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House 10335-10448		(104) 113
Senate 3490-3493, 3516-3517		(6)
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Transcripts from the Joint Standing Committee Public Hearing(s) and/or Senate and House of Representatives Proceedings

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pat

House of Representatives

Tuesday, June 4, 1991

item that appears on our Calendar on Page 9, Calendar 734, Substitute for Senate Bill No. 938, AN ACT CONCERNING TOWING PROCEDURES WITH RESPECT TO ABANDONED MOTOR VEHICLES DETERMINED TO BE STOLEN, PERMITTING WRECKERS TO USE FLASHING AMBER LIGHTS, File No. 749.

The motion is for the suspension of our rules for the immediate consideration of this item of business.

REP. FRANKEL: (121st)

Mr. Speaker.

SPEAKER BALDUCCI:

Representative Frankel.

REP. FRANKEL: (121st)

Mr. Speaker, I'd like to withdraw my motion.

SPEAKER BALDUCCI:

Is there objection? Seeing none, the motion is withdrawn.

CLERK:

Page 2, Calendar 503, Substitute for House Bill No. 7346, AN ACT CONCERNING REVISIONS TO THE GENERAL STATUTES.

Favorable Report of the Committee on Judiciary.

REP. GODFREY: (110th)

Mr. Speaker.

SPEAKER BALDUCCI:

Representative Godfrey of the 110th.

pat

House of Representatives

Tuesday, June 4, 1991

REP. GODFREY: (110th)

Thank you, Mr. Speaker. 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, sir?

REP. GODFREY: (110th)

Yes, Mr. Speaker. Ladies and gentlemen, this is an innovation for the Connecticut General Assembly. In the past every year we have done what has been known as a Technical Revisors Bill and have always had slight problems with items that are of relative minor import, but necessary, nonetheless, but are a little bit more than technical and a little bit more than requiring a major debate and we've wrestled for some time to try and find a means by which we can take care of these and this is an attempt this year to perform that.

Before I go into going through this bill and I'm really going to be asking your indulgence because we have more than 20 amendments on this particular bill. I want to explain that all of the amendments that were put in on this bill were very careful screened by both sides of the aisle and that the list that will be going through has been agreed upon by both sides of the aisle.

pat

House of Representatives

Tuesday, June 4, 1991

I especially want to single out Representative Belden who has worked with me very hard on coming to agreements, on doing a lot of research on what all the different proposals have meant and ensuring that there's a certain amount of integrity that will carry through this entire bill.

The file copy, if you've looked it over, does recognize the use of things that are a little bit more than technical, but still relatively minor and all of the amendments that we will be calling and we hope passing upon do fit within that same type of framework.

I'd like to think of this, if you will, as a kind of giant clean-up amendment for the General Statutes, and with that, Mr. Speaker, I'm going to begin calling a series of amendments to add to the file copy. If the Clerk will please call LCO6376 and I be granted leave of the Chamber to summarize.

DEPUTY SPEAKER MARKHAM:

The Clerk has an amendment, LCO6376, designated House Amendment Schedule "A". Will the Clerk please call the amendment.

CLERK:

LCO6376, designated House Amendment Schedule "A",
offered by Representative Schiessl.

DEPUTY SPEAKER MARKHAM:

pat

House of Representatives

Tuesday, June 4, 1991

The gentleman has sought leave of the Chamber to summarize. Is there objection? Is there objection? Hearing none, please proceed.

REP. GODFREY: (110th)

Thank you, Mr. Speaker. This will delete Section 3 of the file copy which would have added the American Athletic Trainers Association to those organizations that can certify athletic trainers in the State of Connecticut. I move adoption.

DEPUTY SPEAKER MARKHAM:

The question is on adoption of House "A". Will you remark?

REP. GODFREY: (110th)

Yes, Mr. Speaker, we're deleting this because we've discovered that the American Athletic Trainers Association is not certified by the state Department of Health and so we'd rather avoid dealing with this.

I urge adoption.

DEPUTY SPEAKER MARKHAM:

The question is on adoption. Will you remark? Will you remark? If not, I shall try your minds. Those in favor of House Amendment Schedule "A" please signify by saying aye.

REPRESENTATIVES:

Aye.

pat

House of Representatives

Tuesday, June 4, 1991

DEPUTY SPEAKER MARKHAM:

Opposed nay.

The ayes have it.

The amendment is adopted.

House Amendment Schedule "A":

Delete section 3 in its entirety and renumber the remaining sections accordingly.

REP. GODFREY: (110th)

Mr. Speaker.

DEPUTY SPEAKER MARKHAM:

Representative Godfrey.

REP. GODFREY: (110th)

If the Clerk would please call LCO6603 and read, Mr. Speaker.

DEPUTY SPEAKER MARKHAM:

The Clerk has an amendment, LCO6603, designated House Schedule "B". Will the Clerk please call and read.

