

Legislative History for Connecticut Act

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HB 6108	<PA 364>	1988
Senate	3686-3691	5
House	8698-8702, 8719-8860	5 142
Judiciary	1554, 1570	2
		<hr/> 159 p.

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

S-287

CONNECTICUT  
GEN. ASSEMBLY  
SENATE

PROCEEDINGS  
1988  
TRAILER SESSION

JUNE SPECIAL SESSION

VOL 31

PART 10

3314-3714

1-13

INDEX

WEDNESDAY  
MAY 4, 1988

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We have Senate Agenda #6, Senator O'Leary.

SENATOR O'LEARY:

Thank you, Mr. President. I move that all items on Senate Agenda #6, dated May 4, 1988 be acted upon as indicated and that the Agenda be incorporated by reference into the Senate Journal and the Senate Transcript.

THE CLERK:

Will the Clerk please call the Agenda.

THE CLERK:

Senate Agenda #6 for Wednesday, May 4, 1988, Substitute for House Bill 6108. AN ACT CONCERNING THE REVISER'S TECHNICAL CORRECTIONS TO THE GENERAL STATUTES AND TO CERTAIN PUBLIC AND SPECIAL ACTS. House passed with House Amendments Schedules "A", "B", "D", "E", "F", "G", "H", "I", "K", "L", "M", "N", "P", "Q", "T", "U", "V" and "X".

THE CHAIR:

Any objection to suspension of the rules? Hearing none, rules are suspended.

SENATE AGENDA #6

BUSINESS FROM THE HOUSE:

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JUDICIARY

Subst. HB 6108: AN ACT CONCERNING THE REVISOR'S  
TECHNICAL CORRECTIONS TO THE GENERAL STATUTES AND TO  
CERTAIN PUBLIC AND SPECIAL ACTS.

House Passed with House "A", "B", "D", "E", "F", "G",  
"H", "I", "K", "L", "M", "N", "P", "Q", "T", "U", "V"  
and "X"

5/4/88

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END SENATE AGENDA #6

THE CHAIR:

Senator Avallone.

SENATOR AVALLONE:

Yes, Mr. President. I would move the Technical  
Reviser's Bill in accordance with the action taken by  
the House.

THE CHAIR:

Will you remark briefly?

SENATOR AVALLONE:

Yes, you said it. House "A" is a general technical  
amendment approved by the LCO technical by any  
definition. I would move it. With your permission I

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would do them all.

THE CHAIR:

House "B".

SENATOR AVALONE:

House "B", indicates that in the mammogram test that it is now included as a mandate and it is covered by general health insurance.

House "D", you are 80,000 dollars from the still fund to the Deciding Council, this was done the last three years. We are going to make this an annual event.

House "E", there is a special permit for a one time event sale of wine at auction.

House "F", corrects a legal description that meets the bounds of a particular bill. Very technical in nature.

House "G", correction had to be made where there was talk in rehabilitation. They were talking about allowing the construction of a new school.

House "H", is the Ad Hoc Committee Members of this particular task force are not eligible to vote under the original bill. It was indicated that they were eligible to vote.

House "I", the word (of) is changed to the word (to). Not may, shall. Too, I'm sorry. To, or too.

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House "K", technical makes reference to a bill that was passed during the year. And so we have to make that acknowledgement in the technical revisions.

House "L", makes a correction in the Bond Package to the town of New London. And also makes a correction in a grant to the town of New Haven, allowing funds to be spent in a particular fashion instead of what was set forth in an amendment.

House "M", it talks about, it defines and makes clear that the date that is referred to in this amendment is not the date of death but rather the date of retirement and pension. And that that date of retirement is prior to August 1, 1986.

House "N", excuse me Mr. President, pass House "N" for one second. I will go on to House "P". Changes, or makes a change of a plural to the singular word in unipricing. It expands the protections, it really and significantly a technical change.

Back to House "N", my apologies, Mr. President. This is another technical revision in the State Pension Plan. And I believe that...

THE CHAIR:

House "Q".

SENATOR AVALLONE:

I'm sorry, changes to definition of referendum to

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include certain protected classes.

House "T", changes the word (in) to the word (into).

House "U", excuse me Mr. President. It removes section 12 out of the entire Act.

House "V", let's go to House "X". I'm sorry House "V" clarifies the notices in the Pesticide Bill that we passed this year.

"X" allows the Commission of Consumer Protection flexibility in licensing interior designers by examinations.

THE CHAIR:

Do you have them all?

SENATOR AVALLONE:

Got them all.

THE CHAIR:

Further remarks? Will the Clerk please make an announcement for immediate roll call.

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

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adopt Substitute House Bill 6108 in concurrence with the House action. The machine is open, please record your votes.

Senator Barrows, Senator Matthews, Senator Owens, Senator Przybysz.

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

The result of the vote.

34 Yea

0 Nay

The bill is adopted.

The Senate will stand at ease.

The Clerk has another Agenda.

THE CLERK:

Mr. President, the Clerk is in possession of Senate Agenda #7 for Wednesday, May 4, 1988.

THE CHAIR:

Senator O'Leary.

SENATOR O'LEARY:

Mr. President, I move all items on Senate Agenda #7, dated May 4, 1988 be acted upon as indicated and that the Agenda be incorporated by reference into the Senate Journal and the Senate Transcript.

THE CHAIR:

Without objection, so ordered.

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CONNECTICUT  
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HOUSE

PROCEEDINGS  
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PART 25

8640-8990

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House of Representatives

Wednesday, May, 4, 1988

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

SPEAKER STOLBERG:

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

CLERK:

Committee on Conference Report on House Bill 5933.

Total Number Voting	147
Necessary for Passage	74
Those voting Yea	142
Those voting Nay	5
Those absent and not Voting	4

SPEAKER STOLBERG:

Conference Committee Report is accepted, the bill is passed. Clerk please continue with the call of the Calendar.

CLERK:

Please turn to Page 1, Calendar 346, Substitute for House Bill 6108, AN ACT CONCERNING THE REVISOR'S TECHNICAL CORRECTIONS TO THE GENERAL STATUTES AND TO CERTAIN PUBLIC AND SPECIAL ACTS. Favorable Report of

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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, in prepatory remarks, each amendment, unless otherwise noted, in my opinion, in the bill itself, is known traditionally as the Revisor's Technical Corrections Act. That is something that the Revisors of the General Statutes have looked at and have decided that the changes in here are technical in nature and both the file copy and the amendment I am going to call now are of that nature.

Mr. Speaker, I would like to call LCO 4368.

SPEAKER STOLBERG:

The Clerk has amendment LCO 4368 designated House "A". Will the Clerk please call.

CLERK:

LCO 4368 designated House "A" offered by Representative Tulisano.

REP. TULISANO: (29th)

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Wednesday, May, 4, 1988

Mr. Speaker, permission to summarize?

DEPUTY SPEAKER CIBES:

Hearing no objection, so granted, sir.

REP. TULISANO: (29th)

Mr. Speaker, this is the amendment that has been done by the LCO. The Revisors themselves have gone through a number and found some other errors in our statutes, corrections on bills we have already passed. It is the long...this is the one in which I stand here and ask this Body to accept what is in this on the face of it and trust our staff. I admit I have not read either this or the file copy, word for word. It has been traditional that in the event there is something in there that we believe is not to be technical or is questionable, it has run as a separate amendment and then I would make that known to the Body as a whole.

This I believe is truly technical in nature only and I would move its adoption.

DEPUTY SPEAKER CIBES:

Question is on adoption of House "A". Will you remark sir? My understanding is the Republican side of the Aisle does not yet have copies of this amendment. Can the gentleman in the rear of the Chamber ensure that those amendments are taken to the other side of the Aisle. May I suggest as well that all future

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amendments be delivered to the Republican side of the Aisle immediately because we want to move rapidly on this bill.

Representative Tulisano, we understand that since the other side of the Aisle has not had an opportunity to examine this, would you kindly withdraw this amendment with the intention of offering it again, sir, at an appropriate time after they have had an opportunity to examine it.

REP. TULISANO: (29th)

Mr. Speaker, at this time I withdraw LCO No. 4368 and have the opportunity to reintroduce it later to give the other side of the Aisle the opportunity to review the same.

DEPUTY SPEAKER CIBES:

Thank you, sir. Will you remark further?

REP. TULISANO: (29th)

Mr. Speaker, the Clerk has amendment LCO 4072.

DEPUTY SPEAKER CIBES:

Clerk is in possession of LCO 4072 designated House Amendment Schedule "B". Will the Clerk please call.

CLERK:

LCO 4072 designated House "B" offered by Representative Biafore.

DEPUTY SPEAKER CIBES:

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The gentleman is requesting permission summarize?  
If there is no objection, please proceed.

REP. TULISANO: (29th)

Mr. Speaker, I believe this to be technical in nature. It includes in the statute, Section 1 of Public Act 88-124, that which we have acted on earlier in this session. I move its adoption.

REP. FARR: (19th)

Mr. Speaker.

DEPUTY SPEAKER CIBES:

Representative Farr, for what purpose do you rise, sir?

REP. FARR: (19th)

We apparently do not have a copy of this one either.

REP. TULISANO: (29th)

Mr. Speaker, could I have this matter PT'd altogether?

DEPUTY SPEAKER CIBES:

Representative Tulisano has asked that this matter be PT'd. Is there objection? Hearing none, sir, the matter is Passed Temporarily. Clerk please continue with the call of the Calendar. Item No. 57, Page 6.

CLERK:

Page 6, Calendar 57, Substitute for House Bill

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Committee on Conference on Senate Bill 455.

Total Number Voting	147
Necessary for Passage	74
Those voting Yea	130
Those voting Nay	17
Those absent and not Voting	4

SPEAKER STOLBERG:

The bill is passed.

CLERK:

Calendar 346, House Bill 6108, AN ACT CONCERNING REVISOR'S TECHNICAL CORRECTIONS TO THE GENERAL STATUTES AND TO CERTAIN PUBLIC AND SPECIAL ACTS. Favorable Report of the Committee on JUDICIARY.

SPEAKER STOLBERG:

Representative Tulisano.

REP. TULISANO: (29th)

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

SPEAKER STOLBERG:

Will you remark?

REP. TULISANO: (29th)

Mr. Speaker, the Clerk has an amendment, LCO 4368.

SPEAKER STOLBERG:

I believe sir that was already called and before us and the item was Passed Temporarily, am I correct?

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REP. TULISANO: (29th)

I'm not quite sure. I think I withdrew it before we passed the whole thing temporarily.

SPEAKER STOLBERG:

I'm sorry I was out of the Chamber at that time. House "A" has been withdrawn?

REP. TULISANO: (29th)

Yes, Mr. Speaker.

SPEAKER STOLBERG:

Okay, we have that.

REP. TULISANO: (29th)

Now I am redrawing it.

SPEAKER STOLBERG:

To be called again.

REP. TULISANO: (29th)

Yes, sir. We are trying again. May I have the attention of the Clerk for a moment. Was a second amendment called? House "B" was also called after "A" was withdrawn. Was "B" before us? House "B" is before us at this time. LCO 4072, I believe.

REP. TULISANO: (29th)

Mr. Speaker, in order to have this work in the proper manner, at this time I would like to withdraw whatever was House "B" and start from scratch.

SPEAKER STOLBERG:

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The request is to withdraw LCO 4072, House Amendment Schedule "B".

REP. TULISANO: (29th)

With the intent, Mr. Speaker, of obviously having that reintroduced later on.

SPEAKER STOLBERG:

Temporarily. Is there objection? Seeing no objection, House "B" is withdrawn at this time.

REP. TULISANO: (29th)

I would like to recall LCO 4368.

SPEAKER STOLBERG:

Will the Clerk please call LCO 4368 previously designated House Amendment Schedule "A".

CLERK:

LCO 4368 designated House "A" previously, offered by Representative Tulisano.

SPEAKER STOLBERG:

It has been summarized already, Representative Tulisano?

REP. TULISANO: (29th)

I believe, I'm not sure. Yes, Mr. Speaker, I summarized that this was a large revisor's technical amendment.

SPEAKER STOLBERG:

I recall that summary. That was exquisite. Will

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you move adoption again at this time.

REP. TULISANO: (29th)

I move adoption, Mr. Speaker.

SPEAKER STOLBERG:

Will you remark? Representative Emmons.

REP. EMMONS: (101st)

Mr. Speaker, I just have one question and it's on Line 615.

SPEAKER STOLBERG:

Please frame your question.

REP. EMMONS: (101st)

Yes, I guess it's really 616. Mr. Speaker, when they go from the date, and I guess this is through you to Representative Tulisano, from the using the word payment due to billing date, that is a difference of a month. And it changes then the time in which a subscriber of a cable T.V. can make a complaint about a billing error. I am curious...

REP. TULISANO: (29th)

Mr. Speaker, I understand that this was in the first bill that was put together...

SPEAKER STOLBERG:

Representative Emmons.

REP. EMMONS: (101st)

Mr. Speaker, I gather because I didn't hear the end

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of what he said, was that you didn't finish?

REP. TULISANO: (29th)

The cable bill. I was just trying to remember what bill it was on. I wanted the cable bill when they put that bill together this year.

DEPUTY SPEAKER CIBES:

Representative Emmons, you have the floor.

REP. EMMONS: (101st)

Well, Mr. Speaker, I guess that may be true and that may have been the intent, but it seems to me and I'm not really going to belabor the point, but to have 30 days from the payment due versus and then to change that to 30 days from the billing date makes a big difference. The billing date can be the first of the month and you don't get the bill til the 10th or the 15th so you really are making a change in the time span that someone has to make a complaint. And I suppose it's all technical, but it doesn't look so technical to me.

DEPUTY SPEAKER CIBES:

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

REPRESENTATIVES:

Aye.

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DEPUTY SPEAKER CIBES:

Those opposed indicate by saying no. The ayes have it. House "A" is adopted.

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The following House Amendment Schedule "A":

After line 2530, insert the following and renumber the remaining sections accordingly:

"Sec. 73. Section 7-53 of the general statutes is repealed and the following is substituted in lieu thereof:

Upon receipt of the record of adoption referred to in subsection (f) of the section 45-68a or of other evidence satisfactory to the department of health services that a person born in this state has been adopted, said department shall prepare a new birth certificate of such adopted person. Such new birth certificate shall include all the information required to be set forth in a certificate of birth of this state as of the date of birth, except that the adopting parents shall be named as the parents instead of the genetic parents and, when a certified copy of the birth of such person is requested by an authorized person, a copy of the new certificate of birth as prepared by the department shall be provided, except that the registrar of vital statistics of any town in which the birth of such person was recorded or the department of health services may issue a certified copy of the original certificate of birth on file or permit the examination of such record upon a written order, in accordance with the provisions of section 45-68j, signed by the judge of the probate court for the district in which the adopted person was born or upon written order [of the adoption records review board established under section 45-68d,] OF THE PROBATE COURT in accordance with the provisions of section 45-68k, AS AMENDED BY SECTION 10 OF PUBLIC ACT 87-555, stating that he or it is of the opinion that the examination of the birth record of the adopted person by the adopting parents or the adopted person, if over eighteen years of age, or by the person wishing to examine the same or that the issuance of a copy of such birth certificate to the adopting parents, adopted person, if over eighteen years of age or to the person applying therefor will not be detrimental to the public interest or to the welfare of the adopted person or to the welfare of the genetic or adoptive parent or

parents. Immediately after a new certificate of birth has been prepared, an exact copy of such certificate, together with a written notice of the evidence of adoption, shall be transmitted by the department to the registrar of vital statistics of each town in this state in which the birth of the adopted person is recorded. The new birth certificate, the original certificate of birth on file and the evidence of adoption shall be filed and indexed, under such regulations as the department of health services makes to carry out the provisions of this section and to prevent access to the records of birth and adoption and the information therein contained without due cause, except as herein provided. Any person, except such parents or adopted person, who discloses any information contained in such records, except as herein provided, shall be fined not more than five hundred dollars or imprisoned not more than six months or both.

Whenever a certified copy of an adoption decree from a court of a foreign country, having jurisdiction of the adopted person, is filed with the department of health services under the provisions of this section, such decree, when written in a language other than English, shall be accompanied by an English translation, which shall be subscribed and sworn to as a sure translation by an American consulate officer stationed in such foreign country.

Sec. 74. Subsection (c) of section 7-151a of the general statutes is repealed and the following is substituted in lieu thereof:

(c) In addition to the power granted in subsection (a) a lake authority may be granted by the legislative bodies of its respective towns powers to: (1) Control and abate algae and aquatic weeds in cooperation with the commissioner of environmental protection; [under sections 22a-338 and 22a-339] (2) study water management including, but not limited to, water depth and circulation and make recommendations for action to its member towns; (3) act as agent for member towns with respect to filing applications for grants and reimbursements with the department of environmental protection and other state agencies in connecticut with state and federal programs; and (4) to act as agent for member towns with respect to receiving gifts for any of its purposes.

Sec. 75. Subsection (a) of section 8-28 of the general statutes, as amended by section 2 of public act 88-79, is repealed and the following is substituted in lieu thereof:

(a) Notice of all official actions or decisions of

a planning commission, not limited to those relating to the approval or denial of subdivision plans, shall be published in a newspaper having a substantial circulation in the municipality within fifteen days after such action or decision. Except as provided in section 8-30, any person aggrieved by an official action or decision of a planning commission, including a decision to take no action, or any person owning land which abuts or is within a radius of one hundred feet of any portion of the land involved in any decision of a planning commission, may appeal therefrom, within fifteen days from the date when notice of such action or decision was so published, to the superior court for the judicial district within which the municipality with such planning commission lies. In those situations where the approval of the planning commission must be inferred because of the failure of the commission to act on an application, any person aggrieved by such approval, or any person owning land which abuts or is within a radius of one hundred feet of any portion of the land involved in such approval, may appeal therefrom within twenty days after the expiration of the period prescribed in section 8-26d for action by the commission to the superior court for the judicial district within which the municipality with such planning commission lies. Notice of such appeal shall be given by leaving a true and attested copy thereof with, or at the usual place of abode of, the chairman or clerk of said commission, and by serving a true and attested copy upon the clerk of the municipality, provided service upon the clerk of the municipality shall be for the purpose of providing additional notice of such clerk a necessary party to such appeal. The commission shall return either the original papers acted upon by it and constituting the record of the case appealed from or certified copies thereof. There shall be no right to further review except upon certification for review to the appellate court in the manner provided in section 8-8.

Sec. 76. Section 12-24b of the general statutes is repealed and the following is substituted in lieu thereof:

The provisions of any special act to the extent inconsistent with the provisions of [section 12-24a,] subsection (e) of section 12-41, section 12-58 and subdivision (50) of section 12-81 are repealed.

Sec. 77. Section 12-575b of the general statutes is repealed and the following is substituted in lieu thereof:

There is created a "Microchemistry Laboratory

Fund". Said fund shall be used for the funding of urine testing of racing dogs at the microchemistry laboratory of the College of Agriculture and Natural Resources [at] OF The University of Connecticut.

Sec. 78. Section 17-519 of the general statutes is repealed and the following is substituted in lieu thereof:

(a) Any person acting for a pharmacy who submits a false or fraudulent claim under sections 17-510 and 17-513 to [17-522] 17-521, inclusive, or the regulations adopted pursuant to section 17-516, or who aids or abets another in the submission of a false or fraudulent claim, or otherwise violates any provision of sections 17-510 to [17-522] 17-521, inclusive, or said regulations, shall be subject to a fine of not less than five hundred dollars or imprisonment for a term of not more than one year, or both.

(b) Any person who wilfully misrepresents any fact in connecticut with obtaining an identification number or card, or misuse such identification number or card to obtain prescription drugs shall be subject to suspension of eligibility for a period of not more than one year for a first offense and a permanent revocation of eligibility for a second offense.

(c) Any pharmacy found guilty of a violation under subsection (a) shall be subject to immediate termination of participation in the program, and shall be liable to the state for three times the value of any material gain received.

(d) Any person found guilty of a violation under subsection (b) of this section shall be liable to the state for three times the value of any material gain received.

Sec. 79. Section 22a-7a of the general statutes is repealed and the following is substituted in lieu thereof:

In any appeal from a final decision made by the commissioner of environmental protection in accordance with the provisions of sections 22a-123, 22a-174, 22a-181, 22a-428, [22a-429,] 22a-430, 22a-43', subsection (c) of section 22a-449, 22a-561 and section 22a-471, the court, if it finds that there is probable cause to believe that a violation exists, may require the filing of a surety bond or other security with the court prior to granting a stay of such decision. In setting the amount of any such bond or other security, the court shall consider the cost of compliance with such decision and the potential harm to the public from the actions of the aggrieved party pending the final disposition of the appeal.

