

Legislative History for Connecticut Act

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HB 7265	PA 162	1989
House 2682-2687, 5366-5372		(13)
Senate 1651-1653, 1663-1665		(6)
Labor and Public Employees		(0)

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CONNECTICUT  
GEN. ASSEMBLY  
SENATE

PROCEEDINGS  
1989

VOL. 32  
PART 5  
1510-1902

WEDNESDAY  
May 3, 1989

1651  
12  
aak

ready to proceed? Mr. Clerk. We are ready to proceed.  
Mr. Clerk, call the first item.

THE CLERK:

Senate Calendar for Wednesday, May 3, 1989,  
Favorable Reports, Calendar Page 2, Calendar 201, File  
183 and 298, Substitute HB7265, AN ACT CONCERNING THE  
MANDATORY RETIREMENT AGE FOR CERTAIN MEMBERS OF THE  
MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM. As amended by  
House Amendment Schedule "A". Favorable Report of the  
Committee on LABOR AND PUBLIC EMPLOYEES. Clerk is in  
possession of one amendment.

THE CHAIR:

Senator Maloney.

SENATOR MALONEY:

Thank you, Mr. President. Yes, I would move for  
approval of the Joint Committee's Favorable Report and  
passage of the bill. I would ask the amendment to be  
called.

THE CHAIR:

Is this in concurrence with the House, Senator  
Maloney?

SENATOR MALONEY:

That's correct, Mr. President.

THE CHAIR:

Clerk please call the amendment.

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aak

THE CLERK:

LC06442 designated Senate Amendment Schedule "A"  
offered by Senator Maloney of the 24th District.

THE CHAIR:

Senator Maloney.

SENATOR MALONEY:

Yes, thank you, Mr. President. The amendment provides an opportunity for a municipality to grant cost-of-living increases to persons covered by their retirement program as a matter of statute.

THE CHAIR:

Further remarks on the amendment? All those in favor of the amendment signify by saying Aye.

SENATORS:

Aye.

THE CHAIR:

Opposed? The amendment is adopted. Further amendments?

THE CLERK:

No further amendments, Mr. President.

THE CHAIR:

We are now on the bill as amended by Senate "A".  
Senator Maloney.

SENATOR MALONEY:

Thank you, Mr. President. Yes, the bill conforms

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state statute to Federal law and provides that the people who are subject to the municipal retirement in a mandatory retirement provisions would be allowed to continue in the service of their municipality with the annual approval of their legislative body.

THE CHAIR:

Further remarks on the bill as amended? Senator Maloney.

SENATOR MALONEY:

Thank you, Mr. President. I move the matter to the Consent Calendar.

THE CHAIR:

Without objection, so ordered.

THE CLERK:

Mr. President, the Clerk is in possession of SR24, recognizing American Home Week, LCO6214. It is introduced by Senator Larson of the 3rd District, Senator O'Leary of the 6th District and Senator Smith of the 8th District.

THE CHAIR:

Senator O'Leary.

SENATOR O'LEARY:

Mr. President, I move adoption of the Resolution and ask that the Clerk read it.

THE CHAIR:

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aak

return to the Chamber. Immediate roll call has been ordered in the Senate on the Consent Calendar. Will all Senators please return to the Chamber.

THE CHAIR:

Please give your attention to the Clerk who will read the items that have been referred to the Consent Calendar.

THE CLERK:

The first Consent Calendar begins on Calendar Page 2. Calendar 201, Substitute HB7265. Calendar Page 3, Calendar 274, Substitute HB7376. Calendar 285, SB67.

Calendar Page 4, Calendar 286, Substitute SB1041. Calendar 293, Substitute HB6394.

Calendar Page 6, Calendar 326, Substitute SB708. Calendar Page 8, Calendar 338, Substitute SB572. Calendar 340, Substitute HB5977. Calendar 341, Substitute HB7478. Calendar 342, Substitute HB7579.

Calendar Page 9, Calendar 346, HB7303. Calendar Page 10, Calendar 350, HB7470. Calendar 351, Substitute HB7490. Calendar Page 11, Calendar 354, Substitute HB5519. Calendar 355, Substitute HB7274.

Calendar Page 12, Calendar 360, Substitute HB7395. Calendar 361, Substitute HB5318. Calendar 362, Substitute HB7135. Calendar 363, HB7367.