CLERK:

LCO6603, designated House Amendment Schedule "B", offered by Representative Tulisano.

Delete section 12 in its entirety and renumber the remaining section accordingly.

pat

House of Representatives

Tuesday, June 4, 1991

DEPUTY SPEAKER MARKHAM:

What is your pleasure, sir?

REP. GODFREY: (110th)

I move adoption.

DEPUTY SPEAKER MARKHAM:

Will you remark?

REP. GODFREY: (110th)

Yes, Mr. Speaker, Section 12 would have required the Insurance Commission to establish uniform premium rates for title insurance policies. We felt that this wasn't appropriate for this bill and we'd like to have it deleted.

DEPUTY SPEAKER MARKHAM:

The question is on adoption of House "B". Will you remark? Will you remark? If not, I shall try your minds. Those in favor of House Amendment Schedule "B", please signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER MARKHAM:

Opposed nay.

The ayes have it.

The amendment is adopted.

Will you remark further?

REP. GODFREY: (110th)

pat

House of Representatives

Tuesday, June 4, 1991

Yes, Mr. Speaker, the Clerk has an amendment, LCO5061. Would he please call and I be granted leave of the Chamber to summarize.

DEPUTY SPEAKER MARKHAM:

The Clerk has an amendment, LCO5061, designated House Amendment Schedule "C". Will the Clerk please call the amendment.

CLERK:

LCO5061, designated House Amendment Schedule "C", offered by Representative Winkler, et al.

DEPUTY SPEAKER MARKHAM:

The gentleman has sought leave of the Chamber to summarize. Is there objection? Is there objection? Hearing none, please proceed.

REP. GODFREY: (110th)

Thank you, Mr. Speaker. This amendment would grant the Mystic Fire District the power to issue general obligation bonds.

I move adoption.

DEPUTY SPEAKER MARKHAM:

The question is on adoption of House Amendment Schedule "C". Will you remark?

REP. GODFREY: (110th)

Yes, Mr. Speaker. Normally these type of things are handled under our Special Tax District Act.

pat

561

House of Representatives

Tuesday, June 4, 1991

Because the Mystic Fire District goes over three town lines, there wasn't quite sure that would be a fit and this makes sure that it does and that the fire district can move forward with issueing general obligation bonds.

I urge adoption.

DEPUTY SPEAKER MARKHAM:

Will you remark further on House "C"? Will you remark? If not, I shall try your minds. Those in favor of House Amendment Schedule "C" please signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER MARKHAM:

Opposed nay.

The ayes have it.

The amendment is adopted.

House Amendment Schedule "C":

After line 638, insert sections 13 and 14 as follows and renumber the remaining section accordingly:

"Sec. 13. Notwithstanding the provisions of section 7-369 of the general statutes, the Mystic fire district shall have the same power to issue general obligation bonds, notes or other obligations as accorded a "municipality", as defined in said section 7-369, subject to the procedures in and limitations of chapter 109 of the general statutes.

Sec. 14. Notwithstanding the provisions of section 7-374 and 7-375 of the general statutes and section 13 of this act, the Mystic fire district shall not incur

pat

House of Representatives

Tuesday, June 4, 1991

any indebtedness which will cause the aggregate indebtedness of such district, exclusive of the fair market value of bonds, notes and other intangible assets placed in the sinking funds of such district, to exceed seven times the annual receipts from taxation of such district. In the computation of annual receipts from taxation of the district, there shall be included as such receipts interest, penalties and late payment of taxes. In the computation of the aggregate indebtedness of the district, there shall be excluded each bond, note and other evidence of indebtedness (i) issued in anticipation of taxes; (ii) issued for the supply of water; (iii) issued in anticipation of the receipt of proceeds from assessments which have been levied upon property benefitted by any public improvement; and (iv) issued in anticipation of the receipt of proceeds from any state or federal grant for which the district has received a written commitment or for which an allocation has been approved by the state bond commission or from a contract with the state, a state agency or another municipality providing for reimbursement of capital costs but only to the extent such indebtedness can be paid from such proceeds. Temporary notes issued in anticipation of the receipt of proceeds from the sale or general obligation bonds of the district shall be excluded from the computation of the aggregate indebtedness of such district in accordance with the provisions of section 7-378 of the general statutes. The indebtedness and receipts from taxation of the district shall not be included in the computation of the limitation of indebtedness for the towns of Groton and Stonington pursuant to section 7-374 of the general statutes."

After the renumbered section 15, insert section 16 as follows:

"Sec. 16. This act shall take effect from its passage."

REP. GODFREY: (110th)

Mr. Speaker.

DEPUTY SPEAKER MARKHAM:

Representative Godfrey.

REP. GODFREY: (110th)

pat

House of Representatives

Tuesday, June 4, 1991

If the Clerk will please call LCO5070 and I be granted leave of the Chamber to summarize.

