

Legislative History for Connecticut Act

HB 5090	(PA 90-88)	1990
Senate	260, 1001-1003, 1030A-1031	(6p)
House	674, 1600-1604, 1636-1640, 3701-3708	(16p)
Labor & Public Employees	59-60, 100, 122-123, 138-139	(7p)

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CONNECTICUT  
GEN. ASSEMBLY  
SENATE

PROCEEDINGS  
1990

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PART 1  
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WEDNESDAY  
March 7, 1990

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aak

260

Referred to: JUDICIARY

Planning & Development

Substitute HB5752 AN ACT APPROPRIATING FUNDS FOR  
SECURITY AT POQUONNOCK APARTMENTS IN BRIDGEPORT

Referred to: APPROPRIATIONS

Judiciary

Substitute HB5052 AN ACT CONCERNING JUDICIAL  
SALARIES

Referred to: APPROPRIATIONS

Labor & Public Employees;loyees

HB5090 AN ACT CONFORMING THE CONNECTICUT GENERAL  
STATUTES TO THE FEDERAL AGE DISCRIMINATION IN  
EMPLOYMENT ACT

Referred to: INSURANCE & REAL ESTATE

Labor & Public Employees

Substitute HB5452 AN ACT CONCERNING THE EMPLOYMENT  
STATUS OF THE STATE NURSING HOME OMBUDSMAN AND THE  
ASSISTANT REGIONAL OMBUDSMAN

Referred to: GOVERNMENT ADMINISTRATION & ELECTIONS

Labor & Public Employees

Substitute HB5093 AN ACT CONCERNING THE MEMBERSHIP  
OF THE CONNECTICUT STATE EMPLOYEES RETIREMENT  
COMMISSION AND THE PURCHASING OF CREDIT IN THE  
MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM FOR PREVIOUS  
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CONNECTICUT  
GEN. ASSEMBLY  
SENATE

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WEDNESDAY  
April 18, 1990

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abs

I would move it to Consent, Mr. President.

THE CHAIR:

Without objection, so ordered.

THE CLERK:

Calendar #193, Files No. 131 and 330, HB5090, AN  
ACT CONFORMING THE CONNECTICUT GENERAL STATUTES TO THE  
FEDERAL AGE DISCRIMINATION IN EMPLOYMENT ACT. (As  
amended by House Amendment Schedule "A"). Favorable  
Report of the Committee on INSURANCE AND REAL ESTATE.

Clerk is in possession of one amendment.

THE CHAIR:

Senator Powers. The Senate will stand at ease.  
Senator Maloney, we are on Page 7, middle of the page,  
Calendar #193.

SENATOR MALONEY:

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

THE CHAIR:

Is this in concurrence with the House?

SENATOR MALONEY:

Yes, sir. In concurrence with the House.

THE CHAIR:

Thank you. There is an amendment. Clerk, please  
call the amendment.

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abs

THE CLERK:

LCO3423, designated Senate Amendment Schedule "A",  
offered by Senator Maloney et al.

THE CHAIR:

The Senate will stand at ease. The amendment, Senator Maloney, seems to be technical in nature. You are substituting "or" for "and" in the lines designated?

SENATOR MALONEY:

Yes, Mr. President. I would move adoption of the amendment and request wavier of the reading, leave to summarize.

THE CHAIR:

You may proceed.

SENATOR MALONEY:

This, the amendment is indeed technical. It substitutes "and" for "or", and I don't think-- This is self-explanatory. I don't think that it requires any remarks.

THE CHAIR:

Further remarks on the amendment? All those in favor, signify by saying aye.

SENATORS:

Aye.

THE CHAIR:

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abs

Opposed. The amendment is adopted. No further amendments. We are now on the bill as amended.

Senator Maloney.

SENATOR MALONEY:

Thank you, Mr. President. The bill requires that the Department of Income Maintenance and Human Services provide information regarding the federal earned income credit to Public Assistance applicants and recipients and requires the Labor Department to provide such information to Unemployment Compensation applicants and recipients, in concurrence with federal law.

THE CHAIR:

Further remarks on the bill as amended? Senator Maloney.

SENATOR MALONEY:

If there is no objection, Mr. President, I would move the matter to the Consent Calendar.

THE CHAIR:

Without objection, so ordered. Next item please.