Calendar Page 13, Calendar 364, HB5704. Calendar

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aak

366, HB7438.

Calendar Page 15, Calendar 182, Substitute SB768.

Mr. President, I believe that completes the call of the first Consent Calendar.

THE CHAIR:

Senator Matthews.

SENATOR MATTHEWS:

Thank you, Mr. President. I would like to remove on Page 6, ~~SB709~~ Calendar 326, AN ACT CONCERNING RADIATION CONTROL. I would like to remove it from the Consent Calendar for the purposes of adding an amendment.

THE CHAIR:

It's removed. Further changes or omissions?

SENATOR MATTHEWS:

Thank you. I move adoption of the amendment...

THE CHAIR:

Excuse me, not right now. We are going to take up the Consent Calendar, then immediately take up your amendment.

Further changes? The motion is to adopt Consent Calendar #1. The machine is open. Please record your vote. Has everyone voted? The machine is closed. Clerk please tally the vote.

The result of the vote:

36 Yea

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26  
aak

0 Nay

The first Consent Calendar is adopted.

The Senate will stand at ease. May I have order please. Mr. Clerk.

THE CLERK:

Calendar Page 6, Calendar 326 which was removed from the Consent Calendar. It is File 492, SB708, AN ACT CONCERNING RADIATION CONTROL. Favorable Report of the Committee on FINANCE, REVENUE AND BONDING. Clerk is in possession of one amendment.

THE CHAIR:

Senator Matthews.

SENATOR MATTHEWS:

Thank you, Mr. President. I move adoption of the amendment...

THE CHAIR:

No, we have to move for adoption of the bill first.

SENATOR MATTHEWS:

I move adoption of the bill.

THE CHAIR:

There is an amendment, Clerk please call the amendment.

THE CLERK:

LC06381 designated Senate Amendment Schedule "A"  
offered by Senator Matthews of the 9th District.

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CONNECTICUT  
GEN. ASSEMBLY  
HOUSE

PROCEEDINGS  
1989

VOL. 32  
PART 16  
5267-5667

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House of Representatives

Thursday, April 6, 1989

Good afternoon, State of Connecticut, House of Representatives, Calendar Thursday, April 6, 1989. Please turn to Page 6, Calendar 166, Substitute for HB7265. AN ACT CONCERNING THE MANDATORY RETIREMENT AGE FOR CERTAIN MEMBERS OF THE MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM.

Favorable Report of the Committee on LABOR AND PUBLIC EMPLOYEES.

REP. ADAMO: (116th)

Mr. Speaker.

SPEAKER BALDUCCI:

Representative Adamo of the 116th.

REP. ADAMO: (116th)

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

SPEAKER BALDUCCI:

Will you remark?

REP. ADAMO: (116th)

Briefly, Mr. Speaker, this is a conforming piece of legislation that would allow the existing MURPH System to comply and conform with the federal Retirement Act.

SPEAKER BALDUCCI:

It's early on again and there seems to be a great deal of noise and difficulty in hearing. I would

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House of Representatives

Thursday, April 6, 1989

appreciate it particularly on the right-hand side, if the noise would quiet down. Representative Adamo.

REP. ADAMO: (116th)

Thank you, Mr. Speaker. The bill reduces from eight to three years, after reaching the compulsory retirement age of 65, that a police officer or a fire fighter who is a member of MURPH could request approval for extensions of that retirement age, sir, and also takes out any reference to the mandatory age of 70 for all other municipal employees.

I would move passage of the bill, but before doing, sir, I would like to yield to Representative Radcliffe for a friendly amendment.

SPEAKER BALDUCCI:

Representative Radcliffe of the 123rd, do you accept the yield?

REP. RADCLIFFE: (123rd)

I do, Mr. Speaker. I thank the Chairman of the Labor Committee for his yield. The Clerk has in his possession an amendment, LCO4538. May he please call and read.

SPEAKER BALDUCCI:

Would the Clerk please call LCO5438, designated House "A".

CLERK:

tcc

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LC05438, designated House "A", offered by Representative Radcliffe.

SPEAKER BALDUCCI:

Do you care to summarize, sir?

REP. RADCLIFFE: (123rd)

I will. Perhaps the Clerk might call and read, Mr. Speaker, it's a short amendment.

SPEAKER BALDUCCI:

Will you please read.