DEPUTY SPEAKER MARKHAM:

The Clerk has an amendment, LCO5070, designated House Amendment Schedule "D". Will the Clerk please call the amendment.

CLERK:

LCO5070, designated House Amendment Schedule "D", offered by Representative Tulisano, et al.

DEPUTY SPEAKER MARKHAM:

The gentleman has sought leave of the Chamber to summarize. Is there objection? Is there objection? Hearing none, please proceed.

REP. GODFREY: (110th)

This would correct an error in Substitute House Bill 7216 of this current session where we sunsetted a provision for January 1, 1991, which has obviously already has gone by and it should have read January 1, 1993. It deals with the sale of zinc-carbon batteries.

I move adoption.

DEPUTY SPEAKER MARKHAM:

Will you remark? Will you remark further? If not, those in favor of House Amendment Schedule "D" please signify by saying aye.

REPRESENTATIVES:

pat

564

House of Representatives

Tuesday, June 4, 1991

Aye.

DEPUTY SPEAKER MARKHAM:

Opposed nay.

The ayes have it.

The amendment is adopted.

House Amendment Schedule "D":

After line 639, add the following and renumber the remaining section accordingly:

"Sec. 13. Section 4 of substitute house bill 7216 of the current session is repealed and the following is substituted in lieu thereof:

No person may sell or offer for sale a zinc-carbon battery manufactured on or after January 1, [1991] 1993, containing mercury in a concentration in excess of one part per million by weight of such battery."

REP. GODFREY: (110th)

Mr. Speaker.

DEPUTY SPEAKER MARKHAM:

Representative Godfrey.

REP. GODFREY: (110th)

The Clerk has an amendment, LCO5099. If he could please call it and I be granted leave of the Chamber to summarize.

DEPUTY SPEAKER MARKHAM:

The Clerk has in his possession an amendment, LCO5099, designated House Amendment Schedule "E". Will the Clerk please call the amendment.

pat

House of Representatives

Tuesday, June 4, 1991

CLERK:

LC05099, offered by Representative Adamo, et al.

DEPUTY SPEAKER MARKHAM:

The gentleman has sought leave of the Chamber to summarize. Is there objection? Is there objection? Hearing none, please proceed.

REP. GODFREY: (110th)

Thank you, Mr. Speaker. This is in connection with Substitute House Bill 7339, which was passed a few days ago. It will direct the Legislative Program Review and Investigations Committee to conduct a review of all factors related to Workers' Compensation insurance premium costs.

I move adoption.

DEPUTY SPEAKER MARKHAM:

Will you remark? Will you remark? If not, I shall try your minds. Those in favor of House Amendment Schedule "E" please signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER MARKHAM:

Opposed nay.

REPRESENTATIVES:

No.

pat

House of Representatives

Tuesday, June 4, 1991

DEPUTY SPEAKER MARKHAM:

The eyes have it.

The amendment is adopted.

House Amendment Schedule "E":

After line 638, insert the following and renumber the remaining section accordingly:

"Sec. 13. Notwithstanding the provisions of section 2-53g of the general statutes and section 55 of substitute house bill 7339 of the current session, the legislative program review and investigations committee shall conduct a review of all factors related to workers' compensation insurance premium costs, including, but not limited to, insurance premium levels, reserves, return on investment, profitability, retention rates and administrative costs. The committee shall report its findings and recommendations to the general assembly not later than March 16, 1992."

DEPUTY SPEAKER MARKHAM:

Will you remark?

REP. GODFREY: (110th)

Mr. Speaker, the Clerk has an amendment, LCO6385.

I ask that he call and I be granted leave of the Chamber to summarize.

DEPUTY SPEAKER MARKHAM:

The Clerk has in his possession an amendment, LCO No. 6385, designated House Amendment Schedule "F".

Will the Clerk please call the amendment.

CLERK:

LCO6385, designated House Amendment Schedule "F",

pat

010348

House of Representatives

Tuesday, June 4, 1991

offered by Representative Chase, et al.

DEPUTY SPEAKER MARKHAM:

The gentleman has sought leave of the Chamber to summarize. Is there objection? Is there objection? Hearing none, please proceed.

REP. GODFREY: (110th)

Yes, Mr. Speaker, in the file copy we had deleted some obsolete references to tolls collected on highways. This ensures that the references to tolls collected on the Merritt and Wilbur Cross Parkways are also deleted, but any money left in the fund that the toll money used to go into will be continued to be used until it is gone on both of those parkways.

I move adoption.

DEPUTY SPEAKER MARKHAM:

The question is on adoption of House Amendment Schedule "F". Will you remark? Representative Farr of the 19th.

REP. FARR: (19th)

Through you, Mr. Speaker, to Representative Godfrey or Representative Chase, are we talking about a large sum of money here? It sounds like we could be talking a potential large sum of money, through you, Mr. Speaker, to Representative Chase or Representative Godfrey.

pat

568

House of Representatives

Tuesday, June 4, 1991

DEPUTY SPEAKER MARKHAM:

Representative Chase.