THE CLERK:

Calendar #199, SB344, AN ACT CONCERNING THE RECEIPT OF GRANTS OR GIFTS FOR FAMILY RESOURCE CENTERS.  
Favorable Report of the Committee on HUMAN SERVICES.

Clerk is in possession of one amendment.

THE CHAIR:

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due here later today and I ask the Circle to give them a warm welcome. (Applause)

THE CHAIR:

Call the next item please. The Senate will stand at ease. We will have order please. Please give your attention to the Clerk. We are going to vote on Consent Calendar #2. Clerk, please make an announcement for immediate roll call.

THE CLERK:

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

Mr. President, the 2nd Consent Calendar begins on Calendar Page 7, Calendar 192, HB5667. Calendar 193, HB5090.

THE CHAIR:

We are going to have order, or if you want to carry on conversations please leave the Chamber. You may

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abs

continue, Mr. Clerk.

THE CLERK:

Continuing on Calendar Page 7, Calendar 199, SB344.  
Calendar Page 8, Calendar 205, Substitute SB102.  
Calendar 206, Substitute SB426.

Calendar Page 9, Calendar 230, HB5891. Calendar  
232, Substitute HB5416. Calendar 237, Substitute  
SB430. Calendar Page 10, Calendar 239, Substitute  
SB434. Calendar Page 14, Calendar 268, HB6008.  
Calendar Page 15, Calendar 270, Substitute HB5182.  
Calendar Page 16, Calendar 284, Substitute SB234.

Mr. President, that completes the 2nd Consent  
Calendar.

THE CHAIR:

Are there any changes or omissions? We are now  
ready to vote on Consent Calendar #2. 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

0 Nay

The 2nd Consent Calendar is adopted.

THE CLERK:

Returning to Calendar Page 17, Calendar 285, File  
251, Substitute HB5810, AN ACT CONCERNING CONFIDENTIAL

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House of Representatives

Wednesday, March 7, 1990

LABOR AND PUBLIC EMPLOYEES. H.B. No. 5090 (RAISED)  
AN ACT CONFORMING THE CONNECTICUT GENERAL STATUTES TO  
THE FEDERAL AGE DISCRIMINATION IN EMPLOYMENT ACT.

The bill was then referred to the Committee on  
INSURANCE AND REAL ESTATE.

LABOR AND PUBLIC EMPLOYEES. Substitute for H.B.  
No. 5093 (RAISED) AN ACT CONCERNING THE MEMBERSHIP OF  
THE CONNECTICUT STATE EMPLOYEES RETIREMENT COMMISSION  
AND THE PURCHASING OF CREDIT IN THE MUNICIPAL  
EMPLOYEES' RETIREMENT SYSTEM FOR PREVIOUS STATE  
SERVICES.

The bill was then referred to the Committee on  
GOVERNMENT ADMINISTRATION AND ELECTIONS.

LABOR AND PUBLIC EMPLOYEES. H.B. No. 5095 (RAISED)  
AN ACT CONCERNING THE RETURN OF CONTRIBUTIONS TO  
MUNICIPALITIES WHICH WITHDRAW FROM THE MUNICIPAL  
EMPLOYEES RETIREMENT FUND.

The bill was then referred to the Committee on  
APPROPRIATIONS.

LABOR AND PUBLIC EMPLOYEES. Substitute for H.B.  
No. 5244 (RAISED) AN ACT CONCERNING THE TIME PERIOD FOR  
NEGOTIATION PRIOR TO ARBITRATION UNDER THE STATE  
EMPLOYEE COLLECTIVE BARGAINING PROVISIONS.

The bill was then referred to the Committee on  
APPROPRIATIONS.

LABOR AND PUBLIC EMPLOYEES. H.B. NO. 5246 (RAISED)  
AN ACT CONCERNING THE MINIMUM WAGES WHICH MUST BE PAID  
BY AN EMPLOYER IN ORDER TO BE CHARGED UNDER  
UNEMPLOYMENT COMPENSATION.

The bill was then referred to the Committee on  
FINANCE, REVENUE AND BONDING.

PUBLIC SAFETY. Substitute for H.B. No. 5404  
(RAISED) AN ACT REQUIRING THE REGISTRATION OF  
COMMERCIAL ESTABLISHMENTS WHICH RENT FACILITIES FOR THE  
CONDUCT OF BINGO.