CLERK:

In line 15, insert the word "annual"

In line 17, after the word "municipality" insert an opening bracket

In line 18, strike the bracket, strike "68" and insert a closing bracket after the word "years"

SPEAKER BALDUCCI:

The amendment is in your possession, sir.

REP. RADCLIFFE: (123rd)

Yes, Mr. Speaker, I move adoption.

SPEAKER BALDUCCI:

Will you remark?

REP. RADCLIFFE: (123rd)

Mr. Speaker, this amendment would eliminate the mandatory retirement age of 68 for police officers and firemen. What it would do, however, is it would allow

tcc

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House of Representatives

Thursday, April 6, 1989

the municipality to examine annually whether it would wish to retain a police officer or a fire fighter on its payroll. It would also conform the standard applied to police and fire officials with that of other municipal officials because, as Representative Adamo indicated, the file copy, to conform with federal legislation, does eliminate the mandatory retirement age for those who have attained the age of 70.

SPEAKER BALDUCCI:

Will you remark further on the amendment?

REP. ADAMO: (116th)

Mr. Speaker.

SPEAKER BALDUCCI:

Representative Adamo.

REP. ADAMO: (116th)

Thank you, Mr. Speaker. Mr. Speaker, I would join Representative Radcliffe in the adoption of this amendment. I've run it by the Retirement Division. It is okay to go forward with this and I would also move its adoption.

SPEAKER BALDUCCI:

Will you remark further on the amendment? Will you remark? If not, we'll try your minds. All those in favor please signify by saying aye.

REPRESENTATIVES:

tcc

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Aye.

SPEAKER BALDUCCI:

Opposed nay.

The ayes have it.

The amendment is adopted.

Will you remark further on the bill as amended?

Will you remark? If not, staff and guests please come to the well. Members please be seated. The machine will be opened.

CLERK:

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

SPEAKER BALDUCCI:

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

The Clerk please announce the tally.

CLERK:

tcc

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House of Representatives

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HB7265, as amended by House "A".

Total Number Voting 139

Necessary for Passage 70

Those voting Yea 139

Those voting Nay 0

Those absent and not Voting 12

SPEAKER BALDUCCI:

The bill as amended is passed.

CLERK:

Page 6, Calendar 169, Substitute for HB6793. AN ACT  
CONCERNING THE DISTRIBUTION OF INTESTATE ESTATES.

Favorable Report of the Committee on Judiciary.

REP. MINTZ: (140th)

Mr. Speaker.

SPEAKER BALDUCCI:

Representative Mintz of the 140th.

REP. MINTZ: (140th)

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

SPEAKER BALDUCCI:

Will you remark?

REP. MINTZ: (140th)

Yes, Mr. Speaker. The Clerk has an amendment,  
LC05740. I ask that he call and read.

abs

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House of Representatives

Tuesday, May 9, 1989

please to the Well. Members, please be seated. The machine will be opened.

CLERK:

The House of Representatives is now voting by roll.

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

SPEAKER BALDUCCI:

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

CLERK:

HB7373, as amended by House Amendment  
Schedules "A" and "B" and Senate Amendment  
Schedule "B", in concurrence:

Total Number Voting	142
Necessary for Adoption	72
Those Voting Yea	136
Those Voting Nay	6
Those absent and not Voting	9

SPEAKER BALDUCCI:

The bill as amended is passed.

CLERK:

Page 15, Calendar 166, Substitute HB7265. AN ACT

abs

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House of Representatives

Tuesday, May 9, 1989

CONCERNING THE MANDATORY RETIREMENT AGE FOR CERTAIN  
MEMBERS OF THE MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM.  
(As amended by House Amendment Schedule "A" and Senate  
Amendment Schedule "A")

Favorable Report of the Committee on LABOR AND  
PUBLIC EMPLOYEES.

REP. ADAMO: (116th)

Mr. Speaker?

SPEAKER BALDUCCI:

Representative Adamo.

REP. ADAMO: (116th)

Thank you, Mr. Speaker. Mr. Speaker, I move  
acceptance and passage of the bill, in concurrence with  
the Senate.

SPEAKER BALDUCCI:

The question is on passage. Will you remark?

REP. ADAMO: (116th)

Yes, Mr. Speaker. Mr. Speaker, this bill passed  
the House of Representatives. It was amended by House  
"A". House "A" was incorporated into File No. 298, and  
we were now working and dealing with File No. 298.  
And, I would ask the Clerk to please call LCO6442 and I  
be given the opportunity to summarize, please.