REP. CHASE: (120th)

Thank you, Mr. Speaker. Mr. Speaker, through you, as of January 1 of this year there was approximately. To date, monies have been expended from the fund for various repair projects on the Merritt and Wilbur Cross Parkway. There's a balance of approximately \$3 million left. Thank you, Mr. Speaker.

REP. FARR: (19th)

Just through you, Mr. Speaker, to Representative Chase, so I fully understand this, if we didn't pass this bill, what would have happened to the money?

REP. CHASE: (120th)

In all likelihood, the way it was interpreted by the members who sponsored the amendment, that it would go into the General Fund.

REP. FARR: (19th)

Thank you, and so, thank you, Representative Chase, as I understand it, it's really just to keep it where it was intended to be in the first place and maybe a technical oversight in the past. Thank you.

DEPUTY SPEAKER MARKHAM:

Will you remark further on House "F"?
Representative Belden of the 113th.

pat

House of Representatives

Tuesday, June 4, 1991

REP. BELDEN: (113th)

Thank you, Mr. Speaker. Just to get the record straight, there was a fund set up for removing the tolls from the Merritt Parkway and we did pass earlier in this session a technical bill which we thought was technical. It removes all references to tolls in our statutes as a method of reducing the language in our printed statutes.

Inadvertently, the funding for removal of the tolls was removed in that and the construction work concerning the interchange with Route 15 and Route 95 on the Milford side of the Merritt Parkway, that work is not yet completed and so the remaining monies need to be left so that that interchange can be completed.

DEPUTY SPEAKER MARKHAM:

Will you remark further on House Schedule "F"? Will you remark further? If not, I shall try your minds. Those in favor of House Amendment Schedule "F" please signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER MARKHAM:

Opposed nay.

The ayes have it.

The amendment is adopted.

House Amendment Schedule "F":

Delete section 13 in its entirety and insert the following in lieu thereof:

"Sec. 13. Section 13a-162b of the general statutes is repealed and the following is substituted in lieu thereof:

(a) [Notwithstanding any provision of the general statutes or of any special act, no toll shall be collected on the Merritt or Wilbur Cross Parkways on and after the date on which sufficient revenue is received and to pay for any cost associated with the removal of the toll booths and the reconstruction of the toll plazas on such parkways or on and after July 1, 1988, whichever is earlier.

(b) Notwithstanding any provision of the general statutes or of any special act, the commissioner of transportation shall complete construction work on removing the toll booths and reconstructing the toll plazas on the Merritt and Wilbur Cross Parkways not later than six months after the date on which tolls are no longer collected on such parkways.

(c)] There is established and created a fund to be known as the "Special Merritt and Wilbur Cross Parkways Fund". Such fund may contain any monies required by law to be deposited in such fund and shall be held by the state treasurer separate and apart from all other monies, funds and accounts. Investment earnings credited to the assets of such fund shall become part of the assets of such fund. Any balance remaining in such fund at the end of any fiscal year shall be carried forward in such fund for the fiscal year next succeeding.

[(d) Notwithstanding any provision of the general statutes or of any special act, on and after July 2, 1987, there shall be paid promptly to the state treasurer and thereupon credited to the Special Merritt and Wilbur Cross Parkways Fund, all monies received or collected by the state or any officer thereof on account of, or derived from all tolls, fees, rentals and other charges for transit over or use of the Merritt Parkway or the Wilbur Cross Parkway, including all receipts from fees provided for under section 13a-155. The state treasurer shall also, not later than June 30, 1987, credit to said fund an amount equal to the amount of monies received by him from tolls, fees, rentals and other charges for transit over or use of the Merritt Parkway or the Wilbur Cross Parkway,

pat

House of Representatives

Tuesday, June 4, 1991

including all receipts from fees provided for under section 13a-155, for the period from April 1, 1987, to July 2, 1987, inclusive.

(e) (b) The state treasurer shall apply the resources in the Special Merritt and Wilbur Cross Parkways Fund, upon their receipt, first, to pay or provide for the payment of any cost associated with the removal of toll booths and the reconstruction of the toll plazas on such parkways.

[(f)] (c) Any remaining resources of said fund shall be applied and expended for the maintenance and repair of such parkways.

Sec. 14. Sections 13a-154 to 13a-156, inclusive, sections 13a-158 to 13a-162a, inclusive, and sections 13a-212, 13a-235 and 13a-236 of the general statutes are repealed."

DEPUTY SPEAKER MARKHAM:

Will you remark further?

REP. GODFREY: (110th)

Yes, Mr. Speaker. The Clerk has an amendment, LCO6698. I ask that he call and I be granted leave of the Chamber to summarize.