The bill was then referred to the Committee on  
FINANCE, REVENUE AND BONDING.

LABOR AND PUBLIC EMPLOYEES. Substitute for H.B.  
No. 5450 (RAISED) AN ACT GRANTING COLLECTIVE BARGAINING  
RIGHTS TO CERTAIN MANAGERIAL STATE EMPLOYEES.

The bill was then referred to the Committee on  
GOVERNMENT ADMINISTRATION AND ELECTIONS.

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House of Representatives

Wednesday, April 4, 1990

BANKS. Substitute for H.B. No. 5777 (RAISED) (File No. 63) AN ACT CONCERNING INTEREST RATES ON LOANS FROM EMPLOYEE BENEFIT PLANS.

JUDICIARY. H.B. No. 5064 (RAISED) (FILE NO. 84) AN ACT CONCERNING THE TIME PERIOD FOR A CREDITOR TO PRESENT A CLAIM AGAINST AN ESTATE AND FOR A SURVIVING SPOUSE TO ELECT AGAINST A WILL.

FINANCE, REVENUE AND BONDING. Substitute for H.B. No. 5731 (RAISED) (File No. 87) AN ACT CONCERNING THE PROCEDURE FOR NUMBERING REGULATIONS RELATED TO TITLE 12 OF THE GENERAL STATUTES AND THE FURNISHING OF FEDERAL EMPLOYER IDENTIFICATION NUMBERS TO THE COMMISSIONER OF REVENUE SERVICES.

EDUCATION. Substitute for H.B. No. 5208 (RAISED) (File No. 96) AN ACT CONCERNING NURSING EDUCATION AND EDUCATIONAL MOBILITY FOR NURSES.

FINANCE, REVENUE AND BONDING. H.B. No. 5733 (RAISED) (File No. 111) AN ACT CONFERRING CERTAIN TAXPAYER PROCEDURAL RIGHTS NOT INCLUDED IN PROVISIONS IMPOSING CERTAIN STATE TAXES AND ASSESSMENTS.

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DEPUTY SPEAKER POLINSKY:

Will the Clerk please return to the Call of the Calendar.

CLERK:

Please turn to Page 6, Calendar 128, House Bill 5090. AN ACT CONFORMING THE CONNECTICUT GENERAL STATUTES TO THE FEDERAL AGE DISCRIMINATION AND EMPLOYMENT ACT.

Favorable Report of the Committee on INSURANCE AND REAL ESTATE.

DEPUTY SPEAKER POLINSKY:

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108 1601

House of Representatives

Wednesday, April 4, 1990

Good morning, Mr. Adamo.

REP. ADAMO: (116th)

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

DEPUTY SPEAKER POLINSKY:

The question is on adoption of the Favorable Report and passage of the bill. Will you remark?

REP. ADAMO: (116th)

Yes, Madam Speaker. The Clerk has an amendment, LCO3032. Would he please call and may I be given liberty to summarize please.

DEPUTY SPEAKER POLINSKY:

Will the Clerk please call LCO3032.

CLERK:

LCO3032, designated --.

REP. ADAMO: (116th)

Madam Speaker. I'm sorry. I'm sorry, Madam Speaker, I called the wrong amendment. I apologize. May I withdraw that please?

DEPUTY SPEAKER POLINSKY:

Since LCO3032 has not been designated House Amendment "A", Representative Adamo has asked for it to be withdrawn. It shall be and, Representative Adamo, will give us the LCO number of the amendment you would

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109 1602

House of Representatives

Wednesday, April 4, 1990

like to call.

REP. ADAMO: (116th)

Thank you, Madam Speaker. My apologies to the other side of the aisle as well. I would like to call LCO3304 please and be given liberty to summarize that one.

DEPUTY SPEAKER POLINSKY:

Will the Clerk please call LCO3304 which shall be designated House Amendment "A".

CLERK:

LCO3304, designated House Amendment Schedule "A",  
offered by Representative Rapoport.

DEPUTY SPEAKER POLINSKY:

The gentleman seeks leave of the Chamber to summarize. Is there objection? Without objection, Representative Adamo.

REP. ADAMO: (116th)

Thank you, Madam Speaker. Madam Speaker, this amendment, in fact, it mirrors an amendment that was filed by the other side. It clearly puts into conformity the file copy by including the spouses of those individuals affected by this particular statute and I would move its adoption.