SPEAKER BALDUCCI:

Clerk, please call LCO6442, designated, previously

abs

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Tuesday, May 9, 1989

designated Senate "B".

CLERK:

LCO6442, previously designated Senate "A".

SPEAKER BALDUCCI:

Senate "A".

CLERK:

Offered by Senator Maloney and Senator Avallone.

SPEAKER BALDUCCI:

Representative Adamo. The question is on summarization. Is there objection? Representative Adamo.

REP. ADAMO: (116th)

Yes, Mr. Speaker. Mr. Speaker, Senate "A" is a simple enabling clause that would enable cities and towns who have retirement systems to provide cost of living increases to persons in the programs, widows or beneficiaries, as they deem appropriated. And, I would move adoption, sir.

SPEAKER BALDUCCI:

The question is on adoption. Will you remark? Representative Ward of the 86th.

REP. WARD: (86th)

Mr. Speaker, some questions, through you, to the proponent of the amendment.

SPEAKER BALDUCCI:

abs

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House of Representatives

Tuesday, May 9, 1989

Please proceed, sir.

REP. WARD: (86th)

Through you, to Representative Adamo, if a-- Would this, if they were to grant a cost of living allowance, would it have to be applied uniformly, or could they single out particular persons for the cost of living allowance?

SPEAKER BALDUCCI:

Representative Adamo.

REP. ADAMO: (116th)

Through you, Mr. Speaker, this amendment simply provides that they could give them out, that they could give out amounts that they thought appropriate, through the ordinance route. Now, my understanding of all ordinance routes is that they would have to have a public hearing, and that would be public information. I would think that they would be given uniformly, sir.

SPEAKER BALDUCCI:

Representative Ward.

REP. WARD: (86th)

Thank you, Mr. Speaker.

SPEAKER BALDUCCI:

Will you remark further?

REP. BELDEN: (113th)

Mr. Speaker?

abs

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SPEAKER BALDUCCI:

Representative Belden of the 113th.

REP. BELDEN: (113th)

Mr. Speaker, through you, to Representative Adamo, a question, please?

SPEAKER BALDUCCI:

Please proceed, sir.

REP. BELDEN: (113th)

Would this, what affect would this amendment have on towns that are in the, I believe, was it MERF? Would this have any affect, or would it only apply to those towns that are not in MERF?

REP. ADAMO: (116th)

Through you, Mr. Speaker, I believe I answered this question when this amendment was on the floor once before. And it would not apply to towns with MERF.

REP. BELDEN: (113th)

Thank you.

SPEAKER BALDUCCI:

Will you remark further on the amendment? If not, all those in favor, please signify by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER BALDUCCI:

Opposed, nay. The ayes have it. The amendment is

abs

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House of Representatives

Tuesday, May 9, 1989

adopted. Will you remark further on the bill as amended? Will you remark? If not, staff and guests, to the Well. Members, please be seated. The machine will be opened.

CLERK:

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

SPEAKER BALDUCCI:

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

REP. FRANKEL: (121st)

Mr. Speaker?

SPEAKER BALDUCCI:

Representative Frankel.

REP. FRANKEL: (121st)

May I be recorded in the affirmative?

SPEAKER BALDUCCI:

Representative Frankel, in the affirmative.

Clerk, please announce the tally.

CLERK:

abs

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House of Representatives

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HB7265, as amended by House Amendment  
Schedule "A" and Senate Amendment Schedule  
"A", in concurrence:

Total Number Voting	144
Necessary for Passage	73
Those Voting Yea	144
Those Voting Nay	0
Those absent and not Voting	7

SPEAKER BALDUCCI:

The bill as amended is passed.

CLERK:

Page 23, Calendar 345, Substitute HB5750. AN ACT  
CONCERNING COMMUNITY-BASED RESIDENTIAL FACILITIES AND  
SUPPORTED EMPLOYMENT FOR PERSONS WITH DISABILITIES.

Favorable Report of the Committee on  
APPROPRIATIONS.

REP. COHEN: (15th)

Mr. Speaker?

SPEAKER BALDUCCI:

Representative Cohen of the 15th.

REP. COHEN: (15th)

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

SPEAKER BALDUCCI: