

Mr. Speaker, this amendment is not technical. And in my opinion, it can be considered substantive in nature. We passed a children placement program funding bill earlier in the session. Generally the legislation in the past and the program which was used does not include individual and family counseling services, which were somehow included in the original bill. In terms of administering the program, and to get the expansion that was required, this would make it impossible for the

aak

548

House of Representatives

Tuesday, June 2, 1987

current provider to provide those services as it was anticipated. I would move its adoption.

But remembering it is substantive.

DEPUTY SPEAKER CIBES:

Question is on adoption of House Amendment Schedule "W". Will you remark further? If not, all those in favor of adopting House "W" indicate by saying Aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER CIBES:

Those opposed, indicate by saying No.

REPRESENTATIVES:

No.

DEPUTY SPEAKER CIBES:

The Ayes have it. The Amendment is adopted.

House Amendment Schedule "W":

After line 922, add section 29 as follows and renumber the remaining section accordingly:

"Sec. 29. Section 1 of substitute house bill 5066 is repealed and the following is substituted in lieu thereof:

The judicial department may provide financial assistance, within available appropriations to programs which monitor cases of child abuse and neglect, and which provide individual and family

aak

549

House of Representatives

Tuesday, June 2, 1987

counseling services, and job and housing placement services.] "

In line 924, after "passage" and before the period insert "except that section 29 shall take effect July 1, 1987"

DEPUTY SPEAKER CIBES:

Will you remark further?

REP. TULISANO: (29th)

Mr. Speaker, the Clerk has an Amendment LCO 8840.

DEPUTY SPEAKER CIBES:

The Clerk is in possession of Amendment LCO 8840 designated House Amendment Schedule "X". Will the Clerk please call.

CLERK:

LCO 8840 designated House Schedule "X"

offered by Representative Brooks.

REP. TULISANO: (29th)

Mr. Speaker.

DEPUTY SPEAKER CIBES:

Please proceed sir.

REP. TULISANO: (29th)

This Amendment is not technical, it is substantive. This would change the effective date,

aak

550

House of Representatives Tuesday, June 2, 1987

the date by which a report would be made to the select committee on housing. It moves from February 3rd to September 1st, 1988. I move its adoption.

DEPUTY SPEAKER CIBES:

Question is on adoption of House Amendment Schedule "X". Will you remark further? Will you remark further on House "X"? If not, all those in favor, please indicate by saying Aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER CIBES:

Those opposed, please indicate by saying No.
The Ayes have it. The Amendment is adopted.

House Amendment Schedule "X":

After line 922, insert the following new section and renumber the remaining section accordingly:

"Sec. 29. Subsection (b) of section 5 of substitute house bill 5256 of the current session as amended, is repealed and the following is substituted in lieu thereof:

(b) Not later than [February 3] SEPTEMBER 1, 1988, the secretary of the office of policy and management shall submit a report to the select committee on housing containing an evaluation of the operation and effectiveness of the pilot program authorized under this section."

aak

551

House of Representatives

Tuesday, June 2, 1987

DEPUTY SPEAKER CIBES:

Will you remark further on the bill?

REP. TULISANO: (29th)

Mr. Speaker, the Clerk has an Amendment LCO 7529.

DEPUTY SPEAKER CIBES:

The Clerk is in the possession of an Amendment LCO 7529 designated House Amendment Schedule "Y". Will the Clerk please call.

CLERK:

LCO 7529 designated House Schedule "Y"
offered by Representatives Tulisano and Ritter.

REP. TULISANO: (29th)

Mr. Speaker.

DEPUTY SPEAKER CIBES:

Please proceed to summarize, sir.

REP. TULISANO: (29th)

I guess this is not technical. It is substantive, but complies with what we try to do originally by moving to the correct, revise the statutes for which the original bill was supposed to amend dealing with, I believe, it's interest rates. I'm not sure. I move its adoption.

aak

552

House of Representatives

Tuesday, June 2, 1987

DEPUTY SPEAKER CIBES:

Question is on adoption of House Amendment Schedule "Y". Will you remark further? Representative Edward Krawiecki.

REP. KRAWIECKI: (78th)

Thank you, Mr. Speaker. Representative Tulisano, what was the reason for House Amendment "Y"?

REP. TULISANO: (29th)

Through you, Mr. Speaker, I'm given to understand we have amended the wrong section for implementation of the original bill copy.

DEPUTY SPEAKER CIBES:

Representative Krawiecki, you have the floor, sir.

REP. KRAWIECKI: (78th)

And through you, Mr. Speaker, or maybe I should ask Representative Ritter, through you, Mr. Speaker, the section in the statute we intended to amend dealt with what? Through you, Mr. Speaker.

DEPUTY SPEAKER CIBES:

Do whom do you direct your question, sir?

aak

553

House of Representatives

Tuesday, June 2, 1987

REP. KRAWIECKI: (78th)

To Representative Ritter, might be more...

DEPUTY SPEAKER CIBES:

Representative Ritter, do you care to respond, sir?

REP. RITTER: (2nd)

Through you, Mr. Speaker. The banking commissioner asked us to change this to put in the interest rate, so all the interest rates would be in one section. He thought it would be a cleaner way of doing it. Thank you.

REP. KRAWIECKI: (78th)

Thank you.

DEPUTY SPEAKER CIBES:

Will you remark further on House Amendment Schedule "Y"? Will you remark further on House "Y"? If not, all those in favor, please indicate by saying Aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER CIBES:

Those opposed, please indicate by saying No.

REPRESENTATIVES:

aak

554

House of Representatives

Tuesday, June 2, 1987

No.

DEPUTY SPEAKER CIBES:

The Chair is in doubt. All those in favor of adopting House Amendment Schedule "Y", please indicate by saying Aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER CIBES:

Opposed indicate by saying No.

REPRESENTATIVES:

No.

DEPUTY SPEAKER CIBES:

The Ayes have it. The Amendment is adopted.

House Amendment Schedule "Y":

After section 28, insert the following sections and renumber the remaining section accordingly:

"Sec. 29. Subsection (d) of section 36-5a of the general statutes, as amended by section 5 of public act 87-205, is repealed and the following is substituted in lieu thereof:

(d) [(1)] Any holding company may establish, either directly or through any subsidiary of such holding company that is not a banking corporation, and any banking corporation that is not a subsidiary of a holding company may establish, through any of its subsidiaries that are not banking corporations, in addition to any offices maintained on June 8, 1983, not more than two offices in any calendar year for

House of Representatives

Tuesday, June 2, 1987

the purpose of engaging in banking business other than to provide deposit services and may maintain such offices in this state subject to the approval of the commissioner. For purposes of this subsection, "deposit services" shall include, without limitation, deposits, withdrawals, advances, payments and transfers of funds to or from a deposit account. Any applicant for permission to establish an office pursuant to this subsection shall pay to the commissioner a fee, in an amount fixed by the commissioner, to defray the costs of processing such applications. The number of offices which may be established in any calendar year pursuant to this subsection shall not be increased because of any failure to establish an office or offices in any prior year or years.