DEPUTY SPEAKER POLINSKY:

The motion is on adoption. Will you remark

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110 1603

House of Representatives

Wednesday, April 4, 1990

further? Will you remark further? Representative Belden.

REP. BELDEN: (113th)

Thank you, Madam Speaker. I just might inquire whether or not gentleman has a fiscal note on this amendment.

DEPUTY SPEAKER POLINSKY:

Representative Adamo.

REP. ADAMO: (116th)

Through you, Madam Speaker, no, I do not at this time.

REP. FRANKEL: (121st)

Madam Speaker.

DEPUTY SPEAKER POLINSKY:

Representative Frankel, I believe Representative Belden still has the floor.

REP. FRANKEL: (121st)

I apologize.

DEPUTY SPEAKER POLINSKY:

Representative Belden.

REP. BELDEN: (113th)

I would have proposed a question to Representative Adamo. I would be glad to yield to Representative Frankel.

DEPUTY SPEAKER POLINSKY:

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111 1604

House of Representatives

Wednesday, April 4, 1990

Representative Frankel.

REP. FRANKEL: (121st)

Yes, Madam Speaker, I'll accept the yield. I've just had an opportunity to review the amendment in question. Apparently there is another amendment that was drawn that was substantially similar. I don't know if there's a fiscal note on that one. It would seem to me, however, that since the matter has already been considered by OFA, it should be very easy for us to get a fiscal note on this amendment and with that in mind, and with a view towards acting on this shortly, I will at this time move that this item be passed temporarily.

DEPUTY SPEAKER POLINSKY:

The question is on passing temporarily. Is there objection? Without objection, this item is passed temporarily. The Clerk please return to the Call of the Calendar.

CLERK:

Calendar 124, on Page 2, Substitute for House Bill 5726. AN ACT REQUIRING ELECTRIC COMPANIES TO REPORT TO THE DEPARTMENT OF PUBLIC UTILITY CONTROL ELECTRICAL OUTAGES AS A RESULT OF A POWER SURGE AND ALLOWING ELECTRIC COMPANIES TO INSTALL SUBMETERS.

Favorable Report of the Committee on ENERGY AND PUBLIC UTILITIES.

tcc

143 1636

House of Representatives

Wednesday, April 4, 1990

CLERK:

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

DEPUTY SPEAKER POLINSKY:

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

The Clerk will announce the tally.

House Bill 5914.

Total number voting	147
Necessary for passage	74
Those voting yea	75
Those voting nay	72
Those absent and not voting	4

DEPUTY SPEAKER POLINSKY:

The bill is passed.

The Clerk please return to the Call of the  
Calendar.

CLERK:

Please turn to Page 6, Calendar 128, House Bill  
5090, AN ACT CONFORMING THE CONNECTICUT GENERAL  
STATUTES TO THE FEDERAL AGE DISCRIMINATION IN  
EMPLOYMENT ACT. Favorable Report of the Committee on

tcc

144 1637

House of Representatives

Wednesday, April 4, 1990

Insurance and Real Estate.

Previously House Amendment "A", 3304 had been designated.

REP. ADAMO: (116th)

Madam Speaker.

DEPUTY SPEAKER POLINSKY:

I know that the last vote was a marvelous cliff-hanger, but let us get back to business. I believe Representative Adamo would like us to revisit a bill that he did a few minutes ago, that he PTd a few minutes ago. Representative Adamo.

REP. ADAMO: (116th)

Thank you, Madam Speaker. Madam Speaker for the record, I would once again move acceptance and passage of the Joint Committee's Favorable Report and as the Clerk stated, LCO3304, an amendment had been called.

Representative Belden asked for a fiscal note. That fiscal note is available indicating that there would be minimal savings to both the municipalities in the State, Madam Speaker.

DEPUTY SPEAKER POLINSKY:

The question is on adoption of House "A". The question is on adoption. Will you remark further? If not, let's try your minds. All those in favor of House "A", please indicate by saying aye.

tcc

145 1638

House of Representatives

Wednesday, April 4, 1990

REPRESENTATIVES:

Aye, .

DEPUTY SPEAKER POLINSKY:

Opposed nay.

REPRESENTATIVES:

No.