Sec. 80. Subsection (i) of section 22a-6b of the general statutes, as amended by section 2 of public act 87-125, section 1 of public act 87-338, section 6 of public act 87-475, and section 4 of public act 87-438 is repealed and the following is substituted in lieu thereof:

(i) The provisions of this section, sections 22a-2, 22a-6, 22a-6a, 22a-7, sections 22a-428, [22a-429,] subsection (d) of section 22a-430, sections 22a-459 are in addition to and in no way derogate from any other enforcement provisions contained in any statute administered by the commissioner. The powers, duties and remedies provided in such other statutes, and the existence of or exercise of any powers, duties or remedies hereunder or thereunder shall not prevent the commissioner from exercising any other powers, duties or remedies provided herein, therein, at law or in equity.

Sec. 81. Subsection (a) of section 22a-102ff of the general statutes is repealed and the following is substituted in lieu thereof:

(a) Commencing on the one hundred twenty-first day after October 1, 1983, whenever a municipality receives an application for any of the land uses listed in this section on land that is located within the conservation zone, such municipality shall forward a copy of the application to the assembly for information, review, comments and recommendations. The application shall be forwarded not later than thirty-five days before a public hearing, if a hearing is required or scheduled, or before a decision is made on the application if no hearing is required or scheduled. Application for the following land uses shall be forwarded to the assembly: (1) Any use of land for commercial, business, retail or office use, or any combination thereof, which requires a land area of more than seven and one-half contiguous acres or a change of zone of more than seven and one-half contiguous acres, or a building floor area of more than seventy-five thousand square feet; (2) any industrial or manufacturing use which requires a land area of more than ten contiguous acres or a change of zone of more than ten contiguous acres, or the employment of more than two hundred [and] fifty employees; (3) any residential use which requires more than twenty-five contiguous acres or a change of zone of more than twenty-five contiguous acres, or includes more than fifty dwelling units; (4) any municipal or institutional use which requires a land area of more than fifteen contiguous acres; (5) any project which is submitted by a public service company for municipal

approval which includes a proposed land use of ten acres or more; (6) any use having one hundred or more parking spaces; (7) any hazardous waste facility as defined in section 22a-115; (8) any solid waste facility, as defined in section 22a-207; (9) any oil refinery or bulk fuel oil storage facility; (10) any bridge, dam or hydropower facility; (11) any electric transmission line of a design capacity of [six-nine] SIXTY-NINE kilovolts or more, or (12) any soil and earth material removal operation involving fifteen thousand cubic yards of material or five contiguous acres of land area.

Sec. 82. Subsection (f) of section 22a-119 of the general statutes, as amended by section 2 of public act 88-121, is repealed and the following is substituted in lieu thereof:

(f) The council shall render its decision within twelve months of receipt of the application except that such time limit may be extended one hundred eighty days by agreement of the council and applicant. If the council fails to render a decision within such period, the applicant may apply to the superior court of the judicial district of Hartford-New Britain for an order requiring the council to render a decision immediately. The provisions of this subsection shall apply to an application filed before, ON or after the effective date of this act.

Sec. 83. Section 22a-134cc of the general statutes, as amended by section 22 of public act 87-540, is repealed and the following is substituted in lieu thereof:

The purposes of the service are to implement sections 3 to 6, inclusive, of [this act] PUBLIC ACT 87-540 and to promote and encourage the appropriate management of hazardous waste in the state, with particular attention to the investigation of the management of metal hydroxide sludge. The service shall encourage the use of a hierarchy of preferred hazardous waste management strategies which shall include provisions for waste reduction, separation and concentration, recycling, recovery, treatment and long-term storage or permanent disposal. The service shall use the hierarchy for planning and shall:

(1) Prepare an estimate of the types and volumes of hazardous waste which will be generated in the state on or before December 31, 2005, and a description of treatment, storage and disposal capacity and capability needed to be developed within the state for use on or before said date. The service shall submit a report of its findings to the general assembly on or before July

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1, 1985. In preparation of the report the service shall consult with the commissioner of environmental protection, the chairman of the Connecticut siting council and such other state agencies and authorities as are deemed necessary by the service. The service shall update the report at intervals of not more than five years and at any other time it deems necessary;

(2) Prepare a management plan for the management of hazardous wastes to be generated within Connecticut. The plan shall be submitted to the general assembly on or before January 1, 1986, and shall include the following: (A) An evaluation of alternative types of management facilities, management technologies, management facility design and operating specifications for management facilities; (B) an evaluation of prospects strategies and methods for developing hazardous waste management facilities of various types, sizes and functions; (C) an evaluation of feasible and prudent management objectives, along with a description of hazardous waste management methods and technologies, private and governmental actions, facilities and services, revenue-raising measures and levels of public and private expenditures and effort necessary to achieve those objectives, and (D) an evaluation of the environmental, social and economic effects of alternative facilities and technologies and the methods by which unavoidable adverse effects could be mitigated. In preparing the plan the service shall consult with the commissioner of environmental protection, the chairman of the Connecticut siting council, other state agencies and authorities, the private waste management industry and generators of hazardous waste;

(3) After filing the management plan, prepare an inventory on or before July 1, 1986, of preferred areas for hazardous waste management facilities if, in the judgment of the service, private waste management facilities are not meeting the needs of the state for hazardous waste management as found in the report made pursuant to subdivision (1) of this subsection. The service shall evaluate each preferred area for its potential compliance with state and federal environmental regulations and local land use controls, for the degree of protection the area provides to agriculture and natural resources, for existing and future development patterns, transportation and other services appropriate to the hazardous waste facilities in its vicinity and for the location of hazardous waste generators. The service shall prepare a report on the suitability of each preferred area for a hazardous

waste facility. Upon the completion of the inventory, the service shall select candidate sites for such facilities. In evaluating and selecting the candidate sites the service shall consider but shall not be limited to the following factors: (A) The economic feasibility of a facility at the site, including the proximity of the site to concentrations of generators of the types of hazardous waste likely to be proposed and permitted for treatment or disposal or both; (B) the potential compliance of any facility constructed at the site with federal and state pollution control and other environmental protection regulations; (C) the risk a facility at the site poses to the local public health, safety and welfare, including the risk from an accidental release of wastes during transportation to a facility or while at a facility, the risks from water, air and land pollution and from fire or explosions; (D) the effect of any facility constructed at the site on existing and planned local land use and development, and on local public facilities and services, and (E) the adverse effects of a facility at the site on agricultural and natural resources and the availability of resources for mitigating or eliminating such adverse effects by stipulations, conditions and requirements for the facility's design and operation.

Sec. 84. Subsections (e) and (f) of section 22a-430 of the general statutes, as amended by section 5 of public act 87-261, are repealed and the following is substituted in lieu thereof:

(e) When the commissioner determines that any person or municipality has complied with an order issued pursuant to section 22a-418, 22a-428, [22a-429,] 22a-431 or 22a-432, he may issue a permit which shall thereafter be deemed equivalent to a permit issued under subsection (b) of this section, provided a public hearing shall not be required prior to issuing such permit unless required by the federal Water Pollution Control Act and the federal Safe Drinking Water Act.

(f) The commissioner may, by regulation, establish and define categories of discharges, including but not limited to, residential swimming pools, small community sewerage systems, household and small commercial disposal systems and clean water discharges, for which he may delegate authority to any other state agency, water pollution control authority to any other state agency, water pollution control authority, municipal building official or municipal or district director of health to issue permits or approvals in accordance with this section or to issue orders pursuant to sections

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22a-428, [22a-429,] 22a-431 or 22a-432 and 22a-436. In establishing such categories the commissioner shall consider (1) whether each discharge in such category, because of size and character, is likely to cause significant pollution to the waters of the state; (2) whether knowledge and training concerning disposal systems for each discharge in such category is within the expertise of such agency, authority, official or director; (3) whether the source of each discharge in such category is likely to be within the jurisdiction of such agency, authority, official or director for other matters. The commissioner shall establish, by regulation, minimum requirements for disposal systems for discharges in such categories. Any permit denied or order issued by any such agency, authority, official or director shall be subject to hearing and appeal in the manner provided in sections 22a-435 and 22a-437. Any permit granted by any such agency, authority, official or director shall thereafter be deemed equivalent to a permit issued under subsection (b) of this section.

Sec. 85. Section 22a-439a of the general statutes, as amended by section 93 of public act 87-496, is repealed and the following is substituted in lieu thereof:

The commissioner of environmental protection may provide funds to any state agency to construct a pollution abatement facility pursuant to sections [22a-429] 22a-430 to 22a-432, inclusive. Such funds shall be in an amount sufficient to cover the cost of the planning, design and construction of the required facility. The commissioner of public works shall consult with the commissioner of environmental protection in any decision necessary to implement the project. The review of the project by the commissioner of environmental protection shall be consistent with technical and administrative review of a project pursuant to section 22a-439. The commissioner shall establish a priority system for funding projects eligible for funds pursuant to this section. Such priority shall be separate from the priority for municipal pollution abatement facilities established in accordance with the provisions of section 22a-439.

Sec. 86. Section 22a-448 of the general statutes, as amended by section 11 of public act 87-561 is repealed and the following is substituted in lieu thereof:

For the purposes of sections 22a-448 to [22a-457] 22a-454, inclusive, and sections 1 to 10, inclusive, of [this act] PUBLIC ACT 87-561:

(1) "Chemical liquids" means any chemical, chemical solution or chemical mixture in liquid form;

(s) "Emergency" means any situation which requires state or local efforts to save lives and protect property and public health or safety or to avert or lessen the threat of disaster;

(3) "Hazardous waste" means any waste material which may pose a present or potential hazard to human health or the environment when improperly treated, stored, transported or disposed of or otherwise managed including hazardous waste identified in accordance with Section 3001 of the Resource Conservation and Recovery Act of 1976 (42 USC 6901 et seq.);

(4) "Oil or petroleum" means oil or petroleum of any kind or in any form including but not limited to waste oils and distillation products such as fuel oil, kerosene, naphtha, gasoline and benzene, or their vapors;

(5) "Solid, liquid or gaseous products" means any substance or material including but not limited to hazardous chemicals as defined in section 29-336, flammable liquids as defined in section 29-320, explosives as defined in section 29-343, liquefied petroleum gas as defined in section 43-36, hazardous materials designated in accordance with the Hazardous Materials Transportation Act (49 USC 1801 et seq.) and hazardous substances designated in accordance with Section 3311 of the federal Water Pollution Control Act;

(6) "Waste oil" means oil having a flash point at or above one hundred forty degrees Fahrenheit (sixty degrees Centigrade) which is not longer suitable for the services for which it was manufactured due to the presence of impurities or a loss of original properties, including but not limited to crude oil, fuel oil, lubricating oil, kerosene, diesel fuels, cutting oil, emulsions, hydraulic oils, polychlorinated biphenyls and other halogenated oils that have been discarded as waste or are recovered from oil separators, oil spills, tank bottoms or other sources.

Sec. 87. Subsection (a) of section 1 of public act 87-549 is repealed and the following is substituted in lieu thereof:

(a) There shall be a Connecticut farm wine development council which shall be within the department of agriculture for administrative purposes only. Said council shall consist of then members as follows: The commissioners of agriculture and economic development, the dean of the College of Agriculture and Natural Resources [at] OF The University of Connecticut

and the directors of the Storrs agricultural experiment station and the Connecticut agricultural experiment station, or their respective designees; and five members engaged in the wine production industry in this state, there of whom shall be involved in wine production and two of whom shall be viticulturists. The commissioner of agriculture shall appoint the members involved in the wine production industry.

Sec. 88. Section 2 of public act 87-549 is repealed and the following is substituted in lieu thereof:

The purposes of the council are to promote state wines and related products by (1) engaging in activities to maintain current markets and create new and foreign markets; (2) advising groups on farm wine development, including, but not limited to, the department of agriculture, the College of Agriculture and Natural Resources [at] OF The University of Connecticut, The University of Connecticut cooperative extension service, the Storrs agricultural experiment station and the Connecticut agricultural experiment station; (3) educating and informing the public, governmental agencies and the farm wine industry on the use and value of state wine and related products and disseminating the results of such research to the academic community, wine industry and the public.

Sec. 89. Section 30-90a of the general statutes is repealed and the following is substituted in lieu thereof:

Any person over age eighteen may be employed by an employer holding a permit issued under this chapter except that any person [over age sixteen] FIFTEEN YEARS OF AGE OR OLDER may be so employed by such an employer on premises operating under a grocery store beer permit. No permit issued under this chapter and held on July 1, 1982, by a person over age eighteen shall be suspended or revoked because of such person's age. No person over age eighteen having a financial interest, on July 1, 1982, in any business operating under a permit issued under this chapter shall be required to divest himself of such financial interest because of his age. A minor performing paid or volunteer services of an emergency nature shall be deemed to be an employee subject to the provisions of this section.

Sec. 90. Section 46b-63 of the general statutes is repealed and the following is substituted in lieu thereof:

(a) At the time of entering a decree dissolving a marriage, the court, upon request of [the wife] EITHER SPOUSE, shall restore the birth name or former name of

[the wife] SUCH SPOUSE.

(b) At any time after entering a decree dissolving a marriage, the court, upon motion of [the wife] EITHER SPOUSE, shall modify such judgment and restore the birth name or former name of [the wife] SUCH SPOUSE.

Sec. 91. Subsection (b) of section 6 of public act 87-550 is repealed and the following is substituted in lieu thereof:

(b) The state, acting by and in the discretion of the commissioner of housing, in consultation with the secretary of the office of policy and management, may enter into a contract to provide state financial assistance in the form of a grant-in-aid, loan or combination thereof to municipalities located within the planning [region] REGIONS in which the pilot program is established, upon the approval of the regional fair housing compact as provided in section 5 of [this act] PUBLIC ACT 87-550. Notwithstanding the provisions of subsection (d) of section 4-86, funds appropriated to any state agency for payment to local governments for purposes related to or necessary for the development of housing in the [region] REGIONS, including but not limited to the purposes contained in this subsection, other than those for which distribution is governed by statutory formula, may be made available for the pilot program authorized under section 5 of [this act] PUBLIC ACT 87-550 upon the recommendation of the governor and approval of the finance advisory committee. The grants-in-aid, loans or combinations thereof authorized under this subsection and any additional funds made available for the pilot program as provided in this subsection shall be used by the municipalities in said [region] REGIONS for the purpose of planning, construction or renovation of housing and for any of the following when necessary to support the development of housing within such municipalities in accordance with the regional fair housing compact: (1) Sanitary sewer lines, including interceptors, laterals and pumping stations; (2) natural gas, electric, telephone and telecommunications pipes, wires, conduits and other facilities and waterlines and water supply facilities, except for any such pipes, wires, conduits, waterlines or facilities which a public service company, as defined in section 16-1, a water company, as defined in section 23-32a, or a municipal utility is required to install pursuant to any provision of the general statutes, or any special act, a regulation or order of the department of public utility control or a certificate of public convenience and necessity; (3) storm drainage facilities, including

facilities to control flooding; (4) public roadways and related appurtenances; (5) community septic systems approved by the department of environmental protection; provided administrative costs directly related to such construction or renovation, shall not exceed five per cent of the total grant or loan from the department. Such grants-in-aid, loans or combinations thereof shall be awarded in consultation with the secretary, may prescribe by regulation.

Sec. 92. Subsection (b) of section 20-138a of the general statutes, as amended by substitute house bill 5001 of the current session, is repealed and the following is substituted in lieu thereof:

(b) For the purposes of this section: (1) "Optometric assistant" means a person who has either completed two hundred hours of on-the-job training, an affidavit in support of which shall be kept by the employing optometrist on the premises, or graduated from a vocational program in optometric technicianry; (2) "optometric assistant trainee" means a person who has completed less than two hundred hours of on-the-job training and [shall thereby be] WHO IS under the direct supervision, control and responsibility of an employing, licensed optometrist [in order to perform] WHEN PERFORMING optometric services which may be delegated to optometric assistants and to optometric technicians; (3) "optometric technician" means a person who has either completed a two-year college program in optometric technicianry, or passed the national optometric technician registration examination given by the American Optometric Association.

Sec. 93. Section 7 of substitute house bill 5691 of the current session is repealed and the following is substituted in lieu thereof:

The director of the office of [civil preparedness] EMERGENCY MANAGEMENT shall implement the state emergency planning activities required pursuant to the Emergency Planning and Community Right-to-Know Act.

Sec. 94. Section 46a-56 of the general statutes, as amended by house bill 5051 of the current session is repealed and the following is substituted in lieu thereof:

(a) The commission shall:

(1) Investigate the possibilities of affording equal opportunity of profitable employment to all persons, with particular reference to job training and placement;

(2) Compile facts concerning discrimination in employment, violations of civil liberties and other related matters;

(3) Investigate and proceed in all cases of discriminatory practices as provided in this chapter:

(4) From time to time, but not less than once a year, report to the governor as provided in section 4-60, making recommendations for the removal of such injustices as it may find to exist and such other recommendations as it deems advisable and describing the investigations, proceedings and hearings it has conducted and their outcome, the decisions it has rendered and the other work it has performed; and

(5) Monitor state contracts to determine whether they are in compliance with section 4-11a and those provisions of the general statutes which prohibit discrimination.

(b) If the commission determines through its complaint procedure that a contractor is not complying with antidiscrimination statutes or contract provisions required under section 4-114a, the contractor shall be prohibited from entering into any further contracts with state agencies until the commission determines that the contractor has adopted policies consistent with such statutes. The commission shall make such a determination as to whether the contractor has adopted such policies within forty-five days of its determination of noncompliance. The commission shall adopt regulations in accordance with chapter 54 to implement the provisions of this subsection.

(c) If the commission determines through its complaint procedure and after a hearing held in accordance with chapter 54 that, with respect to a state contract, a contractor, subcontractor or supplier of materials has (1) fraudulently qualified as a minority business enterprise or (2) performed services or supplied materials on behalf of another contractor, subcontractor or supplier of materials knowing (a) that such other contractor, subcontractor or supplier has fraudulently qualified as a minority business enterprise in order to comply with antidiscrimination statutes or contract provisions required under section 4-11a and (b) that such services or materials are to be used in connection with a contract entered into pursuant to subsection (B) of section 32-9e, as amended by section 1 of public act 87-577, it shall assess a civil penalty of not more than ten thousand dollars upon such contractor, subcontractor or supplier of materials. The attorney general, upon complaint of the commission, shall institute a civil action in the superior court for the judicial district of Hartford-New Britain to recover such penalty. Any penalties recovered shall be deposited in a special

fund and shall be held by the treasurer separate and apart from all other moneys, funds and accounts. The resources in such fund shall, pursuant to regulations adopted by the [commissioner] COMMISSION in accordance with the provisions of chapter 54, [and subject to the recommendations and approval of the commission] be used to assist minority business enterprises. As used in this section, "minority business enterprise" means any contractor, subcontractor or supplier of materials fifty-one per cent or more of the capital stock, if any, or assets of which is owned by a person or persons: (1) Who are active in the daily affairs of the enterprise; (2) who have the power to direct the management and policies of the enterprise; and (3) who are members of a minority, as such term is defined in subsection (A) of section 32-9n, as amended by section 2 of public act 87-577.

Sec. 95. Subsection (d) of section 7 of public act 88-202 is repealed and the following is substituted in lieu thereof:

(d) Any community antenna television subscriber shall have not less than thirty days from the [payment due] BILLING date contained in the subscriber's bill in which to register a complaint with a community antenna television company with respect to any billing error or dispute. A billing complaint may be registered in person at the company's business office, by telephone or by mail. The company shall promptly investigate the billing complaint, shall provide an initial response to the subscriber not later than three days after receipt thereof and shall provide a written proposal of the disposition of the complaint to the subscriber not later than fifteen business days following the company's receipt of the complaint. The subscriber, after receiving the company's proposed disposition of the complaint, shall have ten days to contest the disposition and may present the company with additional information concerning the complaint. In the event the subscriber contests the proposed disposition, the company shall review any additional information, if provided, and shall notify the subscriber of the company's final disposition within fifteen days. No community antenna television company may effect termination of service to the subscriber for nonpayment of disputed bills during the pendency of any billing complaint, provided the subscriber shall pay current undisputed bill amounts during the pendency of the complaint. The department of public utility control, upon the written request of the subscriber, may review

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the company's disposition of a billing complaint in accordance with such procedures as the department shall prescribe and make such orders as the department deems reasonable and necessary to finally resolve the complaint.

Sec. 96. Section 2 of substitute house bill 5972 of the current session is repealed and the following is substituted in lieu thereof:

There is created a computer-assisted mass appraisal systems advisory board. Said board shall consist of seven Connecticut municipal assessors, one [of whom shall] EACH TO be appointed [each] by the governor, the president pro tempore, the majority leader and the minority leader of the senate and the speaker, the majority leader and the minority leader of the house of representatives. The members shall choose a chairman from the membership. Said board shall have [the] SUCH powers and duties AS ARE set forth [for it] in section 1 of [this act] SUBSTITUTE HOUSE BILL 5972 OF THE CURRENT SESSION."

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DEPUTY SPEAKER CIBES:

Will you remark further on the bill?

REP. TULISANO: (29th)

Mr. Speaker.

DEPUTY SPEAKER CIBES:

Representative Tulisano.