[(2) Any holding company which establishes or has established, either directly or through any subsidiary of such holding company that is not a banking corporation, or any subsidiary of any such holding company, and any banking corporation that is not a subsidiary of a holding company which establishes or has established, through any of its subsidiaries that are not banking corporations, offices pursuant to this subsection, shall comply with the provisions of section 42-133c.]

Sec. 30. Section 36-552 of the general statutes, as amended by section 3 of public act 87-205, is repealed and the following is substituted in lieu thereof:

For purposes of this chapter and chapter 645c, section 36-5a, subsection (1) of section 36-30 subsection (ff) of section 36-57, subsection (1) of section 36-140, sections 36-140a, 36-193b and section [3 of this]42-133c, AS AMENDED BY SECTION 31 OF THIS ACT, and unless the context otherwise requires:

(a) "Bank" has the meaning given to that term in 12 U.S.C. Section 1841(c), in effect on June 8, 1983;

(b) "Bank holding company" has the meaning given to that term in 12 U.S.C. Section 1841(a), in effect on June 8, 1983;

(c) "Commissioner" means the banking commissioner;

(d) "Connecticut bank" means any federally or state chartered bank which has its main office and principal place of business in Connecticut and is not directly or indirectly owned or controlled by any bank, savings bank, savings and loan association or bank holding company other than a Connecticut or New England bank, savings bank, savings and loan association or bank holding company;

(e) "Connecticut bank holding company" means any bank holding company: (1) Which has its principal place of business in Connecticut; (2) each of whose subsidiary banks has its main office and principal place of business only in Connecticut or the state of Maine, Massachusetts, New Hampshire, Rhode Island or Vermont; and (3) which is not directly or indirectly owned or controlled by a bank holding company which (A) has its principal place of business in any state other than Connecticut or the state of Maine, Massachusetts, New Hampshire, Rhode Island, or Vermont or (B) owns or controls any subsidiary bank that has its main office or principal place of business in any state other than such states;

(f) "Connecticut savings bank" means any federally or state chartered savings bank which has its main office and principal place of business in Connecticut and is not directly or indirectly owned or controlled by any bank, savings bank, savings and loan association or bank holding company other than a Connecticut or New England bank, savings bank, savings and loan association or bank holding company;

(g) "Connecticut savings and loan association" means any federally or state chartered savings and loan association which has its main office and principal place of business in Connecticut and is not directly or indirectly owned or controlled by any bank, savings bank, savings and loan association or bank holding company other than Connecticut or New England bank, savings bank, savings and loan association or bank holding company;

(h) "Control" has the meaning given to that term in 12 U.S.C. Section 1841(a), in effect on June 8, 1983;

House of Representatives

Tuesday, June 2, 1987

(i) "New England bank" means any federally or state chartered bank which has its main office and principal place of business in the state of Maine, Massachusetts, New Hampshire, Rhode Island or Vermont and is not directly or indirectly owned or controlled by any bank, savings bank, savings and loan association or bank holding company other than a Connecticut or New England bank, savings bank, savings and loan association or bank holding company;

(j) "New England bank holding company" means a bank holding company: (1) which has its principal place of business in the state of Maine, Massachusetts, New Hampshire, Rhode Island or Vermont; (2) each of whose subsidiary banks has its main office or principal place of business only in Connecticut or the state of Maine, Massachusetts, New Hampshire, Rhode Island or Vermont; and (3) which is not directly or indirectly owned or controlled by a bank holding company which (A) has its principal place of business in any state other than Connecticut or the state of Maine, Massachusetts, New Hampshire, Rhode Island or Vermont, or (B) owns or controls any subsidiary bank which has its main office or principal place of business in any state other than such states;

(k) "New England savings bank" means any federally or state chartered savings bank which has its main office and principal place of business in the state of Maine, Massachusetts, New Hampshire, Rhode Island or Vermont and is not directly or indirectly owned or controlled by any bank, savings bank, savings and loan association or bank holding company other than a Connecticut or New England bank, savings bank, savings and loan association or bank holding company;

(l) "New England savings and loan association" means any federally or state chartered savings and loan association or state chartered cooperative bank which has its main office and principal place of business in the state of Maine, Massachusetts, New Hampshire, Rhode Island or Vermont and is not directly or indirectly owned or controlled by any bank, savings bank, savings and loan association or bank holding company;

(m) "Subsidiary" has the meaning given to that term in 12 U.S.C. Section 1841(d), in effect on June 8, 1983.

Sec. 31. Section 42-133c of the general statutes is repealed and the following is substituted in lieu thereof:

(a) Notwithstanding any contrary provision of law, the maximum finance charge which may be applied under an open-end credit plan, as defined in subdivision (h) of section 36-393, in connection with a transaction arising out of a retail sale of consumer goods or services shall not exceed one and one-quarter per cent per month on the average daily balance of the account or the unpaid balance outstanding as of the end of the current billing cycle. Regardless of any agreement to the contrary, a transaction under an open-end credit plan is subject to this section whenever a solicitation for the extension of credit is made by a creditor whose primary activity in Connecticut is soliciting Connecticut customers through the mails, and such solicitation originates outside Connecticut but is directed to and received by a customer who resides, and responds to such solicitation, in Connecticut.

(b) ANY NEW ENGLAND BANK, NEW ENGLAND BANK HOLDING COMPANY, NEW ENGLAND SAVINGS BANK, OR NEW ENGLAND SAVINGS AND LOAN ASSOCIATION WHICH ESTABLISHES OR HAS ESTABLISHED, ACQUIRED OR RETAINED DIRECT OR INDIRECT OWNERSHIP OR CONTROL OF ALL OR PART OF THE VOTING STOCK OF, OR MERGED OR CONSOLIDATED WITH, OR ACQUIRED THE ASSETS OF ANY CONNECTICUT BANK, CONNECTICUT BANK HOLDING COMPANY, CONNECTICUT SAVINGS BANK OR CONNECTICUT SAVINGS AND LOAN ASSOCIATION SHALL COMPLY WITH THE PROVISIONS OF THIS SECTION. ANY SUBSIDIARY OR AFFILIATE, WHEREVER LOCATED, OF ANY SUCH NEW ENGLAND BANK, NEW ENGLAND BANK HOLDING COMPANY NEW ENGLAND SAVINGS BANK OR NEW ENGLAND SAVINGS AND LOAN ASSOCIATION SHALL COMPLY WITH THE PROVISIONS OF THIS SECTION.