DEPUTY SPEAKER POLINSKY:

The ayes have it. The amendment is adopted.

\*\*\*\*\*

House Amendment Schedule "A".

In line 13, after the word "BENEFITS" insert "AND ANY EMPLOYEE'S SPOUSE WHO HAS REACHED AGE SIXTY-FIVE AND IS ELIGIBLE FOR MEDICARE BENEFITS"

In line 31, after the word "employee" insert "AND ANY EMPLOYEE'S SPOUSE"

In line 81, after the word "BENEFITS" insert "AND ANY EMPLOYEE'S SPOUSE WHO HAS REACHED AGE SIXTY-FIVE AND IS ELIGIBLE FOR MEDICARE BENEFITS"

in line 83, after the word "TWENTY" delete "OF" and insert "OR" in lieu thereof

\*\*\*\*\*

DEPUTY SPEAKER POLINSKY: Will you remark further on

the bill as amended? REP. ADAMO: (116th)

REP. ADAMO: (116th) Just briefly, Madam Speaker, yes.

As I indicated earlier, we passed a bill back in 1988 that was to put use in conformance with the federal age discrimination act regarding the continuation of insurance.

tcc

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House of Representatives

Wednesday, April 4, 1990

We did not fully conform by not separating those smaller employers from the large employers that are in fact separated through the Medicare law. This particular statute does exactly that.

I am told through a most important sources, or most accurate sources, that it will not reduce benefits to employees. It will certainly shift the burden from the insurance premium carrier to Medicare instead, and I would move acceptance of the bill.

DEPUTY SPEAKER POLINSKY:

Will you remark further on this bill as amended? Will you remark further? If not, will all members please take their seats. 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 please report to the Chamber. The House is taking a roll call vote. Members kindly report to the Chamber immediately.

DEPUTY SPEAKER POLINSKY:

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

The Clerk will announce the tally.

tcc

147

1640

House of Representatives

Wednesday, April 4, 1990

House Bill 5090 with House Amendment "A".

Total number voting 147

Necessary for passage 74

Those voting yea 147

Those voting nay 0

Those absent and not voting 4

DEPUTY SPEAKER POLINSKY:

The bill as amended is passed.

Are there any points of personal privilege? Points of personal privilege? Seeing none, the Clerk will return to the Call of the Calendar.

CLERK:

Calendar 140, Page 8, Substitute for House Bill 5568. AN ACT CONCERNING THE COMPOSITION OF THE BOARD OF FIREARMS PERMIT EXAMINERS. Favorable Report of the Committee on GAE.

REP. FRANKEL: (121st)

Madam Speaker.

DEPUTY SPEAKER POLINSKY:

Representative Frankel.

REP. FRANKEL: (121st)

Yes. I move that this item be referred to the Committee on Appropriations.

DEPUTY SPEAKER POLINSKY:

Is there objection? Is there objection? Without

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House of Representatives

Friday, April 20, 1990

House Bill 5561, as amended by House Amendment  
Schedule "A".

Total Number Voting	145
Necessary for Passage	73
Those voting Yea	137
Those voting Nay	8
Those absent and not Voting	6

SPEAKER BALDUCCI:

The bill as amended is passed.

CLERK:

Page 21, Calendar 128, Disagreeing Actions, House Bill 5090. AN ACT CONFORMING THE CONNECTICUT GENERAL STATUTES TO THE FEDERAL AGE DISCRIMINATION AND EMPLOYMENT ACT. (As amended by House "A" and Senate "A").

Favorable Report of the Committee on INSURANCE AND REAL ESTATE.

REP. ADAMO: (116th)

Mr. Speaker.

SPEAKER BALDUCCI:

Representative Adamo of the 116th.

REP. ADAMO: (116th)

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

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40 3705

House of Representatives

Friday, April 20, 1990

SPEAKER BALDUCCI:

The question is on passage. Will you remark?

REP. ADAMO: (116th)

Yes, Mr. Speaker. Mr. Speaker, the LCO has amendment -- the Clerk has amendment LCO3423, Senate "A". Would he call and read please.

SPEAKER BALDUCCI:

The Clerk please call LCO3423, previously designated Senate "A".

CLERK:

LCO3423, previously designated Senate "A", offered by Senator Larson, et al.