REP. TULISANO: (29th)

Clerk has an amendment, LCO 4072.

DEPUTY SPEAKER CIBES:

Clerk is in possession of an amendment LCO 4072 previously designated House "B" and then withdrawn. Gentleman please wait just a second sir. Would the Clerk please call.

CLERK:

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LCO 4072 previously designated House "B" offered by  
Representative Biafore.

DEPUTY SPEAKER CIBES:

The gentlemen is requesting permission to  
summarize. Is there objection? Hearing none, please  
proceed.

REP. TULISANO: (29th)

Permission to summarize.

DEPUTY SPEAKER CIBES:

Granted, sir.

REP. TULISANO: (29th)

In reference to Public Act 24 technical and meant  
to include HMO's and I guess they were left out of the  
bill when they did it.

DEPUTY SPEAKER CIBES:

Would you move adoption, sir.

REP. TULISANO: (29th)

I move adoption.

DEPUTY SPEAKER CIBES:

Question is on adoption of House "B". Will you  
remark? Representative Krawiecki.

REP. KRAWIECKI: (78th)

Thank you sir. I'm sorry, I don't have a copy just  
yet. I just want to..thank you.

REP. TULISANO: (29th)

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I apologize, I wanted to keep on the first schedule. I thought this was one that they had.

REP. KRAWIECKI: (78th)

Representative Tulisano, the Public Act being referenced is which one again?

REP. TULISANO: (29th)

88-124.

REP. KRAWIECKI: (78th)

No, what's the subject matter of that public act?

REP. TULISANO: (29th)

It deals with mammographies, breast X-rays.

REP. KRAWIECKI: (78th)

And Section 1 of that bill did what again?

REP. TULISANO: (29th)

I think, through you, Mr. Speaker, as I understand it, they didn't include HMO's and this includes the HMO's.

REP. KRAWIECKI: (78th)

Thank you Representative Tulisano.

DEPUTY SPEAKER CIBES:

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

REPRESENTATIVES:

Aye.

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## DEPUTY SPEAKER CIBES:

Those opposed indicate by saying no. The ayes have it. House "B" is adopted.

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## House Amendment Schedule "B".

After line 2530, insert section 73 as follows and renumber the remaining sections accordingly:

"Sec. 73. Section 33-179p of the general statutes is repealed and the following is substituted in lieu thereof:

A health care center governed by this chapter shall be exempt from the provisions of the general statutes related to insurance except for the following: Sections 38-7, 38-8, 38-19,, 38-24, 38-26a, 38-37a, 38-39a to 38-39l, inclusive, 38-50, 38-51, 38-53, 38-54, 38-60 to 38-64, inclusive, 38-69 to 38-92k, inclusive, 38-164, 38-174d to 38-174h, inclusive, 38-174k to 38-174n, inclusive, 38-174p to 38-174t, inclusive, 38-174v, 38-174w, SECTION 1 OF PUBLIC ACT 88-124, 38-262b to 38-262d, inclusive. A health care center governed by this chapter shall be subject to the provisions of section 38-93 solely with respect to the health care center's initial capital and surplus at the time it first receives approval from the insurance commissioner to do business in this state. A health care center organized as a nonprofit, nonstock corporation shall be exempt from the sales and use tax and all property of each such corporation shall be exempt from state, district and municipal taxes. Each corporation governed by this chapter shall be subject to the provisions of chapter 694. Nothing in this section shall be construed to override contractual and delivery system arrangements governing a health care center's provider relationships."

Strike out section 74 in its entirety and insert the following in lieu thereof:

"Sec. 74. This act shall take effect from its passage, except that section 73 shall take effect October 1, 1988."

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DEPUTY SPEAKER CIBES:

Will you remark further on the bill?

REP. TULISANO: (29th)

Mr. Speaker, the Clerk has amendment LCO 4296.

Permission to summarize?

DEPUTY SPEAKER CIBES:

Clerk is in possession of an amendment LCO 4296 designated House Amendment Schedule "C". Will the Clerk please call.

CLERK:

LCO 4296 designated House "C" offered by Representative Tulisano.

DEPUTY SPEAKER CIBES:

The gentleman has requested permission to summarize. Is there objection? Seeing none, Representative Tulisano.

REP. TULISANO: (29th)

Mr. Speaker, this amendment deals as when we did the new probate ability to deal with fees, we dealt with only one of the sections of the statutes. I would say this is a little more than technical in nature, but it is consistent with what we did because of the tax exclusion. We allowed the probate court judges to maintain using the way they computed their fees based on the..normally in the tax...in the tax account which

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are now excluded from survivors.

There was also a part dealing with thrifts, plans, trusts and savings plans in assessed sections of the statutes which we did not amend. And this would keep that back in the statute. I would move adoption.

DEPUTY SPEAKER CIBES:

Have you moved adoption sir?

REP. TULISANO: (29th)

Yes, I did.

DEPUTY SPEAKER CIBES:

Question is on adoption of House "C"? Will you remark sir?

REP. FARR: (19th)

Mr. Speaker, I'm sorry. I didn't understand the explanation for that Section 73 in there. I had asked Representative Wollenberg earlier if he could determine what that was all about. I don't understand what that Section 73 and this is two pages of new language. It doesn't make any reference to existing law. I have no idea what it's in there for. Maybe Representative Tulisano can tell us what it is.

DEPUTY SPEAKER CIBES:

Representative Tulisano.

REP. TULISANO: (29th)

I think what we are trying to do is get..if you

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look at Line 72 and 73 we include..you see Act of 1987 and I think that's the language that we are trying to include, but we had to repeat the whole statute to pick up the ability to include it on how probate courts compute their fees.

DEPUTY SPEAKER CIBES:

Representative Farr.

REP. FARR: (19th)

I'm sorry, Representative Tulisano. Line 16 says Section 73 new and then a, b, and c after that appear to be all new language. Am I mistaken in that?

DEPUTY SPEAKER CIBES:

Representative Tulisano.

REP. TULISANO: (29th)

I don't think you are mistaken. I think the way this is typed is mistaken.

DEPUTY SPEAKER CIBES:

Representative Farr.

REP. FARR: (19th)

Yes, through you, Mr. Speaker, if it is existing language can somebody give me a reference to a statute because there is no reference to existing language on here. If you could just give me that.

DEPUTY SPEAKER CIBES:

Representative Tulisano.

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REP. FARR: (19th)

If you want to PT this and somebody give us a reference on the statute, that would be fine.

REP. TULISANO: (29th)

Mr. Speaker, as I understand it, through you, Mr. Speaker, in the Public Act that we passed which was 87-384, this was printed as new as I recall and that's in referencing that language as new in Public Act, I think it was 87- maybe, I take that back. Public Act 87-384, correct. I think that was printed as new. No, that's not it. Mr. Speaker, we are going to pass this one.

DEPUTY SPEAKER CIBES:

Representative Tulisano, have you asked that..Representative Farr has the floor, I believe.

REP. FARR: (19th)

Mr. Speaker, I yield to Representative Tulisano.

REP. TULISANO: (29th)

I would like this Passed Temporarily. May that matter be Passed Temporarily, that amendment.

DEPUTY SPEAKER CIBES:

Representative Tulisano, I assume that you intend to ask that House "C" be withdrawn. Without objection, it is so ordered. Will you remark further on the bill?

REP. TULISANO: (29th)

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Mr. Speaker. Clerk has another amendment LCO 4780.

DEPUTY SPEAKER CIBES:

The Clerk is in possession of an amendment, LCO 4780 designated House Amendment Schedule "D". Will the Clerk please call.

CLERK:

LCO 4780 designated House "D" offered by Representative Bertinuson et al.

DEPUTY SPEAKER CIBES:

Gentleman is requesting permission to summarize. Is there objection? Hearing none, sir, please proceed.

REP. TULISANO: (29th)

Mr. Speaker, this deals with lines 36 and 37. It moves out the limiting dates that were in the statute. I think in the revolving fund it lets them continue on being revolving or else they would expire. I move its adoption.

DEPUTY SPEAKER CIBES:

Question is on adoption of House "D". Will you remark? Representative Farr.

REP. FARR: (19th)

Mr. Speaker, just for the record, my understanding is I have no objection to this, my understanding is the net effect is an \$80,000 amount that will go to the hazardous waste commission as the result of the

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passage. Clearly it is substantive, but apparently it was an oversight in some previous legislation. I have no objection to this.

DEPUTY SPEAKER CIBES:

Will you remark further on House "D"? Will you remark further on House "D"? Representative Anthony Nania.

REP. NANIA: (63rd)

Only to remark that Section 73 appears again and it doesn't seem that a statute can have two Section 73's. The last amendment I note also had a Section 73, the one we PT'd. I see that.

DEPUTY SPEAKER CIBES:

Representative Nania, LCO takes care of that when it conforms the various amendments to the file copy. Will you remark further on House "D"? Will you remark further on House "D"? If not, all those in favor of adoption please indicate by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER CIBES:

Those opposed indicate by saying no. The ayes have it. House "D" is adopted.

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## House Amendment Schedule "D".

After line 2530, insert the following and renumber the remaining sections accordingly:

"Sec. 73. Subsection (d) of section 22a-451 of the general statutes, as amended by public act 87-332, is repealed and the following is substituted in lieu thereof:

(d) There is established a revolving fund to be known as the emergency spill response fund, for the purpose of providing money for (1) the containment and removal or mitigation of the discharge, spillage, uncontrolled loss, seepage or filtration of oil or petroleum or chemical liquids or solid, liquid or gaseous payments of the costs of remedial action pursuant to the federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 USC 9601 et seq.), as amended; (2) provision of potable drinking water pursuant to section 22a-471; (3) completion of the inventory required by section 22a-8a; (4) the removal of hazardous wastes that the commissioner deems to be a potential threat to human health or the environment; (5) the accomplishment of the purposes of sections 22a-134aa to 22a-134hh, inclusive, except that the amount expended for the purpose of this subdivision shall not exceed eighty thousand dollars per year [for the fiscal years ending June 30, 1987, and June 30, 1988,] and (6) (A) the provision of short-term potable drinking water pursuant to subdivision (1) of subsection (a) of section 22-471 and the preparation of an engineering report pursuant to subdivision (2) of subsection (a) of said section when pollution of the groundwaters by pesticides have occurred or can reasonably be expected to occur; (B) the study required by Special Act 86-44\* and (C) as funds allow, education of the public on the proper use and disposal of pesticides and the prevention of pesticide contamination in drinking water supplies. The amount expended under subdivision (6) of this subsection shall not exceed the sum of the amount credited to the emergency spill response fund from the fees collected pursuant to sections 22a-66b to 22a-66j, inclusive, and section 22a-54a, fifty per cent of the amount credited therein from the fees collected pursuant to subsection (g) of section 22a-50, and one-third of the amount credited herein from the fees collected pursuant to (i) subsection (f) of section 22a-54 and (ii) subsection (c) of section 22a-56. Any money recovered pursuant to subsections (a) and (c) of this section shall be deposited in the general fund and

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credited to the fund established under this section and shall be used to meet any contractual obligations incurred by the commissioner pursuant to subsection (b) of this section for such containment and removal or mitigation."

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DEPUTY SPEAKER CIBES:

Will you remark further on the bill?

REP. TULISANO: (29th)

Mr. Speaker, Clerk has amendment LCO 4788.

Permission to summarize.

DEPUTY SPEAKER CIBES:

Clerk is in possession of an amendment, LCO 4788 designated House Amendment Schedule "E". Will the Clerk please call.

CLERK:

LCO 4788 designated House "E" offered by Representative Tulisano.

DEPUTY SPEAKER CIBES:

Representative Tulisano, permission to summarize is without objection, granted.

REP. TULISANO: (29th)

Mr. Speaker, this amendment is more substantive in nature. It extends language of the non-public television permits and the liquor control permits to include any non-profit corporation permit.

DEPUTY SPEAKER CIBES:

You move adoption sir?

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REP. TULISANO: (29th)

I move adoption.

DEPUTY SPEAKER CIBES:

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

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER CIBES:

Those opposed indicate by saying no. The ayes have it, House "E" is adopted.

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House Amendment Schedule "E".

After line 2530, insert the following and renumber the remaining sections accordingly:

"Sec. 73. (NEW) A nonprofit corporation permit shall allow the retail sales of wine at auction, provided the auction is held as part of a fund-raising event to benefit the organization's tax-exempt activities. Each permit shall allow the sale of wine at a single auction only. A maximum one such permit shall be issued to each nonprofit corporation in any calendar year, except as provided in section 30-37d of the general statutes.

Sec. 74. Subdivision (30) of subsection (a) of section 30-41 of the general statutes is repealed and the following is substituted in lieu thereof:

(30) (A) Nonprofit public television corporation permit, twenty-five dollars [;] , (B) NONPROFIT CORPORATION PERMIT, TWENTY-FIVE DOLLARS.

Sec. 75. Subsection (c) of section 45-88, as amended by public act 88-104, is repealed and the following is substituted in lieu thereof:

(c) In the absence of an express provision to the contrary in the instrument, judgment, decree or order creating a trust or other fiduciary relationship or appointing a fiduciary, any banking institution acting

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as such a fiduciary may purchase for the fiduciary estate, in addition to investments otherwise permitted, bonds or other securities issued by the state of Connecticut, or by its agencies or instrumentalities, or by towns, cities, boroughs or legally established districts in Connecticut, which bonds or securities are underwritten by such banking institution or by any syndicate which includes such banking institution or an affiliate thereof, provided (1) that such bonds or securities are rated within the top four rating categories recognized by the commissioner of banking, (2) that as a result of such purchase the total amount invested by the banking institution as a fiduciary in any one such bond issue or security issue would not aggregate DURING THE EXISTENCE OF ANY UNDERWRITING OR SELLING SYNDICATION in excess of ten per cent of the total amount of such issue outstanding, (3) that the banking institution discloses, at least annually, to the beneficiaries of its fiduciary accounts the fact that the banking institution or an affiliate may have an interest in the underwriting of such bond or security, and (4) that such purchase is made with the care of a prudent investor. The provisions of this subsection shall apply to purchases of bonds or other securities made at the time of initial underwriting. [thereof or at any time thereafter.] For purposes of this subsection, a "banking institution" includes any state or federally chartered bank, savings bank or savings and loan association authorized to exercise trust powers and do business in this state."

In line 2534, after "passage" insert the following "except that sections 73 and 74 shall take effect July 1, 1988"

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DEPUTY SPEAKER CIBES:

Will you remark further on the bill?

REP. TULISANO: (29th)

Mr. Speaker, the Clerk has amendment, LCO 4823.

DEPUTY SPEAKER CIBES:

The Clerk is in possession of an amendment, LCO 4823, designated House Amendment Schedule "F". Will the Clerk please call.

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CLERK:

LCO 4823, House "F", offered by Representative Hoyer.

DEPUTY SPEAKER CIBES:

The gentleman requests permission to summarize?

REP. TULISANO: (29th)

Permission to summarize. This changes the description, Mr. Speaker in a bill that we have already passed this session, to make it correct.

DEPUTY SPEAKER CIBES:

The gentleman moved adoption?

REP. TULISANO: (29th)

I move adoption.

DEPUTY SPEAKER CIBES:

The question is on adoption of House "F". Will you remark? Will you remark further on House "F"? If not, all those in favor of adoption please indicate by saying, aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER CIBES:

Those opposed indicate by saying, no.

The ayes have it, House "F" is adopted.

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House Amendment Schedule "F".

After line 2530, insert the following and renumber the remaining sections accordingly:

"Sec. 73. Section 2 of public act 87-512 is repealed and the following is substituted in lieu thereof:

All OF the following [area is] PARCELS OF LAND ARE hereby designated as a conservation zone:

(1) [Beginning] A PARCEL OF LAND LOCATED WEST OF THE NIAANTIC RIVER, BEGINNING at a point [500] 1000 feet to the [south] SOUTHEAST of the highway limits of Interstate Route 95 and [2000] 1500 feet to the west of the mean high water line of the Niantic River and proceeding southerly in a direct line FOR A DISTANCE OF 5000 FEET to a point [500 feet to the north of Connecticut Route 161 and] 2000 feet to the west of the mean high water line of [Smith Cove, thence due east along a line to the intersection of said line with the westerly right of way line of Oswegatchie Hills Road, thence northerly along said right of way line to its junction with the westerly right of way line of Quarry Dock Road, thence northerly along said right of way line to a point at which Quarry Dock Road terminates as a town accepted and maintained road] THE NIAANTIC RIVER, thence due east along a line to the intersection of said line with the man high water line of the Niantic River, thence northerly along said mean high water line to a point 750 feet southerly of U.S. Route 1, thence westerly to the point of beginning and (2) A PARCEL OF LAND LOCATED EAST OF THE NIAANTIC RIVER, 100 feet landward of the mean high water LINE OF THE NIAANTIC RIVER, from the Golden Spur Ridge to Sandy Point.

Sec. 74. (a) Notwithstanding any provision of the general statutes to the contrary, the commissioner of 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, a certain piece or parcel of land in the town of East Lyme, county of New London and state of Connecticut situated on the easterly side of land previously conveyed to the town of East Lyme and shown on a plan entitled "Plan Showing Land to Be Acquired By The Town of East Lyme From the State Of Connecticut For Municipal Well # 3A Off North Bride Brook Road, East Lyme Connecticut, Scale 1" = 30', December 22, 1987 Finn Survey 26 Clark Lane Waterford, Connecticut", more particularly bounded and described as follows:

Beginning at a point on the easterly side of land previously conveyed to the town of East Lyme by the State of Connecticut at the northwest corner of the

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parcel herein described; thence running S 63 degrees 52 minutes 40 seconds E along said land conveyed to town of East Lyme for a distance of 80.00 feet to a point; thence running S 69 degrees 32 minutes 29 seconds W along said land conveyed to the town of East Lyme for a distance of 257.25 feet to a point; thence running S 00 degrees 00 minutes 00 seconds E along land now or formerly of the state of Connecticut for a distance of 181.69 feet to a point; thence running N 90 degrees 00 minutes 00 seconds E along land now or formerly of the state of Connecticut for a distance of 550.00 feet to a point; thence running N 00 degrees 00 minutes 00 seconds W along land now or formerly of the State of Connecticut for a distance of 231.36 feet to a point; thence running N 61 degrees 08 minutes 05 seconds W along land now or formerly of the state of Connecticut for a distance of 275.50 feet to a point; thence running S 67 degrees 35 minutes 39 seconds W along land now or formerly of the state of Connecticut for a distance of 150.92 feet to the point of beginning.

The above described parcel contains 3.50 acres more or less.

(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 public works shall have the sole responsibility for all other incidents of such conveyance."

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DEPUTY SPEAKER CIBES:

The Clerk is in possession of an amendment. LCO No. 4779, designated House Amendment Schedule "G". Will the Clerk please call.

CLERK:

LCO 4779, designated House "G", offered by Representative Smoko.

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DEPUTY SPEAKER CIBES:

Does the gentleman request for permission to summarize. Is there objection? Hearing none, sir, please proceed.

REP. TULISANO: (29th)

Mr. Speaker, this is quasi, I don't know which one this is. It makes the construction of a new Church Street elementary school, the money could be used for a whole new school rather than just roof replacement, an extension, alterations. It is technical, because it is going to replace the whole school.

DEPUTY SPEAKER CIBES:

Sir, have you moved adoption?

REP. TULISANO: (29th)

I move adoption.

DEPUTY SPEAKER CIBES:

The question is on adoption of House "G", will you remark further on House "G"? Representative Farr.

REP. FARR: (19th)

Mr. Speaker, my understanding of it is it doesn't change the amount of money involved at all.

REP. TULISANO: (29th)

Through you, Mr. Speaker, absolutely correct.

REP. FARR: (19th)

That's correct, I have no objection.

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DEPUTY SPEAKER CIBES:

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

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER CIBES:

Those opposed indicate by saying, no.

The ayes have it, House "G" is adopted.

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House Amendment Schedule "G".

After line 2530, insert the following and renumber the remaining sections accordingly:

"Sec. 73. Section 17 of substitute senate bill 413 of the current session is repealed and the following is inserted in lieu thereof:

Notwithstanding the provisions of section 10-283 of the general statutes, as amended by section 1 of public act 87-419, or any regulations adopted by the state board of education requiring that local legislative authorizations be obtained within one year of the authorization by the general assembly of a grant commitment, the town of Hamden shall have until June 30, 1989, to authorize [a project for extension and alterations and roof replacement at the] CONSTRUCTION OF A NEW Church Street Elementary School and shall be eligible to subsequently be considered for a grant commitment from the state."

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DEPUTY SPEAKER CIBES:

Will you remark further?

DEPUTY SPEAKER CIBES:

Mr. Speaker, the Clerk has an amendment. LCO 4481, please call and allow me to summarize.

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DEPUTY SPEAKER CIBES:

The Clerk is in possession of an amendment LCO No. 4481, designated House Amendment Schedule "H". Will the Clerk please call.