(c) ANY HOLDING COMPANY WHICH ESTABLISHES OR HAS ESTABLISHED, EITHER DIRECTLY OR THROUGH ANY SUBSIDIARY OF SUCH HOLDING COMPANY THAT IS NOT A BANKING CORPORATION, OR ANY SUBSIDIARY OF ANY SUCH HOLDING COMPANY, AND ANY BANKING

aak

559

House of Representatives

Tuesday, June 2, 1987

CORPORATION THAT IS NOT A SUBSIDIARY OF A HOLDING COMPANY WHICH ESTABLISHES OR HAS ESTABLISHED, THROUGH ANY OF ITS SUBSIDIARIES THAT ARE NOT BANKING CORPORATIONS, OFFICES PURSUANT TO SUBSECTION (d) OF SECTION 36-5a, AS AMENDED BY SECTION 29 OF THIS ACT, SHALL COMPLY WITH THE PROVISIONS OF THIS SECTION.

Sec. 32. Section 4 of public act 87-205 is repealed.

In line 924, after the word "passage" and before the period, insert the following: "except that sections 29-32, inclusive, shall take effect July 1, 1987"

DEPUTY SPEAKER CIBES:

Will you remark further on the Bill?

REP. TULISANO: (29th)

The Clerk has an Amendment LCO 8264.

I think we didn't have copies of it before.

DEPUTY SPEAKER CIBES:

The Clerk is in the possession of Amendment LCO 8264 designated House Amendment Schedule ... Representative Tulisano, is this the Amendment that you had offered earlier?

REP. TULISANO: (29th)

Yes, but I don't think it was ever called, Mr. Speaker.

DEPUTY SPEAKER CIBES:

And it was not designated.

aak

560

House of Representatives

Tuesday, June 2, 1987

REP. TULISANO: (29th)

I don't believe it was, Mr. Speaker.

DEPUTY SPEAKER CIBES:

8264 designated House Amendment Schedule

"Z". Will the Clerk please call.

CLERK:

LCO 8264 designated House Schedule "Z" offered by Representatives Tulisano and Wollenburg.

DEPUTY SPEAKER CIBES:

Is there objection to summarization?

If not, sir, please proceed.

REP. TULISANO: (29th)

Mr. Speaker, this bill is not technical. It is substantive. It makes public act 87-196 section 1 take effect from its passage, that is the section dealing with sheriffs. If you recall, we had a problem earlier where we had the validating gap and then we passed the law changing when they may go out of the precincts?

DEPUTY SPEAKER CIBES:

Would you move adoption sir?

REP. TULISANO: (29th)

I move adoption.

aak

561

House of Representatives

Tuesday, June 2, 1987

DEPUTY SPEAKER CIBES:

Will you remark further? Representative Nystrom.

REP. NYSTROM: (46th)

Thank you, Mr. Speaker! Just briefly, members do not have this amendment in their possession on this side.

DEPUTY SPEAKER CIBES:

The Minority Party does not apparently have this Amendment in their possession. Could we distribute copies of this Amendment, please?

LCO 8264 designated House Amendment Schedule "Z".

The House will briefly stand at ease until additional copies of the Amendment are distributed.

SPEAKER STOLBERG:

Representative Jaekle, is everything all right, sir? Will you remark further on House "Z"?

REP. TULISANO: (29th)

Mr. Speaker.

SPEAKER STOLBERG:

Representative Tulisano.

aak

562

House of Representatives

Tuesday, June 2, 1987

REP. TULISANO: (29th)

At this point I hope everybody does have available copies. You may recall earlier in the evening we had to pass a validating act because there was some confusion on the law dealing with sheriffs. This would make the clarification that we passed earlier this year effective on passage rather than waiting for October 1st, so we don't have any problems in the future. I move its adoption.

SPEAKER STOLBERG:

Will you remark further on House "Z"? 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.

House Amendment Schedule "Z":

After line 922, add section 29 as follows and renumber the remaining section accordingly:

"Sec. 29. Public act 87-196 shall take effect from its passage, except that section 2 shall

aak

563

House of Representatives

Tuesday, June 2, 1987

take effect October 1, 1987."

SPEAKER STOLBERG:

Representative Tulisano.

REP. TULISANO: (29th)

Mr. Speaker, the Clerk has an Amendment LCO 5972.

SPEAKER STOLBERG:

Japanese alphabet, sanscript, double "AA". The Clerk has Amendment LCO 5972 designated House "AA", probably the fond rating on this amendment. Is there objection to summarization? Seeing none, Representative Tulisano. Will the Clerk please call, first.

CLERK:

LCO 5972 designated House Schedule "AA"
offered by Representative Schiessl.

REP. TULISANO: (29th)

Mr. Speaker, I believe this is candied is not absolutely technical, a little more substantive. It takes out "and replacement of the", I'm not sure what it does, to be honest with you. And adds "Planning and design study of a new Route 140". I

aak

564

House of Representatives

Tuesday, June 2, 1987

would move its adoption and yield to Representative Schiessl for further edification.

SPEAKER STOLBERG:

Will you remark further on House "AA"?

REP. SCHIESSL: (60th)

Mr. Speaker.

SPEAKER STOLBERG:

Representative Schiessl.

REP. SCHIESSL: (60th)

I accept the yield from Representative Tulisano. This amendment simply clarifies that this is an engineering study of the acquisition and replacement of the Canal Bridge. It always was, it just didn't appear to be one in the File Copy. So I believe the Amendment is in fact technical in nature. Thank you, Mr. Speaker.

SPEAKER STOLBERG:

Will you remark further on House "AA"?

If not, all those in favor of the Amendment, please indicate by saying Aye.

REPRESENTATIVES:

Aye.

SPEAKER STOLBERG:

aak

565

House of Representatives

Tuesday, June 2, 1987

All those to the contrary, Nay. The
Amendment is adopted.

House Amendment Schedule "AA":

After line 922, insert the following new section 29 and renumber the remaining section accordingly:

"Sec. 29. Subdivision (8) of section 7 of substitute senate bill number 892 of the current session is amended to read as follows:

Acquisition, [and replacement of the]
PLANNING AND DESIGN STUDY OF A NEW Route 140 bridge over the Windsor Locks canal, not exceeding five hundred thousand dollars;"

SPEAKER STOLBERG:

Will you remark further, Representative Tulisano.

REP. TULISANO: (29th)

Mr. Speaker, LCO, Mr. Speaker, the Clerk has Amendment LCO 7491.

SPEAKER STOLBERG:

The Clerk has an Amendment LCO 7491 House
"BB". Will the Clerk please call,

CLERK:

LCO 7491 designated House Schedule "BB"
offered by Representatives Woodcock, Fox and Garavel.

aak

566

House of Representatives

Tuesday, June 2, 1987

SPEAKER STOLBERG:

Is there objection to summarization? Seeing none, Representative Tulisano.

REP. TULISANO: (29th)

In summarization, may I yield to Representative Fox, Mr. Speaker, please.

SPEAKER STOLBERG:

Representative John Wayne Fox. Do you accept the yield?

REP. FOX: (144th)

Yes sir, I accept the yield. For purposes of summarization, this provides for two changes, in particular, the last portion of section 30 would make it applicable for the year, for the assessment beginning on October 1, 1986, purpose being it would not make any sense to put in a new assessment and then redo it the year after. The first part of it clarifies the statute to make reference to sections 12-412c and 21-67a which relate to mobile homes. I would move adoption of that sir, if that has not already been done.