SPEAKER BALDUCCI:

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

REP. ADAMO: (116th)

Yes, Mr. Speaker. The amendment is technical in nature. It makes some grammatical changes in three lines from the wording and to word "or" and I would move its adoption.

SPEAKER BALDUCCI:

The question is on adoption. Will you remark, sir? Will you remark on the amendment? If not, all those in favor please signify by saying aye.

REPRESENTATIVES:

tcc

41 3706

House of Representatives

Friday, April 20, 1990

Aye.

SPEAKER BALDUCCI:

Opposed nay.

The ayes have it.

The amendment is adopted and ruled technical.

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

SPEAKER BALDUCCI:

Have all the members voted and is their vote properly recorded? If so, the machine will be locked. Representative Hauser of the 97th.

REP. HAUSER: (97th)

In the affirmative, Mr. Speaker.

SPEAKER BALDUCCI:

Representative Hauser in the affirmative.

REP. CARTER: (7th)

Mr. Speaker.

SPEAKER BALDUCCI:

Representative Carter of the 7th.

tcc

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3707

House of Representatives

Friday, April 20, 1990

REP. CARTER: (7th)

In the affirmative, Mr. Speaker.

SPEAKER BALDUCCI:

Representative Carter in the affirmative.

Representative Millerick of the 22nd.

REP. MILLERICK: (22nd)

In the affirmative please.

SPEAKER BALDUCCI:

Representative Millerick in the affirmative.

Representative DeZinno of the 84th.

REP. DEZINNO: (84th)

Thank you, Mr. Speaker, in the affirmative, sir.

SPEAKER BALDUCCI:

Representative DeZinno in the affirmative.

The Clerk please announce the tally.

CLERK:

House Bill 5090, as amended by House Amendment  
Schedule "A" and Senate Amendment Schedule "A", in  
concurrence with the Senate.

Total Number Voting	146
Necessary for Adoption	74
Those voting Yea	146
Those voting Nay	0
Those absent and not Voting	5

tcc

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3708

House of Representatives

Friday, April 20, 1990

SPEAKER BALDUCCI:

The bill as amended is passed.

Any announcements or Points of Personal Privilege?  
Representative Kiner of the 59th.

REP. KINER: (59th)

Mr. Speaker, thank you. For an announcement,  
Mr. Speaker. The GAE Committee will be meeting after  
break in the lobby of the Hall of the House to take up  
a bill referred to us yesterday.

SPEAKER BALDUCCI:

Representative Holbrook of the 35th.

REP. HOLBROOK: (35th)

Mr. Speaker, for a Transcript notation.  
Representative Fusscas is out of state on family  
business. Thank you.

SPEAKER BALDUCCI:

The Transcript will so note.

REP. CIBES: (39th)

Mr. Speaker.

SPEAKER BALDUCCI:

Representative Cibes of the 39th.

REP. CIBES: (39th)

Thank you, Mr. Speaker, to repeat an announcement  
made earlier by Representative Beamon. The Finance  
Committee will meet at the break in Room 310 to

JOINT  
STANDING  
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HEARINGS

LABOR AND  
PUBLIC  
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ATTY. JOHN MILETTI: Thank you, Chairman Adamo and Chairman Maloney, members of the Committee. My name is John Milette, and I am Counsel to the Insurance Association of Connecticut, and I am here to speak today in support of HB5090.

The Insurance Association of Connecticut supports HB5090, as it corrects an apparent conflict between the Connecticut General Statutes and the Federal Age Discrimination in Employment Act. Under federal law, an employer of 20 or more persons must provide that any employee age 65 and older, and any employee spouse age 65 and older shall be entitled to coverage under any group health plan offered to such employees under the same conditions as any other employee. No reduction of any kind under the federal law is permitted for group health coverage.

Prior to 1988, Connecticut law provided that, regardless of size, an employer may reduce group health insurance coverage to employees age 65 and older, except to the extent that coverage was provided by Medicare. In other words, they permitted Medicare to become a primary coverage for those employees age 65 and older. Recognizing that Connecticut, contrary to federal law, permitted all employers to reduce group health coverage to the extent that it was provided by Medicare, the Legislature attempted to conform Connecticut Statutes with the federal law in PA88-303.