DEPUTY SPEAKER MARKHAM:

The Clerk has an amendment, LCO6698, designated House Amendment Schedule "G". Will the Clerk please call the amendment.

CLERK:

LCO6698, designated House Amendment Schedule "G",
offered by Representative Tulisano.

DEPUTY SPEAKER MARKHAM:

The gentleman has sought leave of the Chamber to

pat

572

House of Representatives

Tuesday, June 4, 1991

summarize. Is there objection? Is there objection?
Hearing none, please proceed, sir.

REP. GODFREY: (110th)

This particular amendment does several things. It extends the time for Latinos Lantinos Contracida to incorporate to file a quadrennial statement claiming an exemption from property tax. It allows the Danbury Mutual Fire Insurance Company an extension of time to file some corporation papers with the Secretary of the State and it clarifies that in a limited partnership a majority of the partners can act for the partnership, not necessarily requiring unanimity.

I move adoption.

DEPUTY SPEAKER MARKHAM:

The question is on adoption of House Amendment Schedule "G". Will you remark? Representative Farr.

REP. FARR: (19th)

Nevermind, Mr. Speaker.

REP. KRAWIECKI: (78th)

Mr. Speaker.

DEPUTY SPEAKER MARKHAM:

Representative Krawiecki.

REP. KRAWIECKI: (78th)

Thank you, Mr. Speaker. Could the Representative advise me as to what Special Act 88-51 was?

pat

House of Representatives

Tuesday, June 4, 1991

REP. GODFREY: (110th)

I'd be happy to, Mr. Speaker. Through you, that was a Special Act that allowed the Danbury Mutual Fire Insurance Company to dissolve. It wishes to become a stock corporation. However, it failed to file the required paperwork with the Secretary of State in time and it needs an extension time in order to do that.

REP. KRAWIECKI: (78th)

Thank you.

REP. STOLBERG: (93rd)

Mr. Speaker.

DEPUTY SPEAKER MARKHAM:

Representative Stolberg.

REP. STOLBERG: (93rd)

Mr. Speaker, a brief question. A couple of the items in this amendment are time extensions. Now my understanding is we have another vehicle for this. Did these just not get here in time for the other vehicle, through you, Mr. Speaker?

REP. GODFREY: (110th)

Through you, Mr. Speaker.

DEPUTY SPEAKER MARKHAM:

Representative.

REP. GODFREY: (110th)

There was actually an attempt to add these two to

pat

House of Representatives

Tuesday, June 4, 1991

the Corporation Validating Act, but we're not validating the corporate existence of these two organizations, so there was a question of germaneness and it was decided to offer it through this particular vehicle because it does deal with filing of paperwork other than biennial reports, so it was a question of germaneness.

REP. STOLBERG: (93rd)

Okay, thank you.

DEPUTY SPEAKER MARKHAM:

Will you remark on House "G"? Representative Krawiecki.

REP. KRAWIECKI: (78th)

Thank you, Mr. Speaker. Let me ask a general question of the proponent of this amendment and it really does apply to I guess some of the more substantive changes that are being made. This one happened to just pique my interest because we're making a change in limited partnership law. When this bill is ultimately recorded within our statutes, is this -- since some of these things are Special Acts and some of them are changes in our General Statutes, where will they be ultimately recorded? Will they be recorded in the Special Act supplement of the publications that we put out or will these become a part of the General

pat

575

House of Representatives

Tuesday, June 4, 1991

Statutes and the reason why I ask that is I'm wondering where practitioners are going to find this kind of a change since it's couched within some of the Special Act language, through you, Mr. Speaker.

DEPUTY SPEAKER MARKHAM:

Representative Godfrey.

REP. GODFREY: (110th)

Thank you. Through you, Mr. Speaker, I'm advised that LCO has the power, in fact, routinely takes the acts of the General Assembly and where we have mixed where we can Public Acts and Special Acts, they can, through their ministerial powers, if you will, sort them out and makes sure that these get to the right places.

REP. KRAWIECKI: (78th)

thank you for that answer, Representative Godfrey. I'm aware they have that power as well, but I'm always aware of the fact that they fail to do that quite regularly and that when they consider this to be a Special Act, it gets recorded with the Special Acts and people who don't go following through and looking at the amendments that are recorded in these kinds of special acts may never find these general act transfers. I think this is probably not the best way to go about trying to make these kinds of changes. I

pat

House of Representatives

Tuesday, June 4, 1991

know our intent is that they would do that, but I'm fearful that we may do something today and have someone make an error and then we'll be back here validating their act because they didn't realize that this was a change in statute.

Of all the items that we've been doing, this one really highlighted it for me because it does couch some Special Act items with General Act changes.

DEPUTY SPEAKER MARKHAM:

Representative Stolberg.