SPEAKER STOLBERG:

Will you remark further on "BB"?

aak

567

House of Representatives

Tuesday, June 2, 1987

Representative Richard Belden.

REP. BELDEN: (113th)

Yes, sir, "BB". Through you, Mr. Speaker, a question to Representative Fox. I was reading this a short time ago and for the first time and I believe you touched on the reasoning why we're going back to 1986 for the initial assessment year, but I couldn't quite understand that. That's past history already. Through you, Mr. Speaker, to Representative Fox, could you kind of expand on that, why it's back to 1986?

SPEAKER STOLBERG:

Representative Fox.

REP. FOX: (144th)

Yes, sir, through you, Mr. Speaker. It's not really past history because the assessment of October 1, 1986 would become due and payable in July 1987. So without this change, the new tax would become effective and be payable in July of 1987, in which case the assessment as real property would go into effective, the assessor would then have to go back for the next year and change it in accordance with the statute we had adopted. So this

aak

568

House of Representatives

Tuesday, June 2, 1987

makes reference to the assessment year, beginning October 1, 1986 which taxes would become due and payable of July of this year.

REP. BELDEN: (113th)

Through you, Mr. Speaker, if I might, one more question.

SPEAKER STOLBERG:

Please proceed.

REP. BELDEN: (113th)

Representative Fox, is this going to appreciably effect the amount of moneys mobile home owners are going to be taxed by a municipality when they get their tax bills in June of 1987 for the tax list of October 1986?

SPEAKER STOLBERG:

Representative Fox.

REP. FOX: (144th)

Through you, Mr. Speaker, it will, if in fact the municipality adopts this legislation, which is may or may not. Then it would effect the taxes that the mobile home owners would pay and would be due in most municipalities come the end of June, normally July 1, 1987. Yes, sir, it would

aak

569

House of Representatives

Tuesday, June 2, 1987

effect those taxes that are due and payable then.

REP. BELDEN: (113th)

Mr. Speaker, I get a little more confused when I get more informed. This is permissive legislation, the file was just passed, I guess, maybe two weeks ago, I'm not sure, certainly not gone into, not been signed into law at this point in time. Municipalities can or can't participate who are about to sent out tax bills based on last year's assessments. If I was out there in the real world in a mobile home or in the assessor's office I would be absolutely, I wouldn't even know about it, so I'm not sure how I would handle this. Representative Fox, am I off track or is there going to be a lot of confusion out there around July 1st in our various municipal assessor's offices.

SPEAKER STOLBERG:

Representative Fox.

REP. FOX: (144th)

Through you, Mr. Speaker, based upon what I have been told in those towns and there are, I believe four or five of them, that are particularly concerned with this type of legislation. There ought

aak

570

House of Representatives Tuesday, June 2, 1987

not to be confusion because they are awaiting and hoping that this kind of legislation will be adopted and are attempting to anticipate it. So to answer your question directly, sir, I do not believe there will be confusion.

REP. BELDEN: (113th)

Through you, Mr. Speaker, one more question.

SPEAKER STOLBERG:

Representative Belden.

REP. BELDEN: (113th)

Thank you, Mr. Speaker. Representative Fox, will this legislation preclude any mobile home owner from having the ability to appeal his assessment through the tax review board in the community. You are telling me it's around February or March?

SPEAKER STOLBERG:

Representative Fox.

REP. FOX: (144th)

Through you, Mr. Speaker, to the best of my knowledge, Representative Belden, it would not. In my experience those boards, the board of tax review would normally meet in February of next year to deal with the assessment. To answer your question,

aak

571

House of Representatives Tuesday, June 2, 1987

I do not believe so, normally those boards meet in February of the year following the assessment or at other times at set by the municipality. Your question, I assume, relates to a tax list in October of 1986, where the hearing should have been in February of 1987 or at some other date that the community might determine. So I don't think it would, I can not give a definitive answer on it, sir. I don't believe so.

REP. BELDEN: (113th)

Thank you, Representative Fox. I hope we don't have total chaos out there with mobile home owners in another month or two about how they are being assessed.

REP. EMMONS: (101st)

Mr. Speaker.

SPEAKER STOLBERG:

Representative Linda Emmons.

REP. EMMONS: (101st)

Thank you, Mr. Speaker. Mr. Speaker, just following up on some of the comments that were made before, I'm not so sure that the proponent was correct. It would seem to me that if you were going to

aak

572

House of Representatives

Tuesday, June 2, 1987

be using the assessments as of October 1, 1986, that your time to have appealed that assessment for a piece of personal property would have been in February and February has gone by, but through you, Mr. Speaker, a question to the proponent of the Amendment.

SPEAKER STOLBERG:

Representative Fox.

REP. FOX: (144th)

I think that was the proponent of the Amendment.

SPEAKER STOLBERG:

Representative Emmons.

REP. EMMONS: (101st)

I think Representative Fox is the proponent and ...

SPEAKER STOLBERG:

This seems to be the case, madam.

Representative Fox. Representative Emmons.

REP. EMMONS: (101st)

Through you, Mr. Speaker, my question to the Representative is, this is now June 2nd and the tax bills should be going out by most communities who are on the uniform fiscal year within two weeks or at

aak

573

House of Representatives

Tuesday, June 2, 1987

the most, three weeks, and this bill is really effective on passage, which means the Governor has to sign it, and I'm looking really now at the time frame in the window. Because of some times the difficulty in doing tax bills and doing refunds. Let us assume the Governor doesn't sign it until Monday, then the municipality has to have adopt this through its legislative body which means it must have a time frame to adopt the ordinance and a publication notice and by now you are at the time when the tax bills should be going out and they should be going out based on the assessment process of October 1, 1986, so if you'd had a good assessor, they would have already updated them to real property. So, my question is, if the tax bills go out, how would the citizen, who unknowingly paid it, get his refund?

SPEAKER STOLBERG:

Representative Fox.

REP. FOX: (144th)

Thank you, Mr. Speaker. Let me step back and attempt to answer the series of questions that have been proposed. First of all, with respect to your earlier statement, even if I am incorrect and the

aak

574

House of Representatives

Tuesday, June 2, 1987

period for going to the board of tax review has elapsed, that appeal still can be brought on at least a yearly basis, so if one has been injured, at most they have been injured for that particular year, not for the whole assessment, the whole life of the assessment. Secondly, I am told, I don't have first-hand knowledge of this, but I am told that the town in particular that is concerned with this legislation is Danbury and I am told that their assessor has made or is anticipating and is hopeful of this legislation being adopted and is prepared to address that type of practical problem.

I would also say, that if the worst scenario occurs, and if in fact the tax bills go out at a rate which is higher than called for under this legislation, that I would assume that the local municipality could foresee that and provide for that in the ordinance that they would adopt if they deem that appropriate.