CLERK:

LCO 4481, designated House "H", offered by Representative Bertinuson.

DEPUTY SPEAKER CIBES:

The gentleman has requested permission to summarize. Hearing no objection, please proceed.

REP. TULISANO: (29th)

Mr. Speaker, in the Water Company Land Task Force that we did earlier this session, we changed the language in for ex-officio as non voting members, we changed the placement of the words before ex-officio members to represent the understanding of the people who wrote the bill.

DEPUTY SPEAKER CIBES:

The gentleman has moved adoption, will you remark?

REP. TULISANO: (29th)

I move adoption.

DEPUTY SPEAKER CIBES:

Will your remark on House "H"? Will you remark further on House "H"? If not, all those in favor of adoption, please indicate by saying, aye.

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REPRESENTATIVES:

Aye.

DEPUTY SPEAKER CIBES:

Those opposed, indicate by saying, no.

The ayes have it. House "H" is adopted.

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House Amendment Schedule "H".

After line 2530, insert the following and renumber the remaining sections accordingly:

"Sec. 73. Section 7 of substitute house bill 5982 of the current session is repealed and the following is substituted in lieu thereof:

(a) There is established an ad hoc committee of the water company lands task force, created by public act 87-323, to study and make recommendations concerning the feasibility of governmental ownership of watershed lands, including reservoirs, and treatment facilities owned by the Bridgeport Hydraulic Company and the Stamford Water Company. Regarding such watershed lands and facilities, the ad hoc committee shall (1) determine the feasibility, advantages and disadvantages of governmental ownership of such lands and facilities; (2) examine available methods of effecting such governmental ownership; (3) evaluate the potential savings or cost to ratepayers from governmental ownership of such lands and facilities; (4) study the impact of governmental ownership of such lands and facilities on the provision of clean and safe drinking water; (5) study the impact of governmental ownership of such lands and facilities on the preservation of open space lands; (6) study the methods of equalizing the burden of taxes paid by customers of investor-owned utilities with those paid by customers of government-owned utilities; (7) examine and determine the impact of local zoning and wetland regulation on the potential use of watershed property and (8) study such additional issues related to government or investor-owned utility watershed lands and treatment facilities and related assets the ad hoc committee deems appropriate.

(b) The ad hoc committee shall have fourteen members and be composed of the cochairpersons and ranking members of the committee on energy and public

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utility or their designees, one member appointed by the speaker of the house of representatives, one member appointed by the president pro tempore of the senate, one member appointed by the minority leader of the house of representatives, one member from a municipality that receives utility service from the Bridgeport Hydraulic Company appointed by the minority leader of the senate, one representative from the office of consumer counsel, one representative from the Connecticut Water Works Association and [the four ex-officio] AS nonvoting members, THE FOUR EX-OFFICIO MEMBERS of the water company lands task force.

(c) The ad hoc committee shall submit its report to the water company lands task force and to the general assembly not later than February 3, 1989."

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DEPUTY SPEAKER CIBES:

Will you remark further on the bill?

REP. TULISANO: (29th)

Mr. Speaker, the Clerk has an amendment, LCO No. 3449.

DEPUTY SPEAKER CIBES:

The Clerk is in possession of an amendment LCO No. 3499, designated House Amendment Schedule "I". Will the Clerk please call?

CLERK:

LCO 3499, designated House "I", offered by Representative Belden.

DEPUTY SPEAKER CIBES:

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

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REP. TULISANO: (29th)

Mr. Speaker, the change in this bill is on line 33, making the (of) to the word (to). I understand that is the correction. I move adoption.

DEPUTY SPEAKER CIBES:

Representative Tulisano, have you moved adoption?

REP. TULISANO: (29th)

Yes sir, Mr. Speaker, I did that, yes.

DEPUTY SPEAKER CIBES:

The question is on adoption of House "I". Will you remark further on House "I"? If not, all those in favor of adoption of House "I", please indicate by saying, aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER CIBES:

Those opposed indicate by saying, no.

The ayes have it. House "I" is adopted.

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House Amendment Schedule "I".

After line 2534, insert the following:

"Sec. 75. House bill 5753 of the current session, as amended, is repealed and the following is substituted in lieu thereof:

(a) No employer shall discharge, discipline, penalize or in any manner discriminate against any employee because the employee has filed a claim or instituted or caused to be instituted any proceeding under chapter 567 of the general statutes, or has testified or is about to testify in any such

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proceeding or because of the exercise by such employee on behalf of himself or others of any right afforded by said chapter.

(b) Any employee who believes that he has been discharged, disciplined, penalized or otherwise discriminated against by any person in violation of this section may file a complaint with the labor commissioner alleging violation of the provisions of subsection (a) of this section. Upon receipt of any such complaint, the commissioner shall hold a hearing. After the hearing, the commissioner shall send each party a written copy of his decision. The commissioner may award the employee all appropriate relief including rehiring or reinstatement [of] TO his previous job, payment of back wages and reestablishment of employee benefits to which he otherwise would have been eligible if he had not been discharged, disciplined, penalized or discriminated against. Any employee who prevails in such a complaint shall be awarded reasonable attorney's fees and costs. Any part aggrieved by the decision of the commissioner may appeal the decision to the superior court in accordance with the provisions of chapter 54 of the general statutes.

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DEPUTY SPEAKER CIBES:

Will you remark further on the bill?

REP. TULISANO: (29th)

Mr. Speaker, Clerk has an amendment, LCO 3992.

DEPUTY SPEAKER CIBES:

Representative Tulisano, could you repeat the LCO number?

REP. TULISANO: (29th)

3992.

DEPUTY SPEAKER CIBES:

Thank you, Representative. The Clerk has an amendment number 3992, designated House Amendment

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Schedule "J". Will the Clerk please call.

CLERK:

LCO 3992, designated House "J", offered by  
Representative Stolberg, et al.

DEPUTY SPEAKER CIBES:

The gentleman has requested permission to  
summarize. Hearing no objection, sir, please proceed.

REP. TULISANO: (29th)

Mr. Speaker, this will allow the management  
committee to set up a line item budget for child day  
care, it doesn't appropriate anymore money. I move  
adoption.

DEPUTY SPEAKER CIBES:

The question is on adoption of House "J". Will you  
remark further on the amendment?

REP. FARR: (19th)

Mr. Speaker.

DEPUTY SPEAKER CIBES:

Representative Farr.

REP. FARR: (19th)

Yes, Mr. Speaker, my understanding is what we are  
doing here is establishing a fund, so that when they  
run the legislative day care they can put, I assume,  
fees that are charged in the fund and reuse them. So,  
it does create a separate fund, clearly substantive

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language, clearly something that probably should have been done in some other bill. But it is here and I don't have any objections to it.

DEPUTY SPEAKER CIBES:

Will you remark further on House "J"?

REP. JAEKLE: (122nd)

Mr. Speaker.

DEPUTY SPEAKER CIBES:

Representative Jaekle.

REP. JAEKLE: (122nd)

A question through you to the proponent of the amendment please.

DEPUTY SPEAKER CIBES:

Please frame your question, sir.

REP. JAEKLE: (122nd)

Let me point out, I haven't asked a question on any of these revisions, Mr. Speaker.

REP. TULISANO: (29th)

Through you, Mr. Speaker, I don't know where Mr. Stolberg is and it is his bill.

DEPUTY SPEAKER CIBES:

Representative Jaekle, you have the floor, sir.

REP. JAEKLE: (122nd)

Let me at least ask whether the legislative management committee has approved this concept by a

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vote of the full committee, through you to the proponent or any of the co-sponsors.

REP. TULISANO: (29th)

Mr. Speaker, through you, I really don't know the answer to that. I haven't been privilege to join that elite group.

DEPUTY SPEAKER CIBES:

Representative Jaekle.

REP. TULISANO: (29th)

Of which he is a member.

DEPUTY SPEAKER CIBES:

Representative Tulisano has responded.

REP. JAEKLE: (122nd)

Mr. Speaker, through you, I don't know if I have ever seen something appropriating money on the revisers bill...

REP. TULISANO: (29th)

Mr. Speaker, it is not appropriating money. I thought I made that clear in my earlier remarks. And just to correct the record at this point and time.

DEPUTY SPEAKER CIBES:

Representative Jaekle.

REP. JAEKLE: (122ND)

Fair enough, Mr. Speaker. I gather it only sets up a new account. That is probably Finance. Is there a

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fiscal note on this amendment, through you to the proponent please, so we can see exactly what it does fiscally for the state?

DEPUTY SPEAKER CIBES:

Representative Tulisano.

REP. TULISANO: (29th)

Mr. Speaker, I don't have a...nothing is stamped on my copy. I don't have a fiscal note. All I understand it to do is to set up a line item in which money within, why should I get those things, the money within the budget already appropriated may be expended and as Representative Farr, collective money going into one account. But, there is no additional money being appropriated to Legislative Management.

DEPUTY SPEAKER CIBES:

Representative Jaekle, I believe you are now in possession of the fiscal note?

REP. JAEKLE: (122nd)

Yes, Mr. Speaker, I appreciate this. This does seem to earmark revenues, sets up a separate account. That sounds like it would be a matter for the Finance, Revenue, and Bonding Committee to deal with. Through you to the proponent, in case this amendment passes, I never even thought to draw up the computer record on the Revisers Bill. Has the bill itself been through

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the Finance, Revenue and Bonding Committee, so that we wouldn't have to send it there? Through you, Mr. Speaker.

REP. TULISANO: (29th)

Through you, Mr. Speaker, I presume you...

DEPUTY SPEAKER CIBES:

Representative Tulisano.

REP. TULISANO: (29th)

I presume that the Representative referred to this bill like I do, to the amendment that I just called, so I know....you mean this?

DEPUTY SPEAKER CIBES:

Representative Jaekle.

REP. JAEKLE: (122nd)

No. Mr. Speaker, Through the Chair, I want to know whether the Revisers Bill this is being added on to has been to the Committee on Finance, Revenue and Bonding. If this amendment passes and the bill hasn't been there, it will probably have to go there. And at a quarter to nine on adjournment day, that might not be a good idea. So, I just want to know whether the Revisers Bill has been to the Committee on Finance, through you to the proponent, please.

DEPUTY SPEAKER CIBES:

Representative Tulisano, do you care to respond,

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sir?

REP. TULISANO: (29th)

Yes, Mr. Speaker, this Revisers Bill, as all other revisers bills has not been to the Committee on Finance, because, in fact, it is a revisers bill.

DEPUTY SPEAKER CIBES:

Representative Jaekle, I'm sorry, Representative Jaekle, you have the floor, sir.

REP. JAEKLE: (122nd)

Through you, Mr. Speaker. Maybe I will ask the 64 million dollar question to the proponent. In the distinguished chairs humble opinion, is this purely a technical amendment that we are considering on the revisers bill? Through you, Mr. Speaker.

DEPUTY SPEAKER CIBES:

Representative Tulisano, do you care to respond, sir?

REP. TULISANO: (29th)

Through you, Mr. Speaker, after I have made enquiry, because as I have told you, I really don't what all of these do. I have made enquiry, as is my custom. I have been advised that it is purely technical in nature, in that it just allows them to set up another line that they must do it.

Now, I don't know whether that, you consider, it is

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not a law change, it doesn't change the General Statutes. It is just a procedural change for the Legislative Management Committee. So I have been advised, if the Representative knows better I hope it would share his information with me.

DEPUTY SPEAKER CIBES:

Representative Jaekle.

REP. JAEKLE: (122nd)

Thank you, Mr. Speaker. Mr. Speaker, I am on Legislative Management, I don't remember this being voted on as a bill that we should do. It wasn't JF'd out of Legislative Management. If it was, I don't know why it wasn't E-certed out of the committee. The committee is chaired by the two people who just have to lend their signature on a document and hope the bills magically in front of us is a E-cert. They haven't done it. I don't know why. This is a little more than purely technical in my opinion. It is setting up a whole new nonlapsing account. It is creating a new account. I appreciate that that is just a line item, boy, I could show you some line item changes in the budget that would be whoppers. Shouldn't do it on the Revisers Bill.

I am very concerned that we open up the Revisers Bill to this sort of fiscal, you know, substantial

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fiscal change. The budget has been done, the bond package done, a lot of the finance bills are out of here. This is really quite a break with the Revisers Bill. And I am going to suggest that we not do this. I am certainly going to vote against it. This is more than a technical change. It is fiscal in nature. I don't recall it be JF'd by the Legislative Management Committee. I don't quite know where it has come from.

DEPUTY SPEAKER CIBES:

Will you remark further on House "J"? Will you remark further on House "J"?

REP. TIFFANY: (36th)

Mr. Speaker.

DEPUTY SPEAKER CIBES:

Representative Jack Tiffany.

REP. TIFFANY: (36th)

Thank you, Mr. Speaker. I think I would like to share Representative Jaekle's observations. I hate stand up here and be the only defender of the process here. But, truly this item should have been E-certed if it is necessary. It is not a technical amendment and I sincerely had hoped that the 80,000 for the Hazardous Waste Management Service would have been an E-certed bill. I think we are really making a mockery of the process when we do this sort of thing, Mr.

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Speaker.

REP. FRANKEL: (121st

Mr. Speaker.

DEPUTY SPEAKER CIBES:

Representative Frankel.

REP. FRANKEL: (121st)

Mr. Speaker, ladies and gentlemen. I have examined this. I am not entirely certain how substantive it is. But, I think, last year we tried to shed some sunshine on what had been a tradition. And that was passing amendments one after the other, some technical, some semi-substantive, some very substantive, and all being passed over as totally technical. And I think what we are attempting to do is to say to everybody, let's take them one at a time. These are very technical, purely technical, some others are questionable. You decide whether, in fact, what had been before kept sort of under wraps and passed along as technical when it was substantive. We decide whether we want to put it on this bill. Apparently for years we have been putting substantive amendments on. Right or wrong. At least we are saying, okay, this is substantive, this is questionable, you decide. This is one that falls into that category. No one is claiming that it is purely technical. It is before the membership. You decide

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whether you want to tack it on this bill.

I am not positive, I know the distinguished chair of the Judiciary has claimed that it is purely technical. I think it is grey. You decide.

SPEAKER STOLBERG:

Will you remark further?

REP. TIFFANY: (36th)

Mr. Speaker.

SPEAKER STOLBERG:

Representative Tiffany.

REP. TIFFANY: (36th)

I would only comment through you, sir, that that puts some of us who would like to preserve the process in a very difficult position. I would like to vote for an item such as this and the 80,000 for the hazardous waste management service on a E-certed bill. There you vote on the merits.

Here, as far as I am concerned, you vote on whether it is technical or substantive. I am suggesting to you, Mr. Frankel, that you cross out the word technical in the title. If you want to do what you are saying then cross out the word technical. And let everything flow up or down. That I could do.

Now, you are saying technical, but if you like it or not. You can't have your cake and eat it too.

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REP. FRANKEL: (121st)

Mr. Speaker, Mr. Speaker, if I might Mr. Speaker.  
Just a word in response to Representative Tiffany.

Representative Tiffany, my point was that for years we have been taking a bill that has the word technical in its title. And have been adopting amendment after amendment. And for years we have been saying everything is technical.

What we are trying to say what we said last year was, it is about time we admitted to the fact that we have a tradition of adopting amendments that are not so technical on the technical revisers bill. Let's face it, that is what we have been doing.

It is not just last year, it is the year before that and the year before that and the year before that. Democrat or Republican. Let's face it, that is what we have been doing. You are right, you can change a title of a bill. But this is what we have been doing and we are saying all to ourselves, let's be honest, this is what we have been doing. We are now saying, okay, here it is, not so technical, what do you want to do?

Thank you, Mr. Speaker.

REP. ABERCROMBIE (87th)

Mr. Speaker.

SPEAKER STOLBERG:

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Representative Abercrombie.

REP. ABERCROMBIE (86th)

Thank you, Mr. Speaker. I of course serve on Legislative Management. And have been involved with this whole question of day care. And you arrive at a point of mixed emotions, quite frankly, when we get to this point in the session. And I had spoken to the leadership in reference to this amendment prior to it coming up. And I think we are in a position, quite frankly, where we have got to support it recognizing possibly that the amendment is questionable as to attachment to the technical revisions bill.

But, I think, that, you know, we've got to speak to the process because just recently this year the Legislative Management Committee went through a 1.3 million dollar situation. And, I think, we all recognize that that was something that was certainly outside of the system and an occurrence that we didn't necessarily want to see happen again, or that we would want to support in the future.

I think what has happened in the day care issue is basically the same thing. We have gone through a process. We have signed a lease for facility. We have appropriated money for the physical aspects of that area to be used for day care facility. And we have

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tried to address the staffing. And, in fact, the Legislative Management Committee, in fact, addressed that issue and supported the idea that we would use an outside contractor for the operation of that center. And through different actions the last couple of months there are individuals, I guess, with more wisdom than mine that made the decision that they wanted to, in fact, make this a state operative facilities with state employees. And it didn't get through the budget process. And quite frankly, as far as I am concerned, didn't get through the committee process. As a matter of fact, we never got through a public hearing process.

But, so be it, I think we do need to move forward. I believe that the day care facility needs to be operational on September 1st of this year. We can accomplish that and, unfortunately, I have to stand here and say I think we abused the process, but we need to support this in order to allow the program to go forward. Thank you.

SPEAKER STOLBERG:

Will you remark further, Representative, pardon me? A question, Representative Tulisano.

REP. TULISANO: (29th)

Mr. Speaker, I want to make a statement.

SPEAKER STOLBERG:

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Representative Tulisano.

REP. TULISANO: (29th)

Thank you, Mr. Speaker. There has been a lot of debate as to what this bill is and the title of the bill. And let me say very clearly that the title of the bill should not be changed.

The bill and the first major amendment are technical and revisers amendments only. And there is something that I have not reviewed because I have asked you to vote on those on the faith of my statements, on my honesty, and what I believe it to be and the trust I have had in our staff.

The other bills, the other amendments have come from other individuals for which some are purely technical and they have caught them and the revisers haven't. And some are quasi as Representative Frankel has indicated.

The fact that they may or may not be is something that we have intended to bring before this body, as he said. That doesn't mean that the name of the bill should be changed. We think that we should present these facts to you. Frankly, there have been some amendments that we have asked the proponents to bring out themselves, because they don't even come close. That is a choice each individual makes.

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With regard to the amendment before us now, I now apologize to the floor, because, obviously, I misunderstood or I miss understood what I was advised of as to the technical nature of this bill. I still will tell you that I was advised that it was technical in nature. It had no affect. If it does otherwise I would have still brought the bill out and that way I apologize to everybody here, because I don't want to do it that way. Thank you, Mr. Speaker.

SPEAKER STOLBERG:

Will you remark further on House Amendment Schedule "J". Representative Schmidle.

REP. SCHMIDLE: (106th)

Thank you, Mr. Speaker. Just a very quick question through you to Representative Frankel.

SPEAKER STOLBERG:

Please frame your question.

REP. SCHMIDLE: (106th)

Thank you, Mr. Speaker. Representative Frankel, in your earlier remarks you did refer to this as being a quasi semisubstantive bill, and it was up to the Chamber to make the decision. Are you, thereby, opening the door to this Chamber and to the rest of the members here who may have amendments that you could consider quasi or semisubstantive to, also, raise their

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amendments to this bill. In as much as we are doing it to this particular one. Through you, Mr. Speaker.

REP. FRANKEL: (121st)

Through you, Mr. Speaker. I believe what I indicated was that for years that, indeed, had been the practice. That amendments that were quasi had been and continued to be offered. We were simply bringing everyone's attention to that fact and not hiding it. And, indeed, if you wish to offer something that was quasi, or whatever, it would be up to the Chamber to decide. That had been the practice, right or wrong, and we were simply admitting it. A little sunshine helps, Representative Schmidle.

REP. SCHMIDLE: (106th)

Thank you, Mr. Speaker.

SPEAKER STOLBERG:

Will you remark further on House "J"?

Representative Nania.

REP. NANIA: (63rd)

Mr. Speaker, I believe that there are two separate issues here. One is the issue of whether something is germane. And it seems to me that seeing the technical revisers is the whole set of statutes, most anything is germane. But the second issue, and I would like an answer probably simple as yes or no. Is there any

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limit, and I believe by the way the phrase quasi substantive is really ducking the issue. Something is either substantive or not. And I think we all agree we are doing substantive things here.

So, my question through you, Mr. Speaker, is, is there any restriction on the revisers amendments of a substantive matter? Or should there be, through you?

REP. FRANKEL: (121st)

Through you, Mr. Speaker, the limits are those imposed by the Chamber. And should there be? I believe yes and I trust that the Chamber will do its will and impose reasonable restrictions.

SPEAKER STOLBERG:

Representative Nania.

REP. NANIA: (63rd)

Well, Mr. Speaker, imposed by the Chamber, I suppose is the rule of 91 to 60. And I guess that is clear enough. So, it is whatever we will it to be and from now on we all ought to be on notice that technical revisers is no hold barred. Anything goes. Through you, Mr. Speaker, is that correct?