REP. STOLBERG: (93rd)

Mr. Speaker, I would like to concur in the remarks of the Minority Leader. I understand we're solving some problems through this process. I think any time a lot of new things appear before the General Assembly in the final couple of days, I think you're opening up a lot of problems.

I would just pose one question on this in terms of the limited partnership. Up until now all of the partners had to concur, through you, Mr. Speaker, is that correct, and we're making a change now where a majority of the partners can take an action, through you, Mr. Speaker?

DEPUTY SPEAKER MARKHAM:

Representative Godfrey.

pat

577

House of Representatives

Tuesday, June 4, 1991

REP. GODFREY: (110th)

Yes, Mr. Speaker, that's true if the partnership agreement, yes, I'm sorry. Yes, that's true.

REP. STOLBERG: (93rd)

Through you, Mr. Speaker, what about the partners who do not concur in the action and are in the minority? What is their responsibility and why is this being done?

REP. GODFREY: (110th)

Through you, Mr. Speaker, this would in effect have one of these limited partnerships which often has a number of partners involved from becoming stuck where there's an inability to get all of the partners, but you have a majority or even a super majority of the partners agreeing to a particular action and so that they can move the business of the partnership forward without being bogged down by one or two particular individuals.

REP. STOLBERG: (93rd)

Mr. Speaker, then, through you, either through general agreement or ad hoc agreement all of the partners would have to agree to vest with some of the partners the authority to act, such as could be done now, I assume, through Power of Attorney. Through you, Mr. Speaker, is that correct?

pat

578

House of Representatives

Tuesday, June 4, 1991

REP. GODFREY: (110th)

Could the gentleman please rephrase the question?

REP. STOLBERG: (93rd)

Yes, with this amendment it would still necessitate either a general concurrence of all of the partners or an ad hoc specific concurrence in an instance of all of the partners to vest in some of the partners the legal ability to act in the name of the partnership. Is that correct, through you, Mr. Speaker?

REP. GODFREY: (110th)

If I could just have a moment, Mr. Speaker.

REP. STOLBERG: (93rd)

And the last part of my question, as phrased before, as I think can be done now under current law through Power of Attorney being given to some of the partners, through you, Mr. Speaker.

REP. GODFREY: (110th)

Through you, Mr. Speaker, I think the gentleman has correctly pointed out that they key kind of is really a writing. This amendment will in essence say if there is some kind of provision in the written partnership agreement as to how it will work, that will prevail, but in the absence of that writing, then a majority of the partners can act on behalf of all the general partners.

pat

579

House of Representatives

Tuesday, June 4, 1991

So if a general partnership really wants to retain their unanimity, they simply have to provide that in writing within their own partnership agreement, but this just takes care of the situation where it doesn't say one way or another and things get bogged down, so this would move to break the logjam.

REP. STOLBERG: (93rd)

Mr. Speaker, that wasn't what I had expected as the answer in that it introduces some concern.

Partnerships now require concurrence of the partners to take an action. Is that correct?

REP. GODFREY: (110th)

It would require all the partners, absent some kind of a writing that would say otherwise and this, which is part of the Uniform Partnership Act, is language that -- that's where this language derived from would ensure that that is indeed the law of Connecticut.

REP. STOLBERG: (93rd)

Mr. Speaker, this is a major change. It certainly appears to me that we are now allowing in all of the partnerships in Connecticut a majority of partners, perhaps over the objections of a number of the partners, to take actions on behalf of the entire partnership. That's a major change and I'm concerned with it appearing in this form as one of 22 amendments.

pat

580

House of Representatives

Tuesday, June 4, 1991

I'm not going to oppose it at this time, but I'm very concerned about these kinds of changes appearing -- not having gone through the committee process. We can virtually obviate the need for legislation by throwing virtually all of the bills onto this tree in the final day of the session in the future and this is not a good way to do things.

DEPUTY SPEAKER MARKHAM:

Will you remark further on House "G"?

Representative Belden.

REP. BELDEN: (113th)

Thank you, Mr. Speaker. I didn't realize that Section 14 and 15 of this particular amendment were going to be so controversial. Mr. Speaker, because they are so controversial, I would make the motion that we divide the question and to exclude passage of Section 14 and 15 of the amendment before us, vote separately on the issues.

Mr. Speaker, in order that we may proceed with the business before us, at this time I will withdraw my motion to divide the question.

DEPUTY SPEAKER MARKHAM:

The gentleman is withdrawing his motion to divide. Is there objection?

REP. GODFREY: (110th)

pat

House of Representatives

Tuesday, June 4, 1991

Mr. Speaker.

DEPUTY SPEAKER MARKHAM:

Representative Godfrey.

REP. GODFREY: (110th)

So we can try and work out what seems to be a controversy over this, I would at this time ask leave of the Chamber to withdraw House "G", at least temporarily and while we continue with the rest of the amendments, we'll have some people see if they can work something out.