Unfortunately, and I believe inadvertently, PA88-303 appears to remain contrary to the federal law, in that the Connecticut Statutes still apply to all employers. In other words, they don't make a distinction between the large employer and the small employer. HB5090 conforms the Connecticut law with the federal law, as it concerns the federally recognized distinction between small employers and large employers. And it still mandates that an employer must provide the same overall package of health care to all of its employees, regardless of age.

By permitting employers of less than 20 employees, the so-called small employers, to make use of Medicare coverage as a primary insurance benefit

for its employees, HB5090 also recognizes the cost savings which are available to small employees, small employers and their employees who may contribute to the cost of group health insurance premiums.

If you have any questions, I would be happy to respond.

REP. ADAMO: Questions from the Committee? One quick one, and I think I warned you yesterday I was going to ask this question. I just want to have an assurance that this does not take benefits away from individuals, and if you could document that in any way for us, through the Committee process, either in writing or through comment, I would feel more comfortable with this legislation.

ATTY. JOHN MILETTI: I would be happy to do that, Chairman Adamo. My understanding is, and this is something that was brought to our attention by one person in one of our member companies, in response to some inquiries regarding some health insurance contracts. And basically they discovered that there just seemed to be this non-conformity of the Connecticut Statutes. Excuse me-- of the Connecticut Statutes.

And they assure me that this will actually assist small employers and the employees of those employers, in terms of cost savings, and that the overall package of benefits must be the same. So there can be no discrimination involved.

REP. ADAMO: Any further questions? If not, thank you very much.

ATTY. JOHN MILETTI: Thank you.

REP. ADAMO: Don Kiley?

DON KILEY: Chairman Adamo, Chairman Maloney, members of the Committee, talking to HB5249, AN ACT CONCERNING COMPENSABLE QUILTS UNDER THE UNEMPLOYMENT COMPENSATION ACT. I am Don Kiley, State Director of NFIB-Connecticut, the largest organization of small businesses in our state. Although we come

failing to reach a settlement during those negotiations, the binding arbitration process would be had by the parties.

The 90 day fee that's woven into that particular piece of legislation that's in front of us, is the same kind of 90 days that is currently in place for the municipal side as well. So the parties would be in negotiations for approximately 90 days, and if they weren't able to agree, then they can, either side can then move that into dispute, into binding arbitration. It currently creates closure to those situations that have for years go on without closure. There are numerous examples where people within AFSCME, negotiators, have been trying to work problems out with the state, and for years and years it just goes on until the problem or the situation just goes away.

We are opposed to HB5090. We understand that there is no intent written to take away benefits from these employees, but clearly as it's written, it is regressive on behalf of those people who are over the age of 65 and who work in a situation of less than 20 employees. Except for the fact that the town does not pay or reimburse those employees who pay the premium for the Medicaid portion of their bill, this bill in its current form is regressive.

We are also opposed to HB5245 and also opposed to HB5246. I might add that we also believe HB5451, the collective bargaining bill for legislative employees in this building, certainly needs its attention. It's time has clearly come, and there doesn't seem to be any problem with respect to whether they're managerial, bureau heads or supervisory people. The folks in this building should enjoy the rights and benefits that other people have.

Senator, at this time I would defer to staff representative Peter Thor, who is extremely involved in the library bill, which is HB5239.  
Thanks.

PETER THOR: Senator Maloney, Members of the Committee, thank you for giving me this opportunity to testify before you. Employees of public libraries in Connecticut are public employees in every sense of

"connected with his work." This is not a reason connected with anybody's work for leaving. And that's when you get back to the whole idea. You're using a system that's funded by employers again, to address a problem which is not a problem specific to employers, but it's a problem that society has. Society should deal with it. Why not make other persons contribute as well? The unemployment compensation is not the right place for this provision.

REP. ADAMO: We're not really here to debate it, and I should not have said. I'm sorry. As I said, I just feel very strongly about it. Let's let us not lose touch. Let us continue to have some dialogue. We will get the numbers for you by next week.

ATTY. BONNIE STEWART: Okay.

REP. ADAMO: Is there anyone else here who has not spoken who would like to speak? Yes, sir. Would you come forward and state your name for the record. Please proceed, sir. I'm sorry.

