

SB 1059

PA 211

1989

House

7836-7838

(3)

Senate

2048, 2093-2094

(3)

Finance, Revenue and Bonding 1793-1795 (3)

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CONNECTICUT
GEN. ASSEMBLY
HOUSE

PROCEEDINGS
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7514-7839

abs

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House of Representatives

Saturday, May 20, 1989

SPEAKER BALDUCCI:

The bill as amended is passed.

CLERK:

Page 9, Calendar 583, SB1059. AN ACT UPDATING
THE REFERENCES TO THE INTERNAL REVENUE CODE.

Favorable Report of the Committee on FINANCE,
REVENUE AND BONDING.

REP. CIBES: (39th)

Mr. Speaker?

SPEAKER BALDUCCI:

Representative Cibes of the 39th.

REP. CIBES: (39th)

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

SPEAKER BALDUCCI:

The question is on passage. Will you remark?

REP. CIBES: (39th)

Thank you, Mr. Speaker. This is a technical bill,
updating the references to the Internal Revenue Code of
the United States in every section of our statutes that
LCO could find. It should be simply technical and
provide, and hopefully also provides that they will not
have to be updated again. That is, it specifies the
Internal Revenue Code of 1986 or any subsequent

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corresponding Internal Revenue Code of the United States, as from time to time amended.

I urge quick adoption.

SPEAKER BALDUCCI:

The question is on passage. Will you remark? 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 voting by roll.

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

SPEAKER BALDUCCI:

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

REP. BURNHAM: (147th)

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

SPEAKER BALDUCCI:

Representative Burnham of the 147th, in the affirmative.

Clerk, please announce the tally.

CLERK:

abs

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SB1059, in concurrence with the Senate:

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 is passed.

CLERK:

Calendar 579, on page 8, SB1050. AN ACT
 CONCERNING EMPLOYER PICK UP OF MANDATORY RETIREMENT
 CONTRIBUTIONS TO THE TEACHERS' RETIREMENT SYSTEM.

Favorable Report of the Committee on
 APPROPRIATIONS.

REP. DYSON: (94th)

Mr. Speaker?

SPEAKER BALDUCCI:

Representative Dyson.

REP. DYSON: (94th)

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

SPEAKER BALDUCCI:

The question is on passage. Will you remark?

REP. DYSON: (94th)

Yes, Mr. Speaker. This bill merely puts the

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SENATOR O'LEARY:

Page 9, Calendar 417, Substitute SB898, I refer to the Committee on Appropriations.

THE CHAIR:

Without objection, so ordered.

SENATOR O'LEARY:

Calendar 418 is marked Passed Temporarily 419, is Go. Calendar 420, Substitute HB5750, I move to the Consent Calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR O'LEARY:

421 is marked Passed Temporarily. Page 10, Calendar 422 is Passed Retained. 423 is Passed Retained. 423 is Go. 425 and 426 are Passed Retained.

Page 11, Calendar 428 is marked Go. 430 is Passed Retained. 431, Passed Retained. 432, Pass Retained.

433 is Go. 434, SB1059, I move to the Consent

Calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR O'LEARY:

Page 12, Calendar 435 is Pass Retained. 436 is Go. 437 is Pass Retained. 438 is Go. 439, Go.

Page 13, Calendar 440, Substitute HB5131, I move to

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THE CLERK:

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

THE CHAIR:

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

THE CLERK:

First Consent Calendar begins on Page 2. Calendar 102, Substitute SB868. Calendar Page 3, Calendar 300, Substitute HB7355. Calendar 318, Substitute HB6882.

Calendar Page 4, Calendar 344, Substitute HB6239. Calendar Page 9, Calendar 420, Substitute HB5750. Calendar Page 11, Calendar 343, SB1059. Correction, Calendar 434 on Page 11, SB1059. Calendar Page 13, Calendar 440, Substitute HB5131. Calendar 442, Substitute HB7205.

Calendar Page 14, Calendar 447, Substitute HB7413. Calendar Page 15, Calendar 452, SB1050. Calendar Page 25, Calendar 108, Substitute SB725. Calendar Page 27, Calendar 333, Substitute SB928.

Mr. President, I believe that completes the items

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placed on the first Consent Calendar.

THE CHAIR:

Are there any changes or omissions? 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:

35 Yea

0 Nay

The first Consent Calendar is adopted.

The Senate will stand at ease.

THE CLERK:

Calendar Page 4, Calendar 358, Files 418 and 549, HB7122, AN ACT CONCERNING TECHNICAL CORRECTIONS IN THE REAL ESTATE CONVEYANCE TAX ACT. As amended by House Amendment Schedules "A" and "B". Favorable Report of the Committee on FINANCE, REVENUE AND BONDING.

THE CHAIR:

Sen. Senator DiBella. Call the next item please. Pass this temporarily.