REP. EMMONS: (101st)

Thank you, Mr. Speaker. Representative Fox, having been involved with doing assessment and tax bills on a local level, I think that you are being

aak

575

House of Representatives

Tuesday, June 2, 1987

more hopeful than the statute gives you the opportunity to be. I do not think you have, as an assessor, or a municipality, have the right to say through a local town meeting or a legislative body to say that we will ignore the assessments that were put into the list certified by the assessors in February, which are the ones that you appeal. I don't think the statutes give you that latitude. I know what you are trying to do, but I'm pretty confident that those tax bills that are going to go out are going to be based on the October 1, 1986 grand list, they are going to have to pay their taxes and at some point get a refund.

SPEAKER STOLBERG:

Will you remark further on House "BB"?
If not, all those in favor, please indicate by saying Aye.

REPRESENTATIVES:

Aye.

SPEAKER STOLBERG:

All those to the contrary, Nay. The
Amendment is adopted.

House of Representatives Tuesday, June 2, 1987

House Amendment Schedule "BB":

After section 28, insert the following and

renumber the remaining section accordingly:

"Sec. 29. Subsection (d) of section 12-63a of the general statutes, as amended by section 1 of substitute senate bill 623 of the current session, is repealed and the following is substituted in lieu thereof:

(d) (1) Notwithstanding the provisions of this section or of any other section of the general statutes or any special act to the contrary, a municipality may, by ordinance, elect to assess a mobile manufactured home, on or after October 1, 1986, but not later than the first sale of such mobile home, in the same manner in which mobile manufactured homes were assessed by such municipality for the assessment year commencing October 1, 1985. On the first assessment date immediately following the first sale of such mobile manufactured home after October 1, 1986, such mobile home shall be assessed and subject to property tax pursuant to subsection (c) of this section.

(2) As used in subdivision (1) of this subsection, "first sale" means any sale or conveyance by an owner of any mobile manufactured home on or after October 1, 1986, except a sale of conveyance to (A) an owner's spouse; (b) an owner's brother or sister who actually resides in the mobile manufactured home unit being sold or conveyed; or (C) any other person if the owner makes such sale to such other person for the purpose of using the proceeds of such sale to purchase a substitute mobile manufactured home to be located on the leasehold site being occupied by such owner's existing mobile manufactured home. In the case of a sale as defined in subparagraph (C) of this subdivision, the owner's substitute mobile manufactured home removed from the owner's leasehold site, shall be assessed as provided in subsection (c) of this section, unless the new owner of such original mobile home can independently qualify to be assessed as such homes were assessed

aak

577

House of Representatives

Tuesday, June 2, 1987

in the assessment year commencing October 1, 1985 under provisions of this section, a mobile manufactured home which is treated by a municipality as personal property in accordance with provisions of this subsection, shall continue to be treated as real property [when so designated] pursuant to SECTIONS 12-412c AND 21-67a. [and other section of the general statutes.]

Sec. 30. Section 2 of substitute seante bill 623 of the current session is repealed and the following is substituted in lieu thereof:

[This act] SUBSTITUTE SENATE BILL 623 OF THE CURRENT SESSION shall take effect from its passage and shall be applicable to the assessment year in each municipality commencing October 1, [1987] 1986 and each assessment year thereafter."

SPEAKER STOLBERG:

Will you remark further? Time out while the Chairman returns to his throne. Representative Tulisano.

REP. TULISANO: (29th)

The Clerk has an Amendment LCO 8515.

SPEAKER STOLBERG:

The Clerk has an Amendment LCO 8515 House Amendment "CC". Will the Clerk please call.

CLERK:

LCO 8515 designated House Schedule "CC"
offered by Representative Frtiz.

SPEAKER STOLBERG:

House of Representatives

Tuesday, June 2, 1987

Seeing no objection to summarization,
Representative Tulisano.

REP. TULISANO: (29th)

Mr. Speaker, this Amendment is not technical. It is substantive. It does not change the bond package, but requires that certain amounts of money which were intended to be set aside for improvements of Route 10 in Cheshire will be so set aside. I move its adoption. And Route 68.

SPEAKER STOLBERG:

Will you remark? Representative Farr.

REP. FARR: (29th)

Mr. Speaker, through you, to Representative Tulisano.

SPEAKER STOLBERG:

Please frame your question, sir.

REP. FARR: (29th)

Representative Tulisano, I'm sorry, but I didn't understand your comment about the money being set aside. Where is this money being set aside from?

REP. TULISANO: (29th)

Mr. Speaker, I would yield to Representative

aak

House of Representatives

Tuesday, June 2, 1987

Fritz for a more detailed explanation, although it has already been appropriated in the bond package. I'm sure she can put that in great detail for you.

SPEAKER STOLBERG:

Representative Fritz.

REP. FRITZ: (90th)

Thank you, Mr. Speaker. Through you, Representative Farr, the money was set aside in the bond package and it was originally supposed to be earmarked for the project for road, for assigning engineering, for route 68/70 in Cheshire and Route 10 for design and engineering in Cheshire. Through a clerical error it was omitted from the listing.

REP. FARR: (19th)

Through you, to Representative Fritz.

What you are saying is that the amount of money was in the bond package. This is the language that was supposed to go in the bond package. Is that correct?

REP. FRITZ: (90th)

Thank you, through you, Mr. Speaker, yes.

REP. FARR: (19th)

Thank you, very much.

SPEAKER STOLBERG:

aak

580

House of Representatives

Tuesday, June 2, 1987

Will you remark further on House "CC"?
Representative Tiffany.

REP. TIFFANY: (36th)

Mr. Speaker, not a remark specifically on House "CC", but I personally would like to object to the fact that we have this many amendments, so called technical revisor's amendments. Sir, I was here when Speaker Ratchford came down out of the Chair to testify against having any substantive amendments in the technical amendments bill. I think if you want to do this, we ought to have two revisor's bills, one's technical and one's substantive. Mr. Speaker, we've not had this sessions or for several sessions any petitions of recall. Most of these amendments should have been handled by petitions of recall. That's the clean and honest way of doing business. I would hope you would agree.

SPEAKER STOLBERG:

As a matter of fact, will you remark further?
Will you remark further? Representative Belden.

REP. BELDEN: (113th)

Mr. Speaker, I guess we are still on LCO
8515 and I apologize to the Chamber if I perhaps

aak

581

House of Representatives

Tuesday, June 2, 1987

wasn't listening. This Amendment increases the bonding authorization by several hundred thousand dollars. I would call the members attention to lines 41½ and 41-42. Several hundred thousand dollars. Now quickly reviewing this, it's pretty hard to tell exactly where it is going to be used. We get over to lines 78-82 and we're talking about, I guess, doing something in Cheshire for five hundred thousand dollars and something in Route 68/70 for another one hundred and fifty thousand dollars. Through you, Mr. Speaker, can Representative Tulisano advise me whether or not the moneys on lines 78-83 is the same moneys that we are increasing on lines 40-42?

SPEAKER STOLBERG:

Representative Fritz.

REP. FRITZ: (90th)

Through you, Mr. Speaker, if Representative Belden would kindly refer to lines 33, he will see in the bracketed amount, it's 54 and the lines he originally referred it's a matter of subtraction on the first page and the same amount of six hundred and fifty thousand dollars which is subtracted on the first page is added in on the third page.

aak

582

House of Representatives

Tuesday, June 2, 1987

It's the same amount of money. The money was appropriated and the bonding package was set aside as such and this is to identify that money specifically for the road projects in Cheshire.

REP. BELDEN: (113th)

Thank you. This truly is a substantive amendment. Clearly the money is in the bonding package for safety barriers on the Connecticut Turnpike. It's those median dividers that keep the cars and trucks from jumping across and killing each other off. I would have to agree with Representative Tiffany, I don't know where we are going with all of these, we're on double digits already and some of them are quite technical and I'm not sure why at this late date we're transferring hundreds of thousands of dollars and adding projects. It's not really the way to run a railroad.

REP. SAVAGE: (50th)

Mr. Speaker.

SPEAKER STOLBERG:

Representative Savage.

REP. SAVAGE: (50th)

aak

583

House of Representatives

Tuesday, June 2, 1987

Mr. Speaker, thank you. I do have to rise in objection to this. I will speak when we get to the full bill on the overall process, but this particular amendment is, to my mind, brought in without any consultation on this side of the aisle. We had worked on the bonding package, I thought, together and I thought we had been fully informed and we come up at this late hour with a substantive change in the bond package with no notice to this side of the aisle ahead of time and I would like to through you, Mr. Speaker ask a question of the Chairman of the Bonding Subcommittee.

SPEAKER STOLBERG:

Representative Savage.

REP. SAVAGE: (50th)

Yes, through you, Mr. Speaker, was this money included in the bond package and did you have any knowledge that it was earmarked for Cheshire?

REP. FRITZ: (90th)

Yes, I did.

REP. SAVAGE: (50th)

Thank you, Mr. Speaker. I didn't seem to have been informed on that. We do have, I believe,

aak

584

House of Representatives

Tuesday, June 2, 1987

an item for some barriers, but nothing earmarked.

Through you, Mr. Speaker.

REP. PERRY: (7th)

Through you, Mr. Speaker, it wasn't a total package of roads and Representative Fritz had requested that her particular roads be identified so she would feel comfortable that it was actually in the package.

SPEAKER STOLBERG:

Representative Savage.

REP. SAVAGE: (50th)

Yes, thank you, Mr. Speaker, and thank you Representative Perry. I do have those lists and I see nothing of this in it. And that's what bothers me at this point in time.

REP. FRITZ: (50th)

Through you, Mr. Speaker, I'm sorry if I didn't quite inform you of that, but as I said earlier, it was in the total package and the request did come to the bond committee.

REP. SAVAGE: (50th)

Mr. Speaker, at this point, so as not to delay the process, I will not comment any further,

aak

585

House of Representatives

Tuesday, June 2, 1987

except to say that I'm very disappointed. I would like permission on the full bill to comment on the process. Thank you.

SPEAKER STOLBERG:

Will you remark further on House "CC"? Representative Jaekle.

REP. JAEKLE: (122nd)

Mr. Speaker, I will yield to Representative Wilber at this time.

SPEAKER STOLBERG:

Representative Wilber, do you accept the yield?

REP. WILBER: (133rd)

Yes, Mr. Speaker, thank you. Mr. Speaker, I would like to ask a question possibly of Representative Perry.

SPEAKER STOLBERG:

Please proceed, madam.

REP. WILBER: (113rd)

Representative Perry, does by reducing the amount of money for median barriers, mean that there will be actually less barriers in the Governor's plan for putting median barriers on I-95?

aak

586

House of Representatives

Tuesday, June 2, 1987

SPEAKER STOLBERG:

Representative Perry.

REP. PERRY: (7th)

Through you, Mr. Speaker, I'm not sure.

SPEAKER STOLBERG:

Representative Wilber.

REP. WILBER: (133rd)

Mr. Speaker, is there anybody that does know the answer to that? Or are we just picking a large sum of money?

SPEAKER STOLBERG:

Representative Fritz to respond. Representative Fritz are you rising to respond to the question, madam?

REP. FRITZ: (90th)

Yes, I yield to Representative Carrie Perry. Through you, Mr. Speaker.

REP. PERRY: (7th)

I was getting ready to yield to Representative Fritz, Mr. Speaker.

SPEAKER STOLBERG:

Representative Fritz.

REP. FRITZ: (90th)

aak

587

House of Representatives

Tuesday, June 2, 1987

Yes, I accept the yeild. In response to Representative Wilber's question, through you, Mr. Speaker. If you will notice, it's the total amount of money not specifically the Connecticut Turnpike barrier amount that's being reduced. It's the money that was allocated for the Governor's project in that section of the bill. That was the bottom line, that funding and the money is replaced at the end. It's only six hundred and fifty thousand dollars which was the amount of money which was allocated for in bonding for the two road projects in Cheshire. On page 3, that \$650,000 is restored and returns the bottom line to the same amount of money, but it earmarks that \$650,000 as was originally intended for the Cheshire projects.

REP. WILBER: (133rd)

Mr. Speaker, Mr. Speaker, \$650,000 may not seem like very much to some people, but \$650,000 is a lot of money when it comes to even the median barriers, which God knows, they are very expensive. As far as I can read this, it's clearly taken from the various locations on the Connecticut Turnpike and the median barrier project. You can total up all the

aak

House of Representatives

Tuesday, June 2, 1987

dollars in each one here has its general kind of area. I understand that Route 10 in Cheshire and so forth need help, but I think that to pluck the money out of another area of the bonding package is really in error and probably those people who live in my section of the State would not think that \$650,000 worth of road was a minor matter.

SPEAKER STOLBERG:

The House come to order. Representative Tiffany rose the floor a short while ago and raised a point that is sorely tempting. The Chair will not come down to the floor at this time, but the Chair is deeply concerned that the technical revisions bill not become the vehicle for everyone in here who feels that something should have been received which was not received in the prior five months of this session. Will you remark further on this Amendment? Representative Metsopoulos.

REP. METSOPOULOS: (132nd)

Mr. Speaker, thank you. Mr. Speaker, this Amendment is a very serious Amendment. For us living on I-95 corridor, the problem that the New Jersey barriers were said to remedy was one of a life and

aak

589

House of Representatives

Tuesday, June 2, 1987

death nature. I don't think I have to recount for this Chamber the problems that were on I-95 and the death that was caused by the lack of these barriers. To remove this type, this money, to remove this money from the I-95 barriers for anybody from throughout this State, it's almost criminal. The people in Fairfield County and throughout this State that use I-95 deserve a safe highway. This money was placed in the bond package to address a cause. This money was placed in the bond package to bring remedy to a situation that is very pressing and I cannot believe that we are now taking \$650,000 out of the bond package, which is about a miles worth of New Jersey barriers on I-95. It is a long stretch of road and it is needed. Please do not tamper with the New Jersey barriers on I-95.