ATTY. PHILIP MURPHY: Thank you. Chairman Adamo, Members of the Committee. My name is Philip Murphy. I'm the counsel for the Commission of Human Rights and Opportunities. I'd like to speak to you this afternoon with regard to Raised HB5090, AN ACT CONFORMING THE CONNECTICUT GENERAL STATUTES TO THE FEDERAL AGE DISCRIMINATION IN EMPLOYMENT ACT.

We have not been able to complete our research with regard to this bill, but we would like to indicate to the Committee that we have concerns that this legislation may go beyond what the title suggests which is performing to the Federal Age Discrimination Employment Act. For example, our reading of that Act is that it covers all state and local governments, and does not have any employee exception as is suggested through section 7-464, the amendment in section 1 of the bill. Similarly, that amendment I would take it would be carried forth into section 3.

Also, the bill only seems to apply to employee and not the spouse. I'm not sure what the purpose of this is. I had a preliminary conversation with the

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Connecticut Insurance Association and we've agreed to discuss this matter further. As you know, the thrust of this bill impact just the Federal Age Discrimination Employment Act but those are tied together to the major federal tax legislation through the 1980's. They all tie into this, and I think it's an important issue before the Committee. It amends the statute. We should be certain that we are amending to conform to the federal legislation, that we're not going to leave employees out without benefits. Thank you.

REP. ADAMO: Thank you. The bill that we're trying to correct is a bill that flowed from your Committee two years ago, in 1988. We found that the insurance industries and others have a flaw in the bill. That's what we're trying to address. The representative of the IAC is here. I would suggest that you have some dialogue. We're going to move the bill along to the insurance companies, Insurance Committee, I'm sorry, so as to meet the deadlines that we have to meet, probably next Tuesday. But we're open to any suggestions you can give us to make sure that we're not fooling with other discriminations aspects.

ATTY. PHILIP MURPHY: Some of it appears to be alright and consistent with the federal law. I'm not certain about other parts. I'll try to get back to you.

REP. ADAMO: We'll be moving the bill forward on Tuesday, the 27th, but JF'ing only to the Insurance Committee because it has to be seen there as well. So we'll have some time to make that investigation. I would suggest some dialogue between yourself and the insurance people.

ATTY. PHILIP MURPHY: Thank you very much.

REP. ADAMO: Thank you. Anyone else who would like to address the Committee? If not, then the Committee Meeting is adjourned, the Public Hearing's adjourned at 2:12 p.m. Thank you very much for your attention.

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# 13 Speaker

STATEMENT OF THE  
INSURANCE ASSOCIATION OF CONNECTICUT  
BEFORE THE LABOR AND PUBLIC EMPLOYEES COMMITTEE  
IN REGARD TO HB 5090  
FEBRUARY 22, 1990

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HB 5090: AN ACT CONFORMING THE CONNECTICUT GENERAL STATUTES TO THE  
FEDERAL AGE DISCRIMINATION IN EMPLOYMENT ACT

The Insurance Association of Connecticut supports HB 5090 as it corrects an apparent conflict between the Connecticut General Statutes and the federal Age Discrimination in Employment Act.

Under federal law an employer of 20 or more persons must provide that any employee aged 65 or older, and any employee's spouse aged 65 or older, shall be entitled to coverage under any group health plan offered to such employees under the same conditions as any employee, and the spouse of such employee, under age 65. No reduction of group health coverage of any kind is permitted by such "large employers" under federal law.

Prior to 1988, Connecticut law provided that no employer, regardless of size, may reduce group health insurance coverage to employees aged 65 or older, except to the extent that such coverage was provided by Medicare. Recognizing that Connecticut, contrary to federal law, permitted all employers to reduce health insurance coverage to the extent coverage was provided by Medicare, the Legislature attempted to conform the Connecticut Statutes with the federal law in Public Act 88-303. Unfortunately, and inadvertently, Public Act 88-303 appears to remain contrary to federal law because

the Connecticut statutes continue to apply to all employers. Connecticut law does not distinguish those employers with less than 20 employees from those employers with 20 or more employees.

HB 5090 conforms Connecticut law with the federal law as it concerns the federally recognized distinction between "small employers" and "large employers" while still mandating that an employer provide the same overall health care coverage to all of its employees regardless of age. By permitting employers of less than 20 employees to make use of Medicare coverage as a primary insurance benefit for their employees, HB 5090 also recognizes the cost savings available to small employers and their employees who may contribute to the cost of group health insurance premiums.

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