SPEAKER STOLBERG:

Representative Frankel.

REP. FRANKEL: (9121st)

Through you, Mr. Speaker, I don't believe that is

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the case. I believe the Chamber will work its will. Democrats, Republicans, liberals, conservatives. I don't think the Chamber is going to countenance matters which they do not feel appropriate to this measure.

REP. NANIA: (63rd)

Well, Mr. Speaker, I think that is a distinction without much of a difference. It restates the same thing. What the majority wants we will do on technical revisers.

I am happy to know this next year on technical revisers, we will be able to bring out anything that we think we can get the votes for. Thank you, Mr. Speaker.

DEPUTY SPEAKER LAVINE:

Representative Arthur.

REP. ARTHUR: (42nd)

Mr. Speaker, I have a technical question about this amendment. It says it will establish an account. In most of the dealings we have with the finance advisory committee we are shifting within accounts, within an agency. Does an account mean one number such as personal services, or another number for operating expenses. Or another account number for...

REP. TULISANO: (29th)

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Mr. Speaker.

DEPUTY SPEAKER LAVINE:

Representative Tulisano.

REP. TULISANO: (29th)

Mr. Speaker, at this point and time, I would like to withdraw this amendment.

DEPUTY SPEAKER LAVINE:

The motion is to withdraw the amendment. Is there objection? Is there objection? Hearing no objection, the amendment is withdrawn.

REP. TULISANO: (29th)

Thank you, Mr. Speaker.

DEPUTY SPEAKER LAVINE:

Representative Tulisano.

REP. TULISANO: (29th)

Mr. Speaker, the Clerk has an amendment, LCO 5016.

DEPUTY SPEAKER LAVINE:

The Clerk is in possession of LCO 5016, designated House "K". Will the Clerk please call.

CLERK:

LCO 5016, designated House "K", offered by Representative Fox.

DEPUTY SPEAKER LAVINE:

The Chairman is leaving.

REP. TULISANO: (29th)

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Permission to summarize, sir.

DEPUTY SPEAKER LAVINE:

Any objection? Hearing none, you may proceed.

REP. TULISANO: (29th)

As I have reviewed this amendment. I believe it only makes changes in statutory references that we passed this session. I move its adoption.

DEPUTY SPEAKER LAVINE:

The motion is on adoption. Will you remark? Will you remark? If not, I will try your minds. All in favor of the amendment please signify by saying, aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER LAVINE:

Those opposed, nay.

The amendment is adopted.

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House Amendment Schedule "K".

After line 2530, insert sections 73 and 74 as follows and renumber the remaining sections accordingly:

"Sec. 73. Section 20-426 of the general statutes, as amended by section 7 of substitute house bill 5317 of the current session, is repealed and the following is substituted in lieu thereof:

(a) The commissioner may revoke, suspend or refuse to issue or renew any certificate or registration as a home improvement contractor or salesman or place a registrant on probation or issue a letter of reprimand for: (1) Conduct of a character likely to mislead, deceive or defraud the public or said commissioner;; (2) engaging in any untruthful or misleading

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advertising; (3) failing to reimburse the guaranty fund established pursuant to section [13] 11 of [this act] SUBSTITUTE HOUSE BILL 5317 OF THE CURRENT SESSION for any monies paid to an owner pursuant to subsection (o) of section [13] 11 of [this act] SUBSTITUTE HOUSE BILL 5317 OF THE CURRENT SESSION; or (4) violation of any of the provisions of the general statutes relating to home improvements or any regulation established pursuant to any of such provisions.

Sec. 74. Subsection (a) of section 20-429 of the general statutes, as amended by section 9 of substitute house bill 5317 of the current session, is repealed and the following is substituted in lieu thereof:

(a) No home improvement contract shall be valid or enforceable against an owner unless it: (1) Is in writing, (2) is signed by the owner and the contractor, (3) contains the entire agreement between the owner and the contractor, (4) contains the date of the transaction, (5) contains the name and address of the contractor, (6) contains a notice of the owner's cancellation rights in accordance with the provisions of [section 12 of this act] CHAPTER 740, (7) contains a starting date and completion date, and (8) is entered into by a registered salesman or registered contractor. Each change in the terms and conditions of a contract shall be in writing and shall be signed by the owner and contractor."

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REP. TULISANO: (29th)

Mr. Speaker, the Clerk has an amendment LCO 4878.

DEPUTY SPEAKER LAVINE:

The Clerk is in possession of 4878.

REP. TULISANO: (29th)

Permission to summarize, Mr. Speaker.

DEPUTY SPEAKER LAVINE:

House "L". The gentleman is seeking permission to summarize. Will the Clerk call please.

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LCO 4878, designated House "L", offered by  
Representative Cibes, et al.

DEPUTY SPEAKER LAVINE:

The gentleman is seeking permission to summarize,  
is there objection? Hearing none you may proceed.

REP. TULISANO: (29th)

Mr. Speaker, this amendment adds new language for a  
grant-in-aid to the Eugene O'Neill Theater because it  
is in two towns. I gather that that is quasi  
substantive. Since it is adding another town, I would  
like to bring that to the Body's attention.

Further, it makes language change in line 26, which  
I think is only semantical. I move its adoption.

DEPUTY SPEAKER LAVINE:

The motion is on adoption. Will you remark? Will  
you remark? If not, I will try your minds. All in  
favor please signify by saying, aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER LAVINE:

Those opposed, nay.

The amendment is adopted.

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House Amendment Schedule "L".

After line 2530, insert the following and renumber  
the remaining sections accordingly:

"Sec. 73. Subdivision (5) of the subsection (a) of section 29 of substitute senate bill 144 of the current session is repealed and the following is substituted in lieu thereof:

(5) grant-in-aid for the Eugene O'Neill Memorial Theater, Waterford AND NEW LONDON, for renovations and improvements, not exceeding one million dollars;

Sec. 74. Subdivision (7) of subsection (a) of section 29 of substitute senate bill 144 of the current session is repealed and the following is substituted in lieu thereof:

(7) grant-in-aid to the town and city of Ne Haven for site visitations [in the New Haven area] for a replacement facility for the New Haven Veteran's Memorial Coliseum, potential site identification undertaken in consultation with the South Central Regional Council of Governments, site evaluation and [selective] SELECTION and arena programming, not exceeding one million two hundred fifty thousand dollars;

Sec. 75. Section 39 of substitute senate bill 144 of the current session is repealed and the following is substituted in lieu thereof:

Notwithstanding the provisions of section 3-20 of the general statutes, grants-in-aid may be made projects authorized as follows notwithstanding the fact that funds have been committed or expended prior to authorization of such projects by the state bond commission: Subdivision (14) of subsection (c) of section 23 of this act; subdivision (18) of subsection (c) of section 23 of this act; subdivision (3) of subsection (d) of section 3 of this act; subdivision (25) of subsection (j) of section 23 of this act; subdivision (28) of subsection (j) of section 23 of this act; subdivision (31) of subsection (j) of section 23 of this act; [subdivision] SUBDIVISIONS (5), (7) AND (26) of subsection (a) of section 29 of [this act] SUBSTITUTE SENATE BILL 144 OF THE CURRENT SESSION, AS AMENDED BY SECTIONS 73 AND 74 OF THIS ACT."

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REP. TULISANO: (29th)

Mr. Speaker, the Clerk has amendment 4797.

Permission to summarize, Mr. Speaker.

DEPUTY SPEAKER LAVINE:

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The Clerk is in possession of LCO 4797, designated House "M".

REP. TULISANO: (29th)

Mr. Speaker, I gather this bill is...

CLERK:

Excuse me, Representative Tulisano, LCO 4797, designated House "M", offered by Representative Adamo.

DEPUTY SPEAKER LAVINE:

Gentleman seeking leave to summarize.

REP. TULISANO: (29th)

I gather this bill is very substantive in nature. What this amendment will do it will conform our law into federal law dealing with our retirement system. But, in that our law does not conform now, I would gather that this is substantive and not technical, but it is necessary. I would move its adoption.

DEPUTY SPEAKER LAVINE:

The motion is on adoption. Will you remark.

REP. TULISANO: (29th)

Yes, Mr. Speaker. I gather the other side has concurred with me, so they won't object to this being too substantive.

DEPUTY SPEAKER LAVINE:

Will you remark further? If not, I will try your minds. All in favor signify by saying, aye.

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REPRESENTATIVES:

Aye.

DEPUTY SPEAKER LAVINE:

Those opposed, nay.

The amendment is adopted and ruled technical.

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House Amendment Schedule "M".

After line 2530, insert the following and renumber the remaining sections accordingly:

"Sec. 73. Subsection (b) of section 5-168 of the general statutes, as amended by section 3 of public act 87-484, is repealed and the following is substituted in lieu thereof:

(b) Upon the death of a member after his retirement date, provided such RETIREMENT date is prior to August 1, 1986, the beneficiary named by the member shall receive a death benefit equal to the excess of the member's retirement contributions plus interest over the sum of: (1) The income payments made to the member from the state employees retirement fund on or before June 30, 1971, and (2) thirty per cent of the income payments made to the member after June 30, 1971, but on or before June 30, 1973, from the state employees retirement fund and (3) twenty-five per cent of the income payments made to the member after June 30, 1973 from the state employees retirement fund. Upon the death of a member after his retirement date, provided such RETIREMENT date is on or after August 1, 1986, the beneficiary shall receive a death benefit equal to [the excess of] the member's retirement contributions plus interest [over the sum of the deductible amounts, for federal tax purposes, of the income payments made to the member] REDUCED BY THE FEDERAL TAX EXCLUSION RATIO TIMES THE INCOME PAYMENTS MADE TO THE MEMBER FROM THE STATE EMPLOYEES RETIREMENT FUND.

Sec. 74. Section 5-168a of the general statutes, as amended by section 4 of public act 87-484, is repealed and the following is substituted in lieu thereof:

If income payments are payable from the state employees retirement system under section 5-165 or section 5-165a to a beneficiary of a member, then the

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provisions of subsections (a) and (b) of section 5-168, AS AMENDED BY SECTION 2 OF THIS ACT, shall not apply to the beneficiary so long as such income payments continue. If the member RETIRED AND died prior to August 1, 1986, after the income payments cease, a death benefit shall be payable to the beneficiary in an amount equal to the excess of the member's retirement contributions and accrued interest over the sum of twenty-five per cent of such income payments made from the state employees retirement system. If the member [died] RETIRES AND DIES on or after August 1, 1986, after the income payments cease, a death benefit shall be payable to the beneficiary in an amount equal to [the excess of] the member's retirement contributions and accrued interest [over the sum of the deductible amounts, for federal tax purposes, of the income payments made to the member] REDUCED BY THE FEDERAL TAX EXCLUSION RATIO TIMES SUCH INCOME PAYMENTS MADE FROM THE STATE EMPLOYEES RETIREMENT SYSTEM.

In lie 2534, after "passage" insert "except that sections 73 and 74 shall take effect July 1, 1988"

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REP. TULISANO: (29th)

Mr. Speaker, the Clerk has an amendment, LCO 4939.  
Permission to summarize.

DEPUTY SPEAKER LAVINE:

Will the Clerk please call 4939.

CLERK:

LCO 4939, designated House "N", offered by  
Representative Adamo.

DEPUTY SPEAKER LAVINE:

Is the gentleman seeking permission to summarize?

REP. TULISANO: (29th)

Permission to summarize Mr. Speaker.

DEPUTY SPEAKER LAVINE:

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Is there objection? Hearing none, you may proceed.

REP. TULISANO: (29th)

Another part of the statute, just like we did before. It conforms our current statutes with the federal statutes. Very substantive in nature. But since both sides agree there is no more problems. I move adoption.

DEPUTY SPEAKER LAVINE:

The motion is on adoption. Will you remark? Will you remark? The Chair will try your minds. All those in favor will signify by saying, aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER LAVINE:

Those opposed, nay.

The amendment is adopted and ruled technical.

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House Amendment Schedule "N".

After line 2530, insert the following and renumber the remaining sections accordingly:

"Sec. 73. Subsection (a) of section 45-29j of the general statutes, as amended by section 3 of substitute senate bill 398 of the current session, is repealed and the following is substituted in lieu thereof:

(a) Except as provided in subsection (d) of this section, each married member shall, subject to regulations issued by the retirement commission, make an election in accordance with subsections, (d) and (e) of this section to receive a reduced retirement allowance with the provision that the reduced retirement allowance, or such part which is specified by such person in his notice of election, shall be continued

after his death to his spouse named in the election for as long as his spouse lives. The reduced retirement allowance shall be in an amount which the retirement commission determines to be the actuarial equivalent of the retirement allowance that would have been payable had not the election been made. A member may elect to receive his retirement allowance in accordance with any of the following options: (1) A reduced amount payable to the member for his lifetime with the provision that after his death his spouse, if surviving, shall be entitled to receive a life time income equal to fifty per cent of the reduced monthly amount payable to the member; (2) a reduced amount payable to the member for his annuitant shall be entitled to receive a lifetime income equal to either fifty or one hundred per cent of the reduced amount payable to the member; (3) a reduced amount payable to the member for his lifetime with the provision that if he shall die within either a ten or twenty-year period following the date his retirement income commences, whichever is selected by the member, the reduced amount continues to his contingent annuitant for the balance of the ten or twenty-year period; (4) an amount payable to the member for his lifetime with no payments continuing after the member's death, except for a lump sum death benefit [as provided in subsection (B) of section 5-168] EQUAL TO THE MEMBER'S RETIREMENT CONTRIBUTIONS PLUS INTEREST REDUCED BY THE FEDERAL TAX EXCLUSION RATIO TIMES THE INCOME PAYMENTS MADE TO THE MEMBER FROM THE FUND. If a member who has been married for one year dies before retirement but after completion of the age and service requirements that would permit him to retire upon his own application, the retirement allowance shall be payable to his spouse commencing at his death, in accordance with regulations to be established by the retirement commission."

In line 2534, after "passage" insert the following: ", except that section 73 shall take effect July 1, 1988."

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REP. TULISANO: (29th)

Mr. Speaker, the Clerk has an amendment LCO 5118.

DEPUTY SPEAKER LAVINE:

Will the Clerk please call 5118.

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REP. TULISANO: (29th)

Mr. Speaker, may that be passed? PT'd and I will review it again.

DEPUTY SPEAKER LAVINE:

It is unnamed, therefore, you can proceed sir. Thank you Mr. Speaker, Clerk has an amendment LCO 4875. This is a Republican substantive amendment, Mr. Speaker, therefore, it makes it not substantive anymore.

DEPUTY SPEAKER LAVINE:

The Clerk has 4875, would the Clerk please call.

CLERK:

LCO 4875, designated House "O", offered by Representative Duffy, et al.

DEPUTY SPEAKER LAVINE:

The gentleman seeking leave to summarize. Is there objection? Hearing none, you may proceed.

REP. TULISANO: (29th)

Mr. Speaker, this is an amendment introduced by not only Representative Duffy but Representative Krawiecki and Representative Taylor. Two to one from the other side, which is very, very, very, very substantive in nature. But I guess it is okay this time. Which allows fifteen year olds to work at Hershey Park. Any amusement parks, I'm sorry.

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DEPUTY SPEAKER LAVINE:

Are you moving adoption?

REP. TULISANO: (29th)

No, Mr. Speaker.

DEPUTY SPEAKER LAVINE:

Representative Krawiecki.

REP. KRAWIECKI: (78th)

Mr. Speaker, I will move adoption.

DEPUTY SPEAKER LAVINE:

The motion is on adoption, will you remark?

Representative Garavel.

REP. GARAVEL: (110th)

Mr. Speaker, I believe the Clerk called amendment 5118.

DEPUTY SPEAKER LAVINE:

The Clerk had 4875, is this an enquiry on the part of Representative Garavel? The Clerk had called, it had been withdrawn prior to having the amendment designated. It is not before us. It is available at anytime sir.

We are on 4875, will you remark further? If not, the Chair will try your minds. All those in favor will signify by saying...

REP. FOX: (144th)

Mr. Speaker.

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DEPUTY SPEAKER LAVINE:

Representative Fox.

REP. FOX: (144th)

Thank you, Mr. Speaker...

DEPUTY SPEAKER LAVINE:

By the way, ladies and gentlemen of the Chamber, there are a lot of people standing and it would be a little bit easier, I would appreciate it.

Representative Fox.

REP. FOX: (144th)

Thank you, Mr. Speaker. Mr. Speaker, I rise to oppose the amendment. First of all it is my opinion that it is a substantive change in the existing legislation. Contrary to what we ought to be doing with this particular bill.

In addition, I think it is an issue which has been reviewed by a number of committee's, including the General Law Committee. And the General Law Committee had very definite opinions on whether or not we ought to modify what we did last year with respect to fifteen year olds working.

The input that we had was that the school system and the people that spoke to us on the issue did not feel that that ought to be amended or changed. The concept of fifteen year olds working was a very new one

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and the feeling was that we had to wait and see how that system worked before we expanded it.

In addition, and I would raise this point of order, sir. I believe there is a issue here. I have heard the statements made earlier that we are dealing with all of the statutes so you can raise the issue of germaneness.

However, the bill that is before us does not affect all of the statutes. It affects certain statutes. And I would submit to you that in the bill that is before us, there is nothing which deals with the employment of minors, which this amendment does. And consequently, even though this is a technical revisers amendment, I do not believe that this particular, or a technical revisers bill, I do not believe that this amendment is germane to what is in the bill. And I raise that point of order.

DEPUTY SPEAKER LAVINE:

The Chair would invite debate. Representative Emmons.

REP. EMMONS: (101st)

Mr. Speaker, I think I would join in the point of order that has been raised. And I would look back to probably five hours ago, we had a bill to discuss this same thing, which would have brought the whole debate out on the issue of fifteen year olds working or not.

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I must say that I am a little annoyed that it is only to take care of one area. And it is only for one type of employment, where the bill that went through the Labor Committee and to all the other committee's, which I think were four, was a little bit broader.

If we want to debate the issue, then we should have taken up the issue earlier today. My feeling is that if we want to debate it, then we should defeat this amendment and go on with the technical revisions, which I said before, are not as technical as we have been lead to believe, and reconsider our actions of earlier today and have a full debate on the issue as it has been before the General Assembly in the last three months.

DEPUTY SPEAKER LAVINE:

Would you remark further? If not, the Chair is prepared to rule.

The Chair has examined the amendment and under the most liberal construction it is difficult to see how the amendment is germane as a technical correction to the General Statutes, therefore, I would rule that the point of order is well taken and the amendment is not before us.

REP. KRAWIECKI: (78th)

Mr. Speaker.

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DEPUTY SPEAKER LAVINE:

Yes sir.

REP. KRAWIECKI: (78th)

A point of parliamentary enquiry, please.

DEPUTY SPEAKER LAVINE:

Yes sir.

REP. KRAWIECKI: (78th)

Do I take it that on each and every amendment that will be offered to the technical revisers bill, that from now on we are going to be looking to see if there is an nexus to existing alteration to our statutes. Based on your ruling sir.

DEPUTY SPEAKER LAVINE:

Representative Krawiecki, it has been generally construed that there should be a silken thread. And I would say, in this particular case, there is barely a spider web that would stand the strain of this particular amendment. I would say if we do get repeated points of order on that, they would be examined each and every time and dealt with in that sense. And believe me I understand what you are getting at sir, and if it had been possible to have ruled otherwise, we would have been sympathetic to that. But this is a stretch through the technical reviser. And if somebody wishes to raise the issue on

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another amendment, I think it might well be appropriate and wish to be pursued in that sense, I would say individual members will have to find their way on that issue.

REP. KRAWIECKI: (78th)

Thank you for your response, Mr. Speaker. I would appeal the ruling of the Chair.

DEPUTY SPEAKER LAVINE:

Alright, the Chair is getting used to this. The Chair will, the Chair will order a roll call at the appropriate time.

Representative Nania.

REP. NANIA: (63rd)

Thank you, Mr. Speaker. Mr. Speaker I find your ruling very interesting and perhaps very enlightening. On the issue of germaneness as it touches the reviser statutes. I believe, and this is a question to you, sir. That what you are looking for is a type of revision of an existing statute that would in some way correct or improve an existing statute. So that what would be germane here is the idea of a correction rather than a substantive link between the substantives of the amendment and the substantives of the statute. Is that correct?

DEPUTY SPEAKER LAVINE:

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Are you making a parliamentary enquiry, sir?

REP. NANIA: (63rd)

Yes sir.

DEPUTY SPEAKER LAVINE:

I think that is accurate. And I would reflect that perhaps the Chairman of Judiciary has indicated as he has brought amendments that some of the amendments, indeed, were substantive, and were in his own words as he warned the Chamber, substantive to other enquiries, or points of order. No one chose to pursue those points.