DEPUTY SPEAKER MARKHAM:

The gentleman from the 110th is seeking to withdraw House Amendment "G". Is there objection? Hearing none, the amendment is withdrawn.

Will you remark further on the bill as amended?

REP. GODFREY: (110th)

Yes, Mr. Speaker.

DEPUTY SPEAKER MARKHAM:

Representative Godfrey.

REP. GODFREY: (110th)

The Clerk has an amendment, LCO7042. I ask that he call and I be given leave of the Chamber to summarize.

DEPUTY SPEAKER MARKHAM:

The gentleman please call, excuse me, the Clerk has in his possession LCO7042, designated House Amendment

pat

House of Representatives

Tuesday, June 4, 1991

Schedule "H". Will the Clerk please call the amendment.

CLERK:

LC07042, designated House Amendment Schedule "H", offered by Representative Tulisano.

DEPUTY SPEAKER MARKHAM:

The gentleman has sought leave of the Chamber to summarize. Is there objection? Is there objection? Hearing none, please proceed.

REP. GODFREY: (110th)

Thank you, Mr. Speaker. This will deal with the sections dealing with general contractors and subcontractors, with some changes we recently made in the laws. We have the rather odd-ball situation where the same individual doing the same work has to be licensed twice. This ends the duplicate licensing.

I move adoption.

DEPUTY SPEAKER MARKHAM:

The question is on adoption of House Amendment Schedule "H". Will you remark? Will you remark? If not, I will try your minds. Those in favor of House Amendment Schedule "H" please signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER MARKHAM:

Opposed nay.

The ayes have it.

The amendment is adopted.

House Amendment Schedule "H":

After line 638, insert the following and renumber the remaining section accordingly:

"Sec. 13. Section 20-341gg of the general statutes is repealed and the following is substituted in lieu thereof:

(a) On and after July 1, 1990, no person shall engage in or offer to perform the work of any general contractor or major subcontractor in this state on any structure or addition that exceeds the threshold limits contained in section 29-276b unless such person has first obtained a license as required under the provisions of chapter [393 or] 539 or from the department of consumer protection in accordance with the provisions of this section. INDIVIDUALS LICENSED UNDER CHAPTER 393 SHALL BE EXEMPT FROM THE PROVISIONS OF THIS CHAPTER CONCERNING LICENSURE OF MAJOR SUBCONTRACTORS. IF THE INDIVIDUAL OR THE FIRM, COMPANY, PARTNERSHIP OR CORPORATION EMPLOYING SUCH INDIVIDUAL IS ENGAGED IN WORK ON A STRUCTURE OR ADDITION THAT EXCEEDS THE THRESHOLD LIMITS CONTAINED IN SECTION 29-276b AND REQUIRES LICENSURE UNDER CHAPTER 393, THE FIRM, COMPANY, PARTNERSHIP OR CORPORATION SHALL BE EXEMPT FROM THE PROVISIONS OF THIS CHAPTER CONCERNING LICENSURE OF MAJOR SUBCONTRACTORS, IF THE FIRM, COMPANY, PARTNERSHIP OR CORPORATION EMPLOYS AN INDIVIDUAL WHO IS LICENSED AS A CONTRACTOR UNDER CHAPTER 393 TO PERFORM SUCH WORK. The department shall furnish to each qualified applicant a license certifying that the holder thereof is entitled to engage in the work for which the person has been issued a license under this subsection, and the holder of such license shall carry it on his person while engaging in such work. Such license shall be shown to any properly interested person upon request. No such license shall be transferred to or used by any person other than the person to whom the license was issued. the department shall maintain rosters of licensees updated annually and may provide copies of rosters to the public for an appropriate fee. The department may suspend or revoke any license issued by it if the holder thereof is

House of Representatives

Tuesday, June 4, 1991

convicted of a felony, is grossly incompetent, engages in malpractice or unethical conduct or knowingly makes false, misleading or deceptive representations regarding his work or violates any regulation established under this section. Before any license is suspended or revoked, such holder shall be given notice and opportunity for hearing as provided in emulations established under subsection (b) of this section.

(b) Not later than January 1, 1990, the commissioner of consumer protection shall adopt regulations in accordance with the provisions of chapter 54 to implement the provisions of subsection (a) of this section. Such regulations shall (1) establish the licensing requirements for general contractors, structural frame subcontractors and mechanical subcontractors, (2) specify application and license fees, and (3) establish occupational standards for the preservation of the public safety."

After line 642, insert the following:

"Sec. 15. This act shall take effect from its passage."

REP. GODFREY: (110th)

Mr. Speaker, the Clerk has an amendment, LC07225. I ask that he call the amendment and I be granted leave of the Chamber to summarize.

DEPUTY SPEAKER MARKHAM:

The Clerk has an amendment, LC07225, designated House Amendment Schedule "I". Will the Clerk please call the amendment.

CLERK:

LC07225, designated House Amendment Schedule "I", offered by Representative Bowden.