THE CLERK:

Calendar 371, File 550, SB1018, AN ACT CONCERNING DISCRIMINATION ON THE BASIS OF MENTAL DISABILITY. As amended by Senate Amendment Schedule "A". Favorable Report of the Committee on JUDICIARY. The Senate adopted Senate Amendment "A" on May 10th. The bill was

JOINT
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April 24, 1989

ATTY. FRANK BERALL: Anyway, this is a two mill tax here in Connecticut.

REP. MULREADY: Other questions. Linda.

REP. EMMONS: Yes. I have one to ask you on another bill, but I'm just looking, trying to find somebody to ask the question of. SB1059, have you looked at that one at all? It's on our hearing.

REP. MULREADY: Why don't you give him a title?

ATTY. FRANK BERALL: Yes, I have, and I'm very glad you brought that up because there is a comment I would like to make about it.

REP. EMMONS: Because I have a question that I wanted to ask somebody about it, so why don't you make your comment first.

ATTY. FRANK BERALL: Well, I have not studied it in detail. I only saw it this morning, and it seems generally to try to conform Connecticut's statutes to the internal revenue code. The title is a little off beat, it's AN ACT UPDATING THE REFERENCES TO THE INTERNAL REVENUE SERVICE CODE. I respectfully suggest that the word "service" be omitted as not being appropriate in this title. It's the internal revenue code.

REP. EMMONS: My question, and I'd like you to look at it, is when they drop out all the reference to 1954 as amended, and just put in 1986, and subsequent codes, is it possible for the Department of Revenue Service in their interest of collecting more money, to view the amendments that have occurred from 1954 to 1985, those that came and then have also been eliminated again, I mean, the fast appreciation of the early 1980's. The way this is referenced, would you not be allowed, would those repealed sections be disallowed?

ATTY. FRANK BERALL: No, I don't believe they would, Representative. The situation here is that the internal revenue code of 1954 was supplanted in 1986 by the internal revenue code of 1986, which was basically a reenactment of the existing statutes with, of course, the major amendments of

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the Tax Reform Act of 1986. This statute would merely conform Connecticut to the federal rules and I do not believe that any of the problems that you're concerned with would appear in the bill. But again, I have not read the bill in detail.

REP. EMMONS: Well, as you have so much expertise in this area, would you take a look at it so that we don't inadvertently do something wrong?

ATTY. FRANK BERALL: If you wish, I'll be glad to send you a letter after I've read it back in my office.

REP. EMMONS: Okay. Very good. Thank you.

ATTY. FRANK BERALL: You're welcome.

REP. MULREADY: Representative Luppi.

REP. LUPPI: Following along with what Linda had said, in most of the documentation here, it reads, as any subsequent corresponding internal revenue code of the United States, as from time to time amended. I have a problem with the words "time to time." It's either amended, or it is not amended. Why do they insert the word "time to time?"

REP. MULREADY: Maybe we should ask that of Ed Maily. Maybe we should ask that of Ed who drafted the bill.

REP. LUPPI: I know it's part of the bonding policy, but I just have a real problem. "Time to time." It just - if it's amended as I say, it's amended.

REP. EMMONS: Well, maybe you could just look it over.

ATTY. FRANK BERALL: If the Chairman would like, I'd be willing to answer the gentleman's question.

REP. MULREADY: Sure. Go ahead.

ATTY. FRANK BERALL: I believe that this is standard drafting language. We use it in instruments and it's used in federal tax laws. I don't believe you're in any danger in using that language in this bill.

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REP. LUPPI: I have seen in bonding, and I have to admit I have not seen it in the revenue service code.

ATTY. FRANK BERALL: In our trusts, we draft in our office, we will refer to the internal revenue code of 1986 as it may be amended from time to time.

REP. LUPPI: Okay.

REP. MULREADY: Other questions? Thank you.

ATTY. FRANK BERALL: Thank you.

REP. MULREADY: Next, the delegation from the city of Hartford. Honorable Norvel Goff, I guess equally honorable Bill Cochran and Warren Trafton, although not by title. Good morning, Norvel.

NORVEL GOFF: Good morning, Mr. Chairman and members of this Committee. First of all, I'd like to thank you for your indulgence for being called more than once, but we're here in support of SB675, AN ACT CONCERNING THE CREATION OF A CONNECTICUT CONVENTION CENTER AUTHORITY AND PROVIDING FOR THE FINANCING OF THE CONSTRUCTION OF A CONNECTICUT CONVENTION CENTER.

Once again I appear to you to add my voice of support to this bill. My name is Norvel Goff, as been mentioned. Majority leader of the Hartford City Council. We believe that this project is a major effort of economic development for the state of Connecticut, and it would provide an infusion of dollars that are needed, not only in this economy, but most certainly would speak to the needs of jobs in the Connecticut area, and particularly in the capitol region. I brought with me this morning Mr. Bill Cochran, who's the Finance Director for the city of Hartford, and Mr. Warren Trafton who's the President of the Hartford, Greater Hartford Convention and Visitors Bureau.

We're here to support this bill and to provide additional information that we believe that is worthwhile hearing. So, at this time, I'm going to ask Mr. Trafton to come and to speak to you in reference to his support for this bill. I'd like