REP. NANIA: (63rd)

Mr. Speaker, I agree and I don't look back at those prior amendments. Nor would I think that we are actually using substantive as any kind of a test here. I believe as you said it out in your ruling, the test is whether, in fact, the amendment corrects some kind of an oversight typo problem of some kind with an existing statute. Regardless of the fact that the consequence of that may be a substantive change in the law. Is that correct, through you, sir?

DEPUTY SPEAKER LAVINE:

Let me state it in my own words, sir. In my own words, it would be that on a revisers correction, you need to find a technical correction to be made within

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the statutes to come within the nexus of the revision. I will say again, the Chamber has been honestly and truly warned by the Chairman of Judiciary when there has been something that has been substantial. And no points have been raised. A point has been raised on this and the Chair has ruled and the appeal has been taken from that ruling and that is what we will be dealing with in a moment. Representative Nania, you have the floor, sir.

REP. NANIA: (63rd)

Thank you, sir, that is all.

DEPUTY SPEAKER LAVINE:

Representative Krawiecki.

REP. KRAWIECKI: (78th)

Thank you, Mr. Speaker. Speaking to your ruling, and the reason for my appealing it. You will recall in House Amendment "A", sir, that section 89 specifically dealt with fifteen year olds being able to be employed in certain environments in our state. I believe an absolute nexus has been had and this amendment is obviously germane. It runs together with the bill as it had been amended earlier. And with all due respect, Mr. Speaker, I think your ruling is incorrect. And I apologize, but I disagree.

DEPUTY SPEAKER LAVINE:

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Representative Van Norstrand.

REP. VAN NORSTRAND: (141st)

Mr. Speaker, you and I go back a long way, sir.

DEPUTY SPEAKER LAVINE:

We do, indeed, sir.

REP. VAN NORSTRAND: (141st)

And I have tremendous respect for you, sir. And I know you are under pressure. But to rule that unless it makes a technical correction is not a relative amendment. Germaneness is still the test. Germaneness, that's all. This bill, Representative Tulisano bears the burden of bringing it out. This bill literally opens up the entire General Statutes to almost anything. There is nothing in our rules. There is nothing in Masons that says it has to be technical. That is the title of the bill. Germaneness to a bill is still judged by is it germane to the bill? I mean, we would be back to what I have heard you say this evening, Mr. Speaker, and I am not sure... I am hoping I am not sure you are saying this, that it has to be technical, as judged by Representative Tulisano.

He is doing a favor to the Chamber to tell them what he thinks. That has got nothing to do with whether an amendment is germane. That is a subjective judgement, and your ruling, your ruling, sir, would

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leave us with nothing other than one man's opinion. That is not the way this place operates. Well, I am sorry. I am sorry. Under this Speaker and the two Deputies up there. Maybe in the sea of chaos, that is where we are. It is one man's rule.

There used to be a slogan that represented that in the far west in about 1860. You can't proceed this way. The amendment has to be justified by germaneness to the bill. It is not a question of whether it is technical, it is substantive, it is the moon. It doesn't matter. Germaneness matters, and this bill... I hate it. I hate what can happen with this bill, and I have got to tell you. Early in the day, I said to the Minority Leader, "Would you talk to Representative Frankel or Balducci and tell them we will give you Consent on the file copy?" You would have saved yourselves a lot of trouble.

But, you can't open yourselves up to this, and then try to close it down that the amendment is not technical. That is not a basis for an objection. On all the years we have been there, Mr. Speaker... Mr. Speaker? 12 years. We have never heard that kind of ruling. You can't do it. You might wish to. It might be expedient. But, you can't do it.

Either the amendment is germane to the subject

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within the bill, or it is not. You can't do it that it is not technical; it is substantive. It is or it isn't. And, to cite in your ruling that that is Representative Tulisano's version of... He is doing the best he can to bring out a bill to forewarn other members. He is not making judgments. He has made a personal judgement, but that doesn't bind this Chamber.

I understand appeals. Believe me, I understand appeals. God, I was there when Representative Migliaro appealed me, and thank God the then-Minority Leader, Representative Irving Stolberg and sensible Democrats supported me, or we would have had chaos for no good reason.

But, please, please, I say to all of you. There is no sense talking to the Speaker. He has made his ruling. I say to you: "Yes, you have got the votes." And, I know. Procedural...you go down the line and da da da da. Please, don't do this. This is incredible. Please, don't do this. This ruling has no basis in all the rulings that have been made... I am sorry, just in my 12 years, from Kennelly to Abate, and Abate was good at expedient. Kennelly was not. Abate was. Stolberg would get into it.

And, did I do it once? I confess, once. But, please don't do this. Please don't do this, Mr.

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Speaker. That is terrible. Yes, it's a long night. So what? This is the night you brought us to. I mean, you are in charge. We have done nothing to obstruct you. And, expediency is not good enough. It's not. I don't care if it's the last night. I have been there.

But, damnit, care something about about the process. This ruling is wrong. You have the votes. I know that. I urge you: please, don't do this. If there is an important thing and something crazy has happened, for God's sake... I see the Majority Leader, and I remember years ago, when Ernie Abate was Speaker and there was something he wanted for Stratford, and it was wrong. And, Ernie chose to do expedient. It was wrong then. He could have E-Certed.

That is the way to do it now. That is the rules. We will still get a test on it. But, please don't do this. This is terrible.

DEPUTY SPEAKER LAVINE:

The House will stand at ease.

REP. FRANKEL: (121st)

Mr. Speaker?

DEPUTY SPEAKER LAVINE:

The House will come back to order. The House will please come back to order. Ladies and gentlemen, if you will please take your seats? Representative

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Krawiecki, I would ask first: would you withdraw your appeal to the Chair's ruling?

REP. KRAWIECKI: (78th)

Certainly, I would, Mr. Speaker.

REP. JAEKLE: (122nd)

Mr. Speaker, I will withdraw my second.

DEPUTY SPEAKER LAVINE:

Thank you. Ladies and gentlemen, on closer examination of House "A", it would appear on line 454 that language was added indicating that "any person over the age of 18 may be employed by an employer holding a permit issued under this chapter, except that any person 15 years of age or older may be employed." On better reflection of that addition, the Chair now would say that there is sufficient nexus for the amendment to be considered.

The amendment is currently before us.

Representative Van Norstrand.

REP. VAN NORSTRAND: (141st)

Very brief, sir. I think that is most gracious. I know the pressures upon you are terrible, but for this Chamber, I am most thankful, sir.

DEPUTY SPEAKER LAVINE:

Thank you, Representative Van Norstrand. Will you proceed? Representative Krawiecki.

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REP. KRAWIECKI: (78th)

Mr. Speaker, as the... I am sorry, I guess the Chairman... Okay. Thank you. I don't need the floor, Mr. Speaker.

DEPUTY SPEAKER LAVINE:

Will you remark further? Representative Fox.

REP. FOX: (144th)

Mr. Speaker, in order to clarify the record of this House, I think it would be appropriate for me to withdraw my Point of Order.

DEPUTY SPEAKER LAVINE:

The Chair appreciates that, sir.

REP. FOX: (144th)

I would, sir, however still, assuming that the amendment is still before us, it is still my intention to debate the amendment and whether or not it ought to be part of this bill.

DEPUTY SPEAKER LAVINE:

Will you remark further on the amendment?

Representative Emmons.

REP. EMMONS: (101st)

Mr. Speaker, just through you, a point of just inquiry. Is the amendment withdrawn?

DEPUTY SPEAKER LAVINE:

No, madame, the amendment is before us currently.

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REP. EMMONS: (101st)

Thank you, Mr. Speaker. I would just like to make one comment, and maybe it is the last day of the session, and things are unraveling. But, when I first came here, the Technical Revisers Bill was purely technical. It was very large. Sometimes it was 110, 115 pages. And, we were told by the leaders, and at that time Jerry Stevens was my leader, and my, if you can't... I mean, he is the most political dog I have ever met.

But, it was supposed to be purely technical and revisions to statutes. I understand what is being said, if you have a thread, a silken thread, you ought to be able to attach anything to it. But, we could have a whole session, just with all of us adding on to the sections in this bill whatever never got through a Committee.

I would just suggest that the next time we do the rules, it ought to be that a Technical Revisers Bill should be purely technical. It would mean that the Judiciary Committee cannot slip in anything on us either, and we can not try to put anything over on them. And, anything that is of substance should come out as its own bill.

Thank you, Mr. Speaker.

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DEPUTY SPEAKER LAVINE:

Will you remark further? Representative Fox.

REP. FOX: (144th)

Yes, Mr. Speaker. I would associate myself with the comments of Representative Emmons. If we want to change the law with respect to how 15 year olds, or when they can work, then let's do it. But, let's not sit here and tell one another how important the process is, and try to put this piece of garbage through.

This issue is important enough, Mr. Speaker, that I ask when the vote is taken, it be taken by roll.

DEPUTY SPEAKER LAVINE:

The request is for a roll call. Those in favor of a roll call will signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER LAVINE:

Sufficient number having been arrived at, when the vote is taken, it will be taken by roll. Will you remark further? Representative Maddox.

REP. MADDOX: (66th)

Just very, very briefly, Mr. Speaker. I would just like to point out to the Chamber that what this amendment would do would be affect three establishments I know of in the state, one in New London, one in

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Middlebury, Connecticut, and of course, one in Bristol.

I think if we look at the merits of the amendment, we should adopt it. Thank you, Mr. Speaker.

DEPUTY SPEAKER LAVINE:

Will you remark further? If not, staff and guests will come... Representative Taborsak.

REP. TABORSAK: (109th)

Mr. Speaker, opposing the amendment. It isn't just a technical correction. It is an expansion of the employment of 15 year olds. I think everyone realizes last year we allowed 15 year old employment under certain circumstances, and that that bill itself had a sunset. We didn't have a hearing on Amusement Park employment....

DEPUTY SPEAKER LAVINE:

Will you wait just a moment, Representative Taborsak. Now, the Chamber is getting more crowded with guests as we go on. And, I would observe that we still have substantial business before us.

Representative Taborsak.

REP. TABORSAK: (109th)

We did not have a public hearing on employment of 15 year olds in amusement parks. We certainly didn't hear from parents who came and asked us to advance this kind of legislation. In fact, we didn't hear from 15

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year olds requesting employment in these areas.

And, for those reasons, Mr. Speaker, I would urge rejection.

DEPUTY SPEAKER LAVINE:

Will you remark further? Representative Galbraith.  
REP. GALBRAITH: (76th)

Mr. Speaker, I rise to oppose the amendment. This amendment puts another rent in the already tattered fabric of child labor legislation. Parents did not seek this bill or any other incursion on child labor legislation to find diversion for their idle children. They did not seek a paying alternative to the school athletic program or the school extra-curricular program.

We have a labor shortage in this state. But, rather than say that, we cloak the exploitation of children in a mantle of noble purposes, and I guarantee that if there is a surplus of labor in this state, if the labor pool expands, if unemployment goes up, we will pull 15 year olds out of the labor force with the same expediency with which they are, we are putting them in.

I urge rejection.

DEPUTY SPEAKER LAVINE:

Will you remark further? If not, staff and

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quests... Representative Thorp.

REP. THORP: (89th)

One of the measures of the advancement of civilization or the civility or just simply the level of the civilization in a country is what the working age is. Connecticut has led the country over the years. We have had an age of 16. We currently have an experiment with the grocery stores in reducing that to 15, in that one special instance.

Basically, however, the whole business reminds me of the experiments we had with the age that we allowed people to drink. And, everybody had this notion that if you were old enough to fight, you were old enough to vote. If you were old enough to fight, you were old enough to drink. I don't know about the voting part, but over the last 8 years, we have gone back to 21 as far as the booze is concerned.

You know, if we keep on.... If 15 is good, then 14 ought to be okay, and then what about 13? And, then what about 12? The whole business reminds me very much of a statement that I read recently in a history of Victorian Britain, where the master of the cotton mill said that the children made absolutely marvelous workers in the cotton mill. Their only problem was they had a couple of small faults.

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First of all, they tended to get drowsy in the afternoon. And, secondly, when they got caught in the machinery, they mangled badly. Now, that is the foundation, if you will, from where we have been in the past. They get caught in the machinery. They mangle badly.

DEPUTY SPEAKER LAVINE:

Representative Thorp. I understand comments, but we are drifting further and further away from the amendment.

REP. THORP: (89th)

I would hate to have us drift any closer or any further back than we have already, and I think we have gone far enough.

DEPUTY SPEAKER LAVINE:

Representative Tiffany.

REP. TIFFANY: (36th)

Mr. Speaker, I can't believe what is happening here tonight. Let me go back a few years. Perhaps I was the only one here. I don't see Representative Stolberg. But, very late at night one night, and Speaker Ratchford was in the Chair, sir. And, we were doing technical amendments, sir.

And, someone snuck in an amendment, if you recall, that repealed the Ethics Law. At that point in time,

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Speaker Ratchford came down out of the Chair and gave a very eloquent speech. The House was very quiet, and it was very late at night, and that amendment was soundly defeated. And, from that time on, at least for several sessions, the Technical Revisers Bill was purely a Technical Revisers Bill.

Majority Leader Frankel is right. It soon became, we were back where both sides were sneaking in items that were no longer strictly technical. And, here we have come to a point where we have a bill that was, earlier today was recommitted, so we would not have a long debate. And, here we have an amendment on the Technical Revisers Bill.

It is ludicrous. It is ludicrous. As I mentioned earlier to Mr. Frankel, some of these, some of these amendments I would truly like to vote for if they were E-Certed or specific bills. But, I will never in the world vote for any of these items as technical amendments.

DEPUTY SPEAKER LAVINE:

Representative Adamo.

REP. ADAMO: (116th)

Thank you, m Mr. Speaker. Mr. Speaker, the previous speaker made a very good point. Not two hours ago, I recommitted a bill to save time in this Chamber that

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would have accomplished part of this and part of something else. And, here we are. We could have done the darn bill. We have blown an hour on this. Enough is enough. Please vote this down, and let's move along.

DEPUTY SPEAKER LAVINE:

Will you remark further? If not, the machine will be open. Staff and guests will come to the Well of the House.

CLERK:

The House of Representatives is voting by roll.  
Members, please report to the Chamber. The House is voting by roll. Members, to the Chamber, please.

DEPUTY SPEAKER LAVINE:

Will you please check the board and make sure that your vote is properly cast? If so, the machine will be locked. Representative Holbrook.

REP. HOLBROOK: (35th)

Mr. Speaker?

DEPUTY SPEAKER LAVINE:

Yes, Representative Holbrook.

REP. HOLBROOK: (35th)

In the negative, please.

REP. FRANKEL: (121st)

Mr. Speaker?

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DEPUTY SPEAKER LAVINE:

Representative Holbrook of the 35th in the negative.

REP. FRANKEL: (121st)

Mr. Speaker, may I yield to Representative Lugo?

DEPUTY SPEAKER LAVINE:

Representative Lugo.

REP. LUGO: (130th)

In the affirmative, please.

DEPUTY SPEAKER LAVINE:

Representative Lugo of the 130th.

REP. LUGO: (130th)

In the affirmative, please.

DEPUTY SPEAKER LAVINE:

In the affirmative.

REP. PALERMINO: (5th)

Mr. Speaker?

DEPUTY SPEAKER LAVINE:

Representative Palermino.

REP. PALERMINO: (5th)

In the affirmative, please.

DEPUTY SPEAKER LAVINE:

Representative Palermino in the affirmative.

Representative Fritz of the 90th.

REP. FRITZ: (90th)

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Mr. Speaker, in the negative, please, sir.

DEPUTY SPEAKER LAVINE:

Representative Fritz of the 90th in the negative.

REP. BERNER: (10th)

Mr. Speaker?

DEPUTY SPEAKER LAVINE:

Representative Berner of the 10th.

REP. BERNER: (10th)

May I be recorded in the negative, please, Mr. Speaker?

DEPUTY SPEAKER LAVINE:

Representative Berner, in the negative. Clerk will take the tally.

Please check the board. Clerk will announce the tally. Clerk will announce the tally.

CLERK:

House Amendment "O" to House Bill 6108.

Total Number Voting	145
Necessary for Adoption	73
Those Voting Yea	59
Those Voting Nay	86
Those absent and not Voting	6

DEPUTY SPEAKER LAVINE:

The amendment is defeated.

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## House Amendment Schedule "O":

After line 245, insert the following:

"Sec. 73. Subsection (b) of section 31-23 of the general statutes, as amended by section 1 of public act 87-195, is repealed and the following is substituted in lieu thereof:

(b) (1) Notwithstanding the provisions of subsection (a) of this section, a minor who has reached the age of fifteen may be employed or permitted to work in any mercantile establishment, from October 1, 1987, to September 30, 1992, inclusive, as a bagger, cashier or stock clerk, provided such employment shall be (A) outside regular school hours; (B) for not more than forty hours in any week when school is not in session; (C) for not more than eighteen hours in any week when school is in session; (D) for not more than eight hours in any day when school is not in session; (E) for not more than three hours in any day when school is in session; and (F) between the hours of seven o'clock in the morning and seven o'clock in the evening, except that from July first to the first Monday in September in any year, any such minor may be employed until nine o'clock in the evening. Minors so employed shall work no more than two consecutive school days without a day off. (2) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (a) OF THIS SECTION, FROM THE EFFECTIVE DATE OF THIS ACT TO SEPTEMBER 30, 1992, INCLUSIVE, A MINOR WHO HAS REACHED THE AGE OF FIFTEEN MAY BE EMPLOYED OR PERMITTED TO WORK IN A FIXED, STATIONARY AMUSEMENT PARK AS A CASHIER, TICKET-TAKER, SWEEPER OR JANITORIAL EMPLOYEE OR ANY OTHER POSITION AUTHORIZED BY THIS SUBSECTION, BUT SHALL BE PROHIBITED FROM ANY POSITION RELATED TO OPERATION, SUPERVISION OR MAINTENANCE OF RIDES, PROVIDES SUCH EMPLOYMENT SHALL BE PURSUANT TO THE PROVISIONS OF SUBPARAGRAPHS (A) TO (F), INCLUSIVE, OF SUBDIVISION (1) OF THIS SUBSECTION AND SHALL BE DURING THE MONTHS OF JULY AND AUGUST. [(2)] (3) Each person who employs a fifteen-year-old minor in any mercantile establishment OR IN ANY AMUSEMENT PARK pursuant to this subsection shall obtain a certificate [from the state board of education] stating that such minor is fifteen years of age or older AS PROVIDED IN SECTION 10-193. Such certificate shall be kept on file at the place of employment and shall be available at all times during business hours to the inspectors of the labor department. [(3)] (4) The labor commissioner may adopt regulations, in accordance with the provisions of chapter 54, as he deems necessary to implement the provisions of this subsection."

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REP. TULISANO: (29th)

Mr. Speaker?

DEPUTY SPEAKER LAVINE:

Representative Tulisano.

REP. TULISANO: (29th)

Nice seeing you again. The Clerk has another amendment, LCO 4142.

DEPUTY SPEAKER LAVINE:

Will you recall that, please?

REP. TULISANO: (29th)

Quatro, uno, quatro, duos, 4142.

DEPUTY SPEAKER LAVINE:

The Clerk has LCO 4142. Will the Clerk please call?

CLERK:

LCO 4142, designated House "B", offered by Representative Fox.

REP. TULISANO: (29th)

Permission to summarize, Mr. Speaker?

DEPUTY SPEAKER LAVINE:

The gentleman is seeking permission to summarize. Is there objection? Hearing none, you may proceed.

REP. TULISANO: (29th)

Mr. Speaker, it is a language change from "units"

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to "unit" and from "are" to "is". I think it is semantical in nature, truly the most technical of all. I hope. Of course, I feel like a real dummy now, because I don't know what is technical anymore.

I move adoption.

DEPUTY SPEAKER LAVINE:

The motion is on adoption. Will you remark? If not, I will try your minds. All in favor will signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER LAVINE:

Those opposed, nay. The amendment is adopted and ruled technical.

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House Amendment Schedule "P":

After line 2530, insert section 73 as follows and renumber the remaining sections accordingly:

"Sec. 73. Section 21a-78 of the general statutes, as amended by public act 88-56, is repealed and the following is substituted in lieu thereof:

(a) The price at which any food, as defined in section 21a-92, is offered or displayed for sale or sold at retail shall not be increased during the shelf life of such food except in accordance with the provisions of subsection (b) of this section. For the purposes of this section, "shelf life" means the time period beginning with the first day such food is offered or displayed for sale and ending with the day such food is no longer so offered and displayed. Any person who offers or displays for sale at retail such food with an increased price, except in accordance with the provisions of subsection (b) of this section, or who sells any such food at an increased price during

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its shelf life, except in accordance with the provisions of subsection (b) of this section, shall be fined not more than five hundred dollars for each offense. Each increase on each food item during its shelf life shall constitute a separate offense.

(b) Any unit of food which is offered or displayed for sale prior to or during the course of any period during which the price of such [units] UNIT of food [are] IS reduced in accordance with a publicly-advertised price reduction having a publicly-advertised ending date may, if [they remain] IT REMAINS to be offered or displayed for sale after such ending date, be increased in price to a level not to exceed the posted price of such [units] UNIT of food immediately preceding the starting date of the publicly-advertised price reduction."