SPEAKER STOLBERG:

Representative Jaekle.

REP. JAEKLE: (122nd)

Mr. Speaker, I think we probably crossed the line on this Amendment. Maybe we did on other substantive Amendments to the technical revisor's bill. As I recall, not only Representative Tiffany's

aak

House of Representatives

Tuesday, June 2, 1987

words but certain information that we received as freshmen legislators, whenever we started up here one reason amendments for the technical revisor's bill were supposed to be technical was so many sections of our laws were included in the revisor's bill that to not have that self imposed restraint on us would open up the revisor's bill to debate on so many issues that in effect, you could almost redebate every bill that we dealt with during the regular session of the General Assembly and probably use it as, a horse, for anything you wanted, cause so many sections of our laws are included in the revisor's bill that so many things might be germane.

However, I've gone through the twenty-eight sections of the revisor's bill and at this point I would like to raise a Point of Order, Mr. Speaker, that this Amendment is not germane to the technical revisor's bill because of the twenty-eight sections that I find in File 759, I don't find that this Amendment, the bonding act, is included and even though the revisor's bill is rather broad and susceptible to Amendment in so many areas, I think this Amendment is not germane to the File before us.

aak

591

House of Representatives

Tuesday, June 2, 1987

By subject matter and certainly because the subject of the technical revisor's bill is technical and this Amendment is substantive, that's another reason I don't believe it's germane as well.

SPEAKER STOLBERG:

Point of Order has been raised that House Amendment "CC", LCO 8515 is not properly before us. Grounds of germaneness. Representative Fritz.

REP. FRITZ: (90th)

Mr. Speaker, in deference to my colleagues in the House, and in deference to the Speaker, I would like at this time to withdraw my Amendment, because I have been given misinformation on its placing on the revisor's bill. I thank you.

SPEAKER STOLBERG:

Is there objection to the withdrawal of this Amendment? Seeing no objection, Representative Jaekle?

REP. JAEKLE: (122nd)

Thank you, Mr. Speaker. With the withdrawal of the Amendment, I withdraw my Point of Order.

SPEAKER STOLBERG:

At this point with the latitude of the House,

aak

592

House of Representatives

Tuesday, June 2, 1987

Representative Fritz, if you were given any reason to believe that this was an appropriate vehicle for a significant amendment of this sort, I apologize madam. I would encourage that you perhaps meet with some other members and while the date is late at this time, perhaps, more appropriate remedies can be found.

Will you remark further on the bill as amended by "A" through "BB" at this time?

Representative Tulisano.

REP. TULISANO: (29th)

Mr. Speaker, I rise to support the bill as amended, pointing out one other item in the File Copy. Although it does look substantive, I checked it out, lowering the age from 14 to 12 is consistent with other statutes that were passed earlier and that's the reason why it is in there. We passed about five statutes, it makes it consistent with others in which children have to give notice. So I thought I would point that out to the House.

I also at this point in time would like to respond to the process.

Mr. Speaker, as I indicated when I brought

this bill out initially, I pointed out very clearly which those items I thought were technical in nature, clearly and technical and those which could be considered substantive. I guess it could be done all rolled into one big revisor's bill and placed on the floor of the House. In my opinion that would not be appropriate for the members of this Body. I think they should know what they are doing and as the custom has developed in recent years, although not a long time ago and Representative Tiffany is correct, in recent years, the last two or three years, a number of items which could be determined to be either substantive or technical, depending on the viewpoint of the beholder, have been ruled, but the reason why we have so many Amendments is, in my opinion, as Chair of the Judiciary, that it would be unfair and inappropriate in those areas to do them as one technical revision bill, make that decision without this Body doing it as a whole. And have the opportunity in each of those to look and make an independent judgement. Thank you, Mr. Speaker. I move for its adoption.

SPEAKER STOLBERG:

aak

594

House of Representatives

Tuesday, June 2, 1987

Will you remark further on the adoption of this Amendment as amended?

Representative Savage.

REP. SAVAGE: (50th)

Thank you, Mr. Speaker. This has been quite a process, I must say, and I think you did show us on this side of the aisle how to wind up a session in a hurry, because, frankly, with this one bill you've passed as many items as you have done all day, in just this one bill. As a member of the Environment Committee, I'd like to protest. I don't know how many of you can see this desk side of me here, but roughly this is the Amendments. You know there must be a better process than this. I wonder how many trees we cut down to provide the amendments. I have been here for some years now as many of you know and I don't believe I've ever seen the process quite like this. We have had some comment and I'd just like to add my comments to that. The technical bill should be just that and I'd hope that we wouldn't see this kind of thing happen again another year. In a half an hour, well actually it's now been an hour, we've gone through more legislation and very rapidly,

aak

595

House of Representatives

Tuesday, June 2, 1987

and it's impossible for us to give these matters the attention that they really truly deserve. I think it's an impossibility and I just would hope that we don't see this kind of thing another year. Again, I would have to say we did learn a little bit on how to close a session out on time and at this point, I again, say that I'm somewhat disappointed in the system.

SPEAKER STOLBERG:

Will you remark further on the bill? If not, will members please be seated....

REP. FRANKEL: (121st)

Mr. Speaker.

SPEAKER STOLBERG:

Representative Frankel.

REP. FRANKEL: (121st)

Mr. Speaker, ladies and gentlemen, first of all let me commend Representative Tulisano and the team that's been working on all of these Amendments that have been flowing for the past few weeks. What we had was a situation where I suppose we could have reported out a technical revisor's bill much later. It was reported out earlier and the revisor's bill a revisor's bill could have a lot more sections to it.

House of Representatives

Tuesday, June 2, 1987

But of the two dozen or so amendments that were offered, for the most part, they were all technical and you didn't have to go through, but for one that we found in the revisor's bill that was indeed not technical and we felt that it was appropriate to call all of these Amendments the good, the bad and the ugly and the team had identified which were which and let the Chamber know. And let the Chamber do its work. I feel uncomfortable as well about having non-technical amendments to the technical revisor's bill but many of these were truly technical some were gray, some were not so gray. But it seemed to us that the most appropriate thing would be to at least arrange them and present them in an orderly fashion.

We could've put them altogether in one amendment, but that wouldn't have been really fair to the Chamber. And so we presented them all and so perhaps that is the best way even though it did take the time it did. And I hope in the future, the members will remember the technical revisor's bill should be truly technical and we hope to avoid and we would encourage members not to call amendments that aren't necessarily technical. With that, Mr.

aak

597

House of Representatives

Tuesday, June 2, 1987

Speaker, I would hope we could move on with the debate on the bill and vote it.

SPEAKER STOLBERG:

One would hope we have moved on with the debate on the bill and we're now ready to vote on the bill. Will you remark further? If not, will members please be seated. Staff and guests to the Well of the House. The machine will be open.

CLERK:

The House of Representatives is voting by roll call. Members please return to the Chamber. The House of Representatives is voting by roll. Members to the Chamber please.

SPEAKER STOLBERG:

Have all the members voted? Have all the members voted and is your vote properly recorded? If all the members have voted and your vote is properly recorded, the machine will be locked and the Clerk will take a tally. Will the Clerk please announce the tally.

CLERK:

House Bill 7598 as amended by "A", "B", "C", "D", "E", "F", "G", "H", "I", "J", "K", "L", "M", "N",

aak

598

House of Representatives

Tuesday, June 2, 1987

"O", correction no "O" (Laughter), forgot the "O",
 "P", "Q", "R", "S", "T", "U", "V", "W", "X", "Y", "Z",
 "AA" and "BB":

Total Number Voting	144
Necessary for passage	73
Those voting Yea	122
Those voting Nay	22
Those absent and not Voting	7

SPEAKER STOLBERG:

The bill as highly amended is passed.

Clerk please continue with the Call of

REP. FRANKEL: (121st)

Mr. Speaker.

SPEAKER STOLBERG:

Representative Frankel.

REP. FRANKEL: (121st)

Mr. Speaker, at this time I would move for
 the suspension of our rules for the immediate trans-
 mittal of the last item acted upon to the Senate
 for further action.

SPEAKER STOLBERG:

Is there objection? Is there objection?

Seeing no objection, the rules are suspended for that

S-276

CONNECTICUT
GEN. ASSEMBLY
SENATE

PROCEEDINGS
1987

VOL. 30
PART 15
5200-5550

WEDNESDAY
JUNE 3, 1987

74
jnw

5393

The machine is open, please record your vote.

Has everyone voted?

The machine is closed. Clerk, please tally
the vote.

The result of the vote is:

36 Yea

0 Nay

The bill is adopted.

Senator O'Leary.

SENATOR O'LEARY:

Thank you, Mr. President.

The second item on the Senate Agenda #1, Substitute
House Bill 7598, is ready for action.

THE CHAIR:

Senator Avallone.

Mr. Clerk.

THE CLERK:

Substitute House Bill No. 7598, AN ACT CONCERNING
THE REVISOR'S TECHNICAL CORRECTIONS TO THE GENERAL
STATUTES AND TO CERTAIN PUBLIC OR SPECIAL ACTS. As
amended by House Amendment Schedules "A" through "N",
and "P" through "Z" and "AA" and "BB". Favorable
Report of the Committee on Judiciary.

WEDNESDAY
JUNE 3, 1987

75
jnw

5394

THE CHAIR:

Senator Avallone.

SENATOR AVALLONE:

Yes, Mr. President.

I would move adoption of the Act Concerning the Revisor's Technical Corrections to the General Statutes and to Certain Public or Special Acts in accordance with the action taken by the House.

THE CHAIR:

Will you remark?

SENATOR AVALLONE:

Yes, Mr. President. There were two amendments that were withdrawn, Amendment "O" and Amendment "CC".

The other amendments, I'll try to summarize them quickly.

Amendment "A" deletes a section of the Revisor's Bill, so that the statute can remain in conformity with the language of the past 25 years.

Amendment "B" again deals with technical language, bringing it into conformance with the action we have taken this year.

WEDNESDAY
JUNE 3, 1987

76
jnw

5395

Amendment "C" inserts a definition of "disabled" which conforms to Title II or Title XVI of the Social Security Act, and does not change income eligibility for CONNPACE requirements.

Amendment "D" allows the District Director of Health to act as a Sanitarian when practical.

Amendment "E" again technical in nature, replaces the words "this Act" with "Substitute House Bill 720E" of the current session.

Amendment "F" replaces the number "6" with the number "8", as there are actually eight people on the task force.

Amendment "G" changes the word "fund" to "board" with reference to the Criminal Injuries Compensation Board.

Amendment "H" adds the words "or any orally administered sedation" to the definition of "conscious sedation".

Amendment "I" deletes Section 22a-418, which has been repealed.

Amendment "J" excludes IALTA accounts from the distribution scheme. IALTA accounts have the interest

WEDNESDAY
JUNE 3, 1987

77
jnw.

5396

earned on subscribing attorney's accounts to go to legal services and legal education.

Amendment "K" conforms the name of the facility to "water abatement" facility and not "solid waste" and references the proper section.

Amendment "L" is again technical in nature and it adds a period where no punctuation was printed.

Amendment "M" includes federal liens on real estate for costs and damages in addition to tax liens.

Amendment "N" changes the word "may" to "shall" which is to conform with the current practice of the Commissioner of Income Maintenance.

Amendment "O", as I indicated, was withdrawn from the House.

Amendment "P" clarifies public act and that regulations may be prescribed with regard to "Call Before You Dig".

Amendment "Q" includes the terms "PRN" and "ad lib" with references to the number of refills of prescriptions.

Amendment "R" adds "one or more smoking areas in public school buildings, not just one area". It deals

WEDNESDAY
JUNE 3, 1987

78
jnw

5397

with the word that was left in the statute, "area".
It defines it.

"S" is again technical and Section 17-314b has not yet been amended and "until revised language clarifies this".

Amendment "T" replaces "the construction of" with "the planning for" with regard to a consolidated service facility.

Amendment "U" again technical in nature, replaces "administrative services" with "public works", because we created a new department.

Amendment "V" adds a period where punctuation had been left out.

Amendment "W" clarifies that appropriations may be made to programs which monitor child abuse and neglect cases only and not certain other services. It just defines and actually broadens where the Judiciary Department has the authority to provide funds.

Amendment "X" changes the date from February 3, '88 to September 1, '88 for the Secretary of OPM to submit a report to Housing Committee re a pilot program.

WEDNESDAY
JUNE 3, 1987

79
jnw

5398

Amendment "Y" transfers interest rate legislation out of state banks to the statute which deals with open-ended credit.

Amendment "Z" makes the Sheriff's Bill effective on passage, except for Section 2 which will be effective October 1, '87. I believe that's something we had discussed again regarding the constitutionality of pay raises.

Amendment "AA" substitutes "planning and design study" for "a new Route 34 or the replacement of Route 140". Excuse me - both of those designations for Route 140.

"BB" takes out the enforcement provisions under the interest bill that was passed in the House regarding the limit of interest and provides - and puts it into a different section of the statutes. It certainly doesn't take anything away from the bill.

And, as I indicated, "CC" was withdrawn.

THE CHAIR:

Further remarks?

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

WEDNESDAY
JUNE 3, 1987

80
jnw

5399

THE CLERK:

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:

The question before the chamber is a motion to
adopt Substitute House Bill No. 7598.

The machine is open, please record your vote.

Senator Smith

Has everyone voted?

The machine is closed. Clerk, please tally
the vote.

The result of the vote is:

36 Yea

0 Nay

The bill is adopted.

Senator Thomas Sullivan.

SENATOR THOMAS SULLIVAN:

Mr. President, may I rise to a point of personal
privilege and introduce a former colleague of mine,
with us here in the chamber today, Dr. Eileen Backus