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DEPUTY SPEAKER LAVINE:

Will you remark further?

REP. TULISANO: (29th)

Mr. Speaker, Clerk has an amendment, LCO 4872.  
4872. There are only 4 numbers.

DEPUTY SPEAKER LAVINE:

I must point out that we have about 30 amendments sitting here. It takes a little while to go through them.

REP. TULISANO: (29th)

Through you, Mr. Speaker, I am not talking to you. I am talking to the people who said I said five numbers.

DEPUTY SPEAKER LAVINE:

Clerk, please call 4872.

CLERK:

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LCO 4872, designated House "Q".

DEPUTY SPEAKER LAVINE:

"Q".

CLERK:

Offered by Representative Looney et al.

DEPUTY SPEAKER LAVINE:

The gentleman is seeking leave to summarize.

REP. TULISANO: (29th)

Yes, right. Yes, Mr. Speaker. Mr. Speaker, this makes it clear that, pursuant to section, public act 87-320, that you have a right to vote by absentee ballot, even when, in adjourned town meetings. This is quasi-substantive in nature. I move its adoption.

DEPUTY SPEAKER LAVINE:

The motion is on adoption. Will you remark? Will you remark? If not, I will try your minds. All in favor will signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER LAVINE:

Those opposed, nay.

REPRESENTATIVES:

No.

DEPUTY SPEAKER LAVINE:

The Chair is in doubt. Let me try your minds

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again. Ladies and gentlemen, all in favor of the amendment will signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER LAVINE:

Those opposed, nay.

REPRESENTATIVES:

No.

DEPUTY SPEAKER LAVINE:

The Chair is no longer in doubt. The amendment is adopted and ruled technical.

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House Amendment Schedule "Q":

After line 2530, insert the following and renumber the remaining sections accordingly:

"Sec. 73. Subsection (n) of section 9-1 of the general statutes is repealed and the following is substituted in lieu thereof:

(n) "Referendum" means (1) a question or proposal which is submitted to a vote of the electors of a municipality at any regular or special state or municipal election, as defined in this section, (2) a question or proposal which is submitted to a vote of the electors or voters, as the case may be, of a municipality at a meeting of such electors or voters, which meeting is not an election, as defined in subsection (d) of this section, and is not a town meeting, or (3) a question or proposal which is submitted to a vote of the electors or voters, as the case may be, of a municipality at a meeting of such electors or voters pursuant to section 7-7 OR PURSUANT TO CHARTER OR SPECIAL ACT;"

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DEPUTY SPEAKER LAVINE:

Representative Tulisano.

REP. TULISANO: (29th)

Mr. Speaker, the Clerk has an amendment, LCO 5038.

DEPUTY SPEAKER LAVINE:

The Clerk will please call 5038.

CLERK:

LCO 5038, designated House "R", offered by  
Representative Del Bianco.

DEPUTY SPEAKER LAVINE:

Representative Tulisano.

REP. TULISANO: (29th)

Permission to summarize, Mr. Speaker?

DEPUTY SPEAKER LAVINE:

Permission to summarize? Is there objection?  
Hearing none, you may proceed.

REP. TULISANO: (29th)

Like the last bill, Mr. Speaker, this is semi-substantive in nature, semi-substantive in nature. And, I think it makes sure that the money appropriated to Waterbury is for odor control at the Waterbury Sewage Treatment Plant. I understand this is language we left out of the bill we had originally passed.

I move its adoption.

DEPUTY SPEAKER LAVINE:

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The motion is on adoption. Will you remark? Will you remark? Representative Emmons.

REP. EMMONS: (101st)

Thank you, Mr. Speaker. Mr. Speaker, I would like to rise to a Point of Order, that I do not think this bill, this amendment is germane to the bill.

Mr. Speaker, it has been brought to my attention that it is a Special Act, but I am really on the substance. That is my Point of Order.

REP. TULISANO: (29th)

Mr. Speaker, may I withdraw this amendment?

DEPUTY SPEAKER LAVINE:

I am sorry. Representative Tulisano?

REP. TULISANO: (29th)

I would like to withdraw this amendment, Mr. Speaker. This was a Special Act. I am sorry. I apologize.

DEPUTY SPEAKER LAVINE:

Is there objection to the withdrawal of the amendment?

REP. TULISANO: (29th)

And I move the bill, Mr. Speaker.

DEPUTY SPEAKER LAVINE:

Is there objection to the withdrawal of the amendment. Hearing none, the amendment is withdrawn.

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We are now on the bill.

REP. ADAMO: (116th)

Mr. Speaker?

SPEAKER STOLBERG:

Will you remark further on the bill? Will you remark further? Representative Adamo.

REP. ADAMO: (116th)

Thank you, Mr. Speaker. Mr. Speaker, the Clerk has an amendment, LCO 5118. May he call, and may I summarize?

SPEAKER STOLBERG:

What was the number, sir? Just a moment. Will the House come to order? Representative Adamo, what was the number, please?

REP. ADAMO: (116th)

5118, sir.

SPEAKER STOLBERG:

The Clerk has an amendment, LCO 5118, House Amendment Schedule "S". Will the Clerk please call?

CLERK:

LCO 5118, designated House "S", offered by Representative Adamo.

REP. ADAMO: (116th)

Thank you, Mr. Speaker. Mr. Speaker, this is somewhat technical and somewhat substantive. What has

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happened is that there was a bill that contained this particular date change or opening of a particular date. The bill was found to be flawed and recommitted because of that flaw. The Retirement Division has asked that we go forward with this.

I would move adoption of the amendment.

SPEAKER STOLBERG:

Will you remark further on the amendment?

Representative Emmons.

REP. EMMONS: (101st)

Mr. Speaker, I think that this is... A Point of... God, I can't even remember it now. A Point of Order, Mr. Speaker. I personally do... My Point of Order is that it is not germane, that it is a substantive change when you change the timing from January 1, 1987 to January 1, 1989 as an opening of a window to buy pension rights.

SPEAKER STOLBERG:

Excuse me, madame. I am sorry. Could you please repeat that?

REP. EMMONS: (101st)

Mr. Speaker, it is a Point of Order, in that I do not think it is germane to a technical amendment's bill or a Technical Revisers Bill, when you are changing the date for the purchase of retirement credits from

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January 1, 1987 to January 1, 1989, and the reason that is given is that a previous bill was not written correctly and was recommitted.

I think that it is substantive enough. It should have been voted on by the Chamber as an issue, not technical.

SPEAKER STOLBERG:

Your Point of Order, madame, the Chair would be forced to concur with. This goes over the bound of technical, does have impact beyond technical, and the Chair would have to rule that Amendment "S" is not properly before us.

Representative Adamo.

REP. ADAMO: (116th)

Mr. Speaker, we previously passed two amendments to the same exact file that did the same exact thing and were part of the same exact bill that in fact was in error. This body did vote on this once before. It went upstairs. It got messed up upstairs. It came back down here, and because of the flaws, we had to recommit it.

If we are going to can this, I guess we can can it. But, we are going to hurt some people.

SPEAKER STOLBERG:

Representative Adamo, it is not really the Chair's

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choice. You know, I wish it were. If everything were the Chair's choice, I would have a great session, but my job is somewhat more restricted than that, and I have to respond to the points that are raised.

Representative Belden, for what purpose do you rise?

REP. BELDEN: (113th)

Parliamentary inquiry, if I might. I am not quite sure what the lady's Point of Order was that you responded to, because I.. I am not quite sure if I would like to appeal, because I am not quite sure which of her points you referred... indicated in her favor.

SPEAKER STOLBERG:

I think the major point she made is that this is far from technical. This is a technical corrections to the General Statutes act. The item before us, which is the only item I can deal with, is not a technical correction. And, on that point, I ruled that her Point was well taken.

REP. BELDEN: (113th)

Parliamentary inquiry, if I might, Mr. Speaker.

SPEAKER STOLBERG:

Certainly, sir.

REP. BELDEN: (113th)

I am not quite sure where in Mason's it relates to,

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in the germaneness section, in the definition of whether or not something is technical or not technical, as to whether or not it is properly before us as a part of a file. I just... Mr. Speaker, I am not... I can't quite comprehend that. I think we had this debate just a few minutes ago, as a matter of fact.

SPEAKER STOLBERG:

Representative Belden, the Chair can only rule in light of a history of tradition here on the Technical Revisions Act. The fact that another bill did not pass, and therefore, we are putting it on this is not something that the Chair will accept as consistent with the Technical Revisions Act.

There is a line of technical, between technical and substantive. The lady raised the Point of Order that this was clearly substantive, had significant impact beyond the technical, and the Chair was obliged to agree with her, sir.

REP. BELDEN: (113th)

Mr. Speaker, I realize I have not made any point, and I am debating at this point under a point of Parliamentary inquiry to try to make sure that I understand where we are going...

SPEAKER STOLBERG:

The Chair is allowing latitude in light of your

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experience and wisdom that can be shared with the Chamber, sir.

REP. BELDEN: (113th)

I do have very, very serious concerns that we are now taking away from the will of the body whether or not an amendment should be before us, on the determination of whether it is technical or substantive. I think that lady had two items in her Point. One was that the matter was not germane, and I believe that that is disposed of by the fact that two previous amendments dealt with the same section of the statute.

So, we are narrowly tied into a definition of whether or not a Point of Order is correct in that there has been a determination made that the item is not technical. And, I believe that is a very, very new ground that we are entering, sir.

SPEAKER STOLBERG:

Representative Belden, it is not a new ground at all. I have witnessed significant debate tonight on that ground. Indeed, I think that several amendments were withdrawn when that point was made.

The Chair would argue that the Technical Corrections Act has always been just that, a Technical Corrections Act. The item before us, I have not heard

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a case made that is a purely technical correction. It seems to be a substantive correction. The Chair did not rule on germaneness, because of the breadth of this act. A lot of things could be germane, but did rule that it is not technical, and therefore, that the lady's Point was well taken.

You are right. It is always in this body to determine an awful lot of things. Representative Belden.

REP. BELDEN: (113th)

Thank you, Mr. Speaker. I believe that is the point that was made earlier on an earlier amendment, that the Technical Act has not always been technical. It has been whatever the Chamber wanted to accept on any individual amendment.

SPEAKER STOLBERG:

That is correct, but the Chair has to rule on Points that are raised, and the Chair has ruled on this one, sir.

REP. BELDEN: (113th)

Mr. Speaker, I will not appeal the ruling of the Chair, but I respectfully feel, sir, that it is not quite right.

SPEAKER STOLBERG:

I respect that and would suggest that you lean

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across the aisle and discuss it with your colleague from the 101st.

Will you remark further on the bill?

Representative Naomi Cohen.

REP. COHEN: (15th)

Thank you, Mr. Speaker. Mr. Speaker, the Clerk has an amendment, LCO 4815. May I ask that he call, and that I be allowed to summarize?

SPEAKER STOLBERG:

The Clerk has an amendment, LCO 4815, House "T". Will the Clerk please call?

CLERK:

LCO 4815, House "T", offered by Representative Cohen.

SPEAKER STOLBERG:

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

REP. COHEN: (15th)

Thank you, Mr. Speaker. Mr. Speaker, the technical correction is in line 25 and provides that in the payment of school construction grants, the Department of Education may pay them as the district enters into the third or subsequent year of a grant, rather than in that year itself.

I urge adoption.

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SPEAKER STOLBERG:

Will you remark further? Representative Emmons.

REP. COHEN: (15th)

Excuse me, Mr. Speaker. I wasn't finished.

SPEAKER STOLBERG:

I am sorry.

REP. COHEN: (15th)

Thank you, Mr. Speaker. Mr. Speaker, after the adoption of the school construction bill, in which we had attempted to take care of all our problems, Senator Harper brought this amendment to us from the city of New Britain, because of a problem that they were having with bond payments. I have discussed this amendment with Representative Smoko and with the Department, and we seem to be in agreement that this would be a slight change and would be acceptable to all.

And, I urge adoption.

SPEAKER STOLBERG:

Will you remark further? Representative Emmons.

REP. EMMONS: (101st)

Thank you, Mr. Speaker. I have seen this amendment before, and at the time I saw it then, I really did not understand the operative difference between the word "in" and "into". Through you, Mr. Speaker, I would like to ask the proponent of the amendment

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exactly what affect this has on the payments, the timing of payments.

REP. COHEN: (15th)

Through you, Mr. Speaker, I believe, Representative Emmons, that the way the bonds were purchased and the payment schedule for those bonds is the way in which the Department pays the city its grant. And, because the bond... It just so happens in the New Britain situation that because of the way the bonds were purchased, when interest rates were high, they now want to refinance their bonds, and there is a few day lapse.

And, if the Department is able to pay the city into the third year of the bond rather than actually in the year, the city of New Britain will be able to refinance its bonds at a lower rate.

REP. EMMONS: (101st)

Mr. Speaker?

SPEAKER STOLBERG:

Representative Emmons.

REP. EMMONS: (101st)

Following up on that, really, from a grammatical point of view, I am trying to find out what is the difference of "in the third or any subsequent year," or "into the third or any subsequent year"? It would seem to me "in the third year" is any day in the third year,

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and "into the third year" is any day in the third year. So, there must be something more to this amendment than meets the eye.

REP. COHEN: (15th)

Through you, Mr. Speaker? I am sorry, Representative Emmons, I can't tell you anymore than I have just told you. That was the way it was explained to me by Senator Harper, and it is because of that explanation and because of the Department's assurance to us that the city would get no more money than the money it was entitled to under the school reconstruction reimbursement program.

Because we did not take care of it in a timely fashion, when we voted the school construction bill, that it is here before you.

REP. EMMONS: (101st)

Thank you, Mr. Speaker. Mr. Speaker, through you to the proponent of the amendment, is there a fiscal note?

SPEAKER STOLBERG:

Representative Cohen.

REP. COHEN: (15th)

Through you, Mr. Speaker, I don't have a fiscal note, but apparently my Ranking Member does, and I would love to hear what it says.

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REP. EMMONS: (101st)

Thank you, Mr. Speaker. It says, "This amendment would result in a potential future cost to the state." So, Mr. Speaker, I guess as a Point of Order, I do not think that this amendment is properly before us, because it is not technical in nature and does have a substantive effect that brings a future cost.

REP. COHEN: (15th)

Mr. Speaker?

SPEAKER STOLBERG:

On the Point of Order, Representative Cohen?

REP. COHEN: (15th)

Mr. Speaker, yes. If the Point of Order that, is that it is technical because the fiscal note says that it will result in a potential future cost, I think we need to read the next sentence in the amendment which says that there is no data available to determine the exact cost. It was my understanding that, in this instance, it was not a major cost to the state, in that the state would pay no more than New Britain would normally be allowed to have under school construction.

Therefore, I don't agree with the Point of Order, sir.

SPEAKER STOLBERG:

The Chair is prepared to rule. I understand that

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Point of Order. This is the kind of fiscal note that has concerned the Chair in the past, because it leads in two different directions at the same time. Basically, it indicates that there is a potential future cost to the state, and potential revenue gain to municipalities.

But, first of all, grammatically, it is incorrect. There is no data, rather than there "are" no data available to determine the exact state cost nor municipal gain. If there are no data, then it is hard to know how they come up with a fiscal note. There must be some data somewhere that leads them to believe that there may be a potential future cost, or a potential municipal gain.

The Chair is going to have to rule, madame, that your Point of Order is not well taken, because the fiscal note does not lead us to believe or really give us knowledge of anything.

Will you remark further on the amendment?

Representative Emmons.

REP. EMMONS: (101st)

Mr. Speaker, just speaking to your ruling on the Point of Order, and I am not sure I am going to challenge the Chair. But, it seems to me that something that is purely technical and is to the

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Technical Revisers Bill, would not have a fiscal note like that. And, I know we have had a lot of notes like that that say, well, maybe it is, and maybe it isn't.

But, if it was purely technical, to clean up the statute, it would have said it had no effect at all. And, I guess my feeling is that if we are going to have the Technical Revisers Bills, we have to make some rules that it is purely technical.

SPEAKER STOLBERG:

Representative Emmons, that is true, but in reading the amendment, which is the best guide we have before us, the Chair has the same difficulty you have of trying to understand the difference between "in the third or any subsequent year" or "into the third or any subsequent year."

The Chair is very puzzled by both the amendment and the fiscal note, and it is before the body.

Representative Emmons.

REP. EMMONS: (101st)

Thank you, Mr. Speaker. Following up on your comments, and I guess the same puzzlement, excuse me, that I have to this bill. Then, I really think that as we don't know what "in" and "into" mean, and we don't know what the fiscal note really means, because maybe it has a cost, and maybe it doesn't... I would

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urge the body that they vote it down.

SPEAKER STOLBERG:

Will you remark further on the amendment? Will you remark further on the amendment? Will you remark further? Representative Farr.

REP. FARR: (19th)

Mr. Speaker, just so I understand what the amendment says. Representative Cohen, am I correct that if you pay interest in the third or subsequent year, that means that you can't pay interest before the third year? If you pay interest into the third or subsequent year, that means you can pay interest starting from day one, all the way up to the third year and thereafter. Is that interpretation correct?

SPEAKER STOLBERG:

Representative Cohen.

REP. COHEN: (15th)

Through you, Mr. Speaker, to the best of my knoweldge, no district would get any more payments under this amendment than it would get without this amendment in terms of what they entitled to, based on the sliding scale for the school construction formula. They would not be able to get double payments in any year, sir.

SPEAKER STOLBERG:

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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 to the contrary, nay.

REPRESENTATIVES:

No.

REP. COHEN: (15th)

Mr. Speaker?

SPEAKER STOLBERG:

Representative Cohen.

REP. COHEN: (15th)

Mr. Speaker, may I request a roll call, please?

SPEAKER STOLBERG:

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

REPRESENTATIVES:

Aye.

SPEAKER STOLBERG:

Adequate number is arrived at. The vote will be taken by roll. Will you remark further? If not, will members please be seated? Staff and guests, to the Well of the House. The machine will be opened.

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CLERK:

The House of Representatives is voting by roll call. Members, to the Chamber. The House of Representatives is taking a roll call vote. Members, to the Chamber immediately.

SPEAKER STOLBERG:

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

Will the Clerk please announce the tally?

CLERK:

House Amendment "T" to House Bill 6108.

Total Number Voting	146
Necessary for Adoption	74
Those Voting Yea	88
Those Voting Nay	58
Those absent and not Voting	5

SPEAKER STOLBERG:

The amendment is adopted, in one of the strangest party line votes in history. (laughter)

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House Amendment Schedule "T":

After line 2530, insert the following and renumber the remaining sections accordingly:

"Sec. 73. Section 10-287h of the general statutes is repealed and the following is substituted in lieu

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thereof:

Any grant commitment for a completed school building project for which an application for review of preliminary plans and specifications on Form 2A was submitted after September 30, 1975, in the case of a town or after October 14, 1975, in the case of a regional school district shall include a commitment to pay the interest cost on bonds, on or after July 1, 1982, the interest costs on temporary notes renewed in accordance with section 7-378a or 70378e [in] INTO the third or any subsequent year of such renewal following the date of issuance of the original notes, issued by such town or regional school district to finance the state share of the cost of such project as determined by the state board of education. The state board of education shall certify to the comptroller, upon completion of the issuance of bonds, or such renewal of temporary notes, to finance each school building project, the dates and amounts of grant payments to be made pursuant to this section and sections 10-286d and 10-287, and the comptroller is authorized and directed to draw an order on the treasurer upon such certification to pay the amounts so certified when due. The treasurer shall make such interest grant payments at least ten days prior to the interest payment dates on bonds, temporary notes related thereto, issued to finance such project, and shall make such site acquisition and project cost grant payments at least ten days prior to the principal payment dates on bonds, or temporary notes related thereto, issued to finance such project. In the event that a school building project is not completed at the time bonds, or temporary notes related thereto, are issued to finance the project, the certification of the grant amounts by the state board of education may be based on estimates, provided that upon completion of such project and notification of final acceptance to the state, the state board of education shall adjust and recertify the dates and amounts of subsequent grant payments on the state' share of final eligible costs."

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SPEAKER STOLBERG:

Will you remark further on the bill? If not...

Representative Coleman.

REP. COLEMAN: (1st)

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Thank you, Mr. Speaker. The Clerk has an amendment, LCO 2874. Will the Clerk please call that amendment, and may I be permitted to summarize?

SPEAKER STOLBERG:

The Clerk has an amendment, LCO 2874, designated House Amendment Schedule "U". Will the Clerk please call?

CLERK:

LCO 2874, designated House "U", offered by Representative Balducci et al.

SPEAKER STOLBERG:

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

REP. COLEMAN: (1st)

Mr. Speaker, this amendment attempts to delete a reference to section 12 and section 15 of House Bill 6025. That was a typographical error in House Bill 6025. This amendment attempts to correct that error.

I move adoption, Mr. Speaker.

DEPUTY SPEAKER CIBES:

Representative Coleman, have you moved adoption?

REP. COLEMAN: (1st)

Yes, Mr. Speaker.

DEPUTY SPEAKER CIBES:

The question is on adoption of House "U". Will you

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remark further? Will you remark further?

Representative Emmons.

REP. EMMONS: (101st)

Mr. Speaker, this is a bill that appropriates \$25,000. I do not see how it can be viewed as a technical correction. And, Mr. Speaker, I would like to raise a Point of Order, that it is not germane to the bill that is a Technical Revisers Bill.

DEPUTY SPEAKER CIBES:

Will you remark on the Point of Order?

Representative Coleman.

REP. COLEMAN: (1st)

Thank you, Mr. Speaker. This amendment does not appropriate \$25,000, Mr. Speaker. The bill, however, did in section 15 appropriate \$25,000 to the Commission on Human Rights and Opportunities. What the amendment attempts to do is to delete the reference to section 12, in line 26 of this amendment. That is the sole purpose of the amendment, Mr. Speaker.

REP. EMMONS: (101st)

Mr. Speaker?

DEPUTY SPEAKER CIBES:

Representative Emmons.

REP. EMMONS: (101st)

Yes. Mr. Speaker, if it is not going to be the

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purposes of section 12 of this act, which is a prior act, then, Mr. Speaker, where is the money going?

DEPUTY SPEAKER CIBES:

Representative Coleman.

REP. COLEMAN: (1st)

Mr. Speaker, the purpose of the money is to fund in the final quarter of the fiscal year four positions with the Commission on Human Rights and Opportunities.

DEPUTY SPEAKER CIBES:

Representative Emmons, I think if you read line 26 carefully, you will see that it is still appropriated for the purposes of this act. It just removes the words "section 12 of".

REP. EMMONS: (101st)

Mr. Speaker?

DEPUTY SPEAKER CIBES:

Representative Emmons.

REP. EMMONS: (101st)

I think I would like to yield to Representative Arthur, who does not believe that this money was in the budget.

DEPUTY SPEAKER CIBES:

Representative Arthur, will you accept the yield, sir?

REP. ARTHUR: (42nd)

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Yes, Mr. Speaker. I just reviewed that particular agency. There are no new positions in that agency.

DEPUTY SPEAKER CIBES:

Will you remark further on the...

REP. COLEMAN: (1st)

Mr. Speaker?

DEPUTY SPEAKER CIBES:

At this point, I am not certain that we are debating a Point of Order. Representative Emmons, it might prove more profitable to debate the substance of the bill, madame.

REP. EMMONS: (101st)

Excuse me, Mr. Speaker.

DEPUTY SPEAKER CIBES:

Of the amendment.

REP. EMMONS: (101st)

I think in a way we are debating the question of whether it is germane, and whether it is technical or in substance. And, I suppose before you are ruling, my question, when I made my Point of Order, the sponsor of the bill said this was money that was in the budget and it was correcting some technical defect in the bill.

What Representative Arthur was saying was that there wasn't money in the budget. And, so, in a sense, this whole debate ends up to tell me that it is not a

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technical amendment, or it is not written in a way to be seen as a technical amendment.

Thank you, Mr. Speaker.

DEPUTY SPEAKER CIBES:

We are still debating the Point of Order, then. Representative Coleman.

REP. COLEMAN: (1st)

Mr. Speaker, I did not remark that this money was in the budget. A reading of this amendment would indicate that this money is appropriated to the Commission on Human Rights and Opportunities from the Finance Advisory Committee. Further reading... I would indicate first that that same language is in the bill, and the purpose of the amendment, I would state again, is in line 26.

The purpose of the amendment is to delete a reference to section 12. I think the amendment is purely technical, Mr. Speaker, and again, I move its adoption.

DEPUTY SPEAKER CIBES:

Will you remark further on the Point of Order?

REP. EMMONS: (101st)

Yes, Mr. Speaker, I would just like to make one other comment. In this particular amendment, line 28, it ends up that you are changing the effective date of

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section 73. So, I mean, it does not appear to be, quote, "a technical amendment."

DEPUTY SPEAKER CIBES:

Representative Coleman, will you remark further?

REP. COLEMAN: (1st)

Thank you, Mr. Speaker. In the bill, Mr. Speaker, the effective date is the same, April 1, 1989. It doesn't change it at all.

DEPUTY SPEAKER CIBES:

The Chair is prepared to rule. Based on the content of the debate and a review of the file, it is clear that this is merely a technical change. The section 15 of Substitute House Bill 6025 has already been, has already passed the House. Section 15 at that point appropriated the money from the FAC, and the purpose of the amendment before us is simply to change the reference of that.

Your Point, madame, is not well taken. Will you remark further on the amendment? Will you remark further on the amendment? Will you remark further on Amendment "U"? If not, all those in favor of adoption, please indicate by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER CIBES:

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Those opposed, please indicate by saying no.

REPRESENTATIVES:

No.

DEPUTY SPEAKER CIBES:

The ayes have it. House "U" is adopted.

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House Amendment Schedule "U":

After line 2530, insert the following and renumber the remaining sections accordingly:

"Sec. 73. Section 15 of substitute house bill 6025 of the current session is amended to read as follows:

Sec. 15. The sum of twenty-five thousand dollars is appropriated to the commission on human rights and opportunities for the fiscal year ending June 30, 1989, from the sum appropriated to the finance advisory committee under section 1 of special act 88-20, for 1988 acts without appropriations, for the purposes of [section 12 of] this act."

In line 2534, before the period insert the following: ", except that section 73 shall take effect April 1, 1989."

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DEPUTY SPEAKER CIBES:

Will you remark further on the bill?

REP. MUSHINSKY: (85th)

Mr. Speaker?

DEPUTY SPEAKER CIBES:

Representative Mushinsky.

REP. MUSHINSKY: (85th)

Thank you. The Clerk has LCO 4882. Clerk, please call, and may I summarize?

SPEAKER STOLBERG:

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The Clerk has an amendment, LCO 4882, which we don't have, but it is on its way, designated House Amendment Schedule "V" for Victory. Will the Clerk please call?

CLERK:

LCO 4882, House "V", offered by Representative Mushinsky.

SPEAKER STOLBERG:

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

REP. MUSHINSKY: (85th)

Thank you, Mr. Speaker. This amendment makes two corrections to the two pesticide bills that we passed earlier this year. LCO noticed two flaws, and this bill simply corrects them. I move adoption.

SPEAKER STOLBERG:

Will you remark futher 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.

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## House Amendment Schedule "V":

After line 2532, insert the following and renumber the remaining section accordingly:

"Sec. 74. Subsection (b) of section 2 of substitute house bill 5981 of the current session, as amended by house amendment schedule "B", is repealed and the following is substituted in lieu thereof:

(b) On and after July 1, 1989, the provisions of section 1 of this act shall not apply to any person engaged in agriculture who (1) fails to maintain the records specified in subsection (d) [and] OR (2) has not developed and implemented the plan specified in subsection (e) when such records have been maintained for less than three years.

Sec. 75. Subsection (b) of section 22a-66a of the general statutes, as amended by section 1 of house bill 5868 of the current session, as amended by house amendment schedule "B", is repealed and the following is substituted in lieu thereof:

(b) On or after the adoption of regulations pursuant to subsection (f) of this section, a pesticide application business, prior to applying a pesticide within one hundred yards of any property line, shall provide notice of the time and date of the application to any owner or tenant who abuts the property to be treated and who requests notification. Notification may be requested by submitting a form prescribed by the commission to the pesticide application business or the commissioner. The form shall include the name, address and telephone number of the person requesting notification and the best time for notification and the name, address and telephone number, if listed in the directory, of any person whose property abuts the property [to be treated] OF THE PERSON REQUESTING NOTIFICATION. Each pesticide application business shall submit requests for notification to the commissioner who shall maintain a registry of persons requesting notification. A pesticide application business shall make not less than two attempts to notify any owner or tenenat who requests notification. Such attempts shall be made as early as practicable but not later than twenty-four hours before the application. Notice may be by any method, including telephone, mail or personal notification. If attempts at notificaiton by the applicator fail, an emergency application is necessary or best management practices of integrated pest management, as defined in section 6 of this act, recommend an immedate pesticide application to reduce the amount of pesticides that

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would otherwise be necessary, the pesticide application business shall attempt to notify the owner or tenant in person immediately prior to the application. Notice of the application and attempts at notification shall be placed on the door of the person requesting notification if all notification attempts fail. Any person who provides notice of an aircraft application of a pesticide pursuant to regulations adopted under section 22a-66 shall not be required to provide notice under this subsection."

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SPEAKER STOLBERG:

Will you remark further on the bill?

Representative Belden.

REP. BELDEN: (113th)

Thank you, Mr. Speaker. Clerk has an amendment, LCO 4877. Could he call, and I be given permission to summarize?

SPEAKER STOLBERG:

That also does not seem to be in the possession of the Chair, despite the surfeit of amendments still in the Chair's possession, both which have been called and which haven't. Does anyone have a copy of it. Ah, there is one.

The Clerk has an amendment, LCO 4877, designated House "W". Will the Clerk please call?

CLERK:

LCO 4877, designated House "W", offered by Representative Jaekle et al.

SPEAKER STOLBERG:

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Could I ask that copies get over to the Majority side? Are they being distributed there? Does anyone have them? There are no copies available on the Majority side. How about on the Minority side? Does anyone have one? Has this been duplicated? Are any copies available?

REP. BELDEN: (113th)

Mr. Speaker, I don't know if there are any other members that are going to offer any other amendments. It will appear that we will have to wait...

SPEAKER STOLBERG:

Would you like to temporarily withdraw it?

REP. BELDEN: (113th)

Temporarily, as long as I don't lose my position in line, sir.

SPEAKER STOLBERG:

Somehow I will remember that you are waiting, sir.

REP. BELDEN: (113th)

Thank you, sir. At this point, I would like to withdraw LCO 4877.

SPEAKER STOLBERG:

LCO 4877, already designated House "W", is with... Was it called? Did the Clerk call it? Then, the "W" designation will continue. Will you remark further? Representative Mazza, at the sine die desk.

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REP. MAZZA: (115th)

Thank you, Mr. Speaker. The Clerk has an amendment, LCO 4879, please?

SPEAKER STOLBERG:

The Clerk has an amendment, LCO 4879, designated or rated House Amendment Schedule "X". Will the Clerk please call?

CLERK:

LCO 4879, designated House "X", offered by Representative Krawiec.

REP. MAZZA: (115th)

Mr. Speaker?

SPEAKER STOLBERG:

My, this looks familiar.

REP. MAZZA: (115th)

Mr. Speaker?

SPEAKER STOLBERG:

Representative Mazza.

REP. MAZZA: (115th)

Mr. Speaker, this amendment will allow persons in the State of Connecticut to qualify for a limited certificate of registration as an interior designer. All of them have already passed the Professional Examination of the Interior Design Society.

These designers are employees associated with fine

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home furnishing stores and independent designers, and their work is almost exclusively in the residential section. The examination which they have passed, appropriately focuses on residential design.

Mr. Speaker, I move for its adoption.

SPEAKER STOLBERG:

Will you remark? 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 Chair is in doubt, will try your minds one more time. 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 Chair would rule that the ayes have it. The amendment is adopted.

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House Amendment Schedule "X":

After line 2530, insert the following and renumber the remaining section accordingly:

"Sec. 73. Section 4 of public act 87-519 is repealed and the following is substituted in lieu thereof:

(a) Except as provided in subsections (b), [and] (c) AND (d) of this section, no person shall be issued a certificate of registration as an interior designer unless he submits satisfactory proof that he has passed the uniform national examination established by the National Council for Interior Design Qualifications or that he has passed any other examination with standards or requirements equal to or greater than those established by such council, provided the requirements in this subsection shall not be applicable to an architect licensed in this state.

(b) The commissioner may issue a certificate of registration as an interior designer, without examination, to any person who is currently registered or licensed in another state having registration or licensing standards or requirements equal to or greater than the standards or requirements established in this act.

(c) The commissioner shall issue a certificate of registration as an interior designer, without examination, to any person who used or was identified by the title of "interior designer" for one year or more immediately preceding October 1, 1983 and who is otherwise qualified for a certificate of registration as an interior designer in accordance with the provisions of [this act] PUBLIC ACT 87-519, provided such person applies for such certificate not later than one year after [the effective date of this act] JULY 1, 1988.

(d) THE COMMISSIONER MAY ISSUE A CERTIFICATE OF REGISTRATION AS AN INTERIOR DESIGNER TO ANY PERSON WHO SUBMITS SATISFACTORY PROOF THAT HE HAS PASSED, PRIOR TO OCTOBER 1, 1988, THE UNIFORM NATIONAL EXAMINATION ESTABLISHED BY THE INTERIOR DESIGN SOCIETY OF CHICAGO, ILLINOIS, PROVIDED SUCH PERSON APPLIES FOR SUCH CERTIFICATE NOT LATER THAN JULY 1, 1989."

In line 2534, after "passage" and before the period

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insert ", except that section 73 shall take effect July 1, 1988."

\*\*\*\*\*

SPEAKER STOLBERG:

Will you remark further? The ayes clearly had it. Are there further amendments? Will you remark further on the bill? Will you remark further? Representative Belden.

REP. BELDEN: (113th)

Mr. Speaker, at this time, I do not intend to recall the amendment I had just called previously. I thank the Chamber for their indulgence.

SPEAKER STOLBERG:

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

REP. TIFFANY: (36th)

Mr. Speaker?

SPEAKER STOLBERG:

Representative Tiffany.

REP. TIFFANY: (36th)

I would only comment, sir, that I don't think the state has been well served by the last couple of hours of debate, and I would hope that the leadership on both sides of the aisle would see that this does not happen next session, regardless of who is in charge. It has not been a bright moment, sir.

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SPEAKER STOLBERG:

Representative Tiffany, the Chair would indicate that the Technical Revisers Bill is often a difficult item. Today does seem more difficult than some of the others I can recall. And, the Chair would ask the Majority Leader and the Minority Leader, in particular, to perhaps devote a little thought to how this particular process of technical revisions perhaps could be done more expeditiously, and in a way that is a little more appetizing rather than sausage factory.

REP. FRANKEL: (121st)

Mr. Speaker?

SPEAKER STOLBERG:

Representative Frankel.

REP. FRANKEL: (121st)

Thank you, Mr. Speaker. Representative Tiffany's comments are well taken. We had assigned a team on this side to shepherd the bills. We would welcome a team on the other side, to perhaps bring the issue closer to a nexus. And, we would also ask that the membership cooperate with the teams. Because, the problem we have had, quite obviously, is that the teams have done their amendments well. The amendments began flowing. They just flowed today, from 9:00 o'clock on, to the point where the team just couldn't handle it.

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So, with the membership's cooperation, the effort that was made perhaps could be well served.

SPEAKER STOLBERG:

Will you remark further? If not, will members please be seated? Staff and guests, to the Well of the House. The machine will be opened.

CLERK:

The House of Representatives is voting by roll call. Members, report to the Chamber. The House of Representatives is taking a roll call vote. Members, to the Chamber, please.

SPEAKER STOLBERG:

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

REP. KEELEY: (126th)

Mr. Speaker?

SPEAKER STOLBERG:

Representative Keeley.

REP. KEELEY: (126th)

Thank you, Mr. Speaker. In the affirmative, please?

SPEAKER STOLBERG:

Representative Keeley in the affirmative.

REP. BUTTERLY: (68th)

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Mr. Speaker? Mr. Speaker? Over here, Mr. Speaker.

SPEAKER STOLBERG:

Will everyone not seeking the Chair's attention please be seated? Representative Butterly.

REP. BUTTERLY: (68th)

In the affirmative, please.

SPEAKER STOLBERG:

Representative Butterly of the 68th, in the affirmative. Representative Osler.

REP. OSLER: (150th)

In the affirmative, please.

SPEAKER STOLBERG:

Representative Osler of the 150th, in the affirmative. Representative DeZinno.

REP. DEZINNO: (84th)

In the affirmative, sir.

SPEAKER STOLBERG:

Representative DeZinno of the 84th, in the affirmative. Are there others? If not, will the Clerk please announce the tally?

CLERK:

House Bill 6108, Calendar 346, as amended by Amendments "A", "B", "D", "E", "F", "G", "H", "I", "K", "L", "M", "N", "P", "Q", "T", "U", "V", and "X".

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Total Number Voting	147
Necessary for Passage	74
Those Voting Yea	143
Those Voting Nay	4
Those absent and not Voting	4

SPEAKER STOLBERG:

The bill is passed. Will the Clerk please continue with the call of the Calendar?

REP. FRANKEL: (121st)

Mr. Speaker?

SPEAKER STOLBERG:

Representative Frankel.

REP. FRANKEL: (121st)

Mr. Speaker, I would move for a suspension of our rules for the immediate transmittal of the last item to the Senate.

SPEAKER STOLBERG:

Is there objection?

REP. JAEKLE: (122nd)

Yes, Mr. Speaker, I object.

REP. FRANKEL: (121st)

Mr. Speaker, I will withdraw the motion.

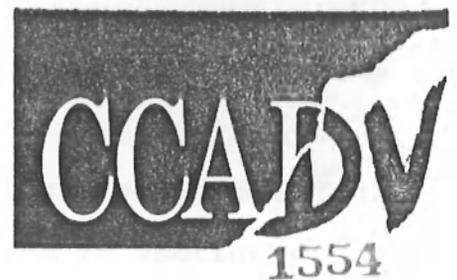
SPEAKER STOLBERG:

JOINT  
STANDING  
COMMITTEE  
HEARINGS

JUDICIARY  
PART 5

1303-1608

1988



CONNECTICUT  
COALITION  
AGAINST  
DOMESTIC  
VIOLENCE

TO: Members of the Judiciary Committee

Senator Anthony Avallone  
Representative Richard Tulisano  
Chairs

FROM: Anne Menard  
Executive Director

22 Maple Avenue  
Hartford, CT 06114  
(203) 524-5890

DATE: March 21, 1988

TESTIMONY PRESENTED AT JUDICIARY COMMITTEE PUBLIC HEARING  
BILL # 6108: An Act Concerning the Revisor's Technical  
Corrections to the General Statutes and to Certain Public and  
Special Acts  
Sec. 38 (2) - page 31 of 44

The Connecticut Coalition Against Domestic Violence would like express concern about what is being presented as a technical revision to the Family Violence Prevention and Response Act, but in fact is of a substantive nature. The intent of this proposed revision is to remove what is clearly extra language in the subdivision (2) of the statute which defines "family and household member," and specifically the part referring to those who have resided together. This revision removes the broader category of those "who have resided together" instead of the more limited category of those "who have resided together in the recent past," as would have made more sense. This revision, in addition to being substantive instead of technical, also creates additional ambiguity, given the vague legal meaning of "recent."

We urge rejection of this revision unless more clear language is developed. CCADV would be happy to work with the committee and others concerned with this section to develop acceptable language.

CONNECTICUT LEGAL SERVICES, Inc.

104 BEACON STREET  
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March 21, 1988

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WILLIAM HESCOCK  
Chairman

NORMAN K. JAMES  
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DOUGLAS M. CROCKETT  
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RAPHAEL L. PODOLSKY  
Attorney at Law

H.B. 6108 — Revisor's Act

— Submitted by Raphael L. Podolsky

Recommended Committee action: AMEND §38

As written §38 of the Revisor's Act is substantive, not technical. To make it technical, 1. 1058-1061 should be amended to read:

Version #1:

(D) persons sixteen years of age or older other than those persons in subparagraph (C) presently residing together or who have resided together [or who have resided together in the recent past].

In other words, the closing bracket belongs after "past," not after "together."

C.G.S. §46b-38a, which is amended by §38, contains the definition of "family or household member" in the Domestic Violence Act. This definition determines which past and present family and household members are covered by that act. In particular, §38 amends Subdivision (D), which deals with persons not related by blood or marriage. Such persons are covered by the Domestic Violence Act if they either:

- (a) Are presently residing together;
- (b) Have resided together; or
- (c) Have resided together in the recent past.

In light of (b), Category (c) is redundant, since it is a subcategory of (b), and it can therefore properly be deleted. Section 38, however, deletes Category (b) rather than Category (c). This is a substantive change which undesirably narrows the definition of "family or household member." The revised version above would correct that error and prevent any change in the substance of the law.

Note: If the Committee wishes, it could make an additional technical change to Subdivision (D) to clear up an ambiguity in wording which was discovered after the passage of amendments to §46b-38a(D) in 1987. Subdivision (D) should read:

Version #2:

(D) persons sixteen years of age or older WHO ARE NOT RELATED BY BLOOD OR MARRIAGE [other than those persons in subparagraph (C)] AND WHO ARE presently residing together or who have resided together [or who have resided together in the recent past].

The change is needed because the meaning of the phrase "persons in subparagraph (C)" is unclear. This change is solely technical.