DEPUTY SPEAKER MARKHAM:

The gentleman has sought leave of the Chamber to

pat

House of Representatives

Tuesday, June 4, 1991

summarize. Is there objection? Is there objection?

Please proceed, sir.

REP. GODFREY: (110th)

Thank you, Mr. Speaker. This changes the effective date of Public Act 91-74 which dealt with the prevailing wage provisions and especially in regard to municipalities, that changes the effective date from October 1st to July 1st of this year so that it will coincide with municipalities, most municipalities' fiscal years.

I move adoption.

DEPUTY SPEAKER MARKHAM:

The question is on adoption of House Amendment Schedule "I". Will you remark? Will you remark? If not, I shall try your minds. Those in favor of House Amendment Schedule "I" please signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER MARKHAM:

Opposed nay.

The ayes have it.

The amendment is adopted.

House Amendment Schedule "I":

House of Representatives

Tuesday, June 4, 1991

After line 642, add the following:

"Sec. 14. Public act 91-74 shall take effect July 1, 1991.

Sec. 15. This act shall take effect July 1, 1991, except that sections 1 to 13, inclusive, shall take effect October 1, 1991."

REP. GODFREY: (110th)

Mr. Speaker.

DEPUTY SPEAKER MARKHAM:

Representative Godfrey.

REP. GODFREY: (110th)

The Clerk has an amendment, LCO7363. I ask that he call and I be granted leave of the Chamber to summarize.

DEPUTY SPEAKER MARKHAM:

The Clerk has in his possession an amendment, LCO No. 7363, designated House Amendment Schedule "J". Will the Clerk please call.

CLERK:

LCO No. 7363, designated House Amendment Schedule "J", offered by Representative Tulisano.

DEPUTY SPEAKER MARKHAM:

The gentleman has sought leave of the Chamber to summarize. Is there objection? Is there objection? Hearing none, please proceed.

REP. GODFREY: (110th)

pat

House of Representatives

Tuesday, June 4, 1991

Thank you, Mr. Speaker. This changes a definition for a Class 3 motor vehicle license which has been intended to deal with very heavy trucks, equipment and commercial -- that are generally used for commercial use. The existing language says that trucks having a gross weight of more than 18,000 pounds would qualify under this, but with the way that non-commercial vehicles have been getting heavier and heavier, we want to specify that it's trucks for business or commercial uses only that requires a Class 3 license.

I move adoption.

DEPUTY SPEAKER MARKHAM:

The question is on adoption. Will you remark? Will you remark? If not, I shall try your minds. Those in favor of House Amendment Schedule "J" please signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER MARKHAM:

Opposed nay.

The ayes have it.

The amendment is adopted.

House Amendment Schedule "J":

After line 638, insert the following and renumber the remaining section accordingly:

"Sec. 13. Section 14-36a of the general statutes is repealed and the following is substituted in lieu thereof:

(a) As used in subsection (b), (1) "tractor semitrailer combination" means a tractor drawing a semitrailer; (2) "truck trailer combination" means a truck having a gross weight of more than eighteen thousand pounds drawing a trailer having a gross weight of more than six thousand pounds; (3) "tractor" means any motor vehicle designed for drawing a semitrailer; and (4) "commercial motor vehicle" means any motor vehicle, as defined in the Commercial Motor Vehicle Safety Act of 1986, Title XII, P.L. 99-570, as may be amended from time to time.

(b) The commissioner may classify motor vehicle operators' licenses according to the types of vehicles which licensees are eligible to operate as follows:

(1) Class 1, any motor vehicle, including a commercial motor vehicle, or combination of motor vehicle and trailer or semitrailer; (2) class 2, any motor vehicle or combination of motor vehicle and trailer or semitrailer, except a tractor semitrailer combination, a truck trailer combination or a commercial motor vehicle; and (3) class 3, any motor vehicle or combination of motor vehicle and trailer or semitrailer, except a tractor semitrailer combination, a truck trailer combination, a truck FOR BUSINESS OR COMMERCIAL USE having a gross weight of more than eighteen thousand pounds or a commercial motor vehicle.

The commissioner may adopt regulations in accordance with the provisions of chapter 54 establishing such additional classifications or subclassifications as he deems necessary. The commissioner shall not issue a class 1 license to any person who has not attained the age of eighteen.

(c) No person shall operate a motor vehicle in violation of the classification of the license issued to him.

(d) Any person who violates any provision of subsection (c) of this section shall, for a first offense, be deemed to have committed an infraction and be fined not less than thirty-five dollars nor more than fifty dollars and, for a subsequent offense, shall be fined not more than one hundred dollars or imprisoned not more than thirty days or both."

pat

House of Representatives

Tuesday, June 4, 1991

DEPUTY SPEAKER MARKHAM:

Representative Godfrey.

REP. GODFREY: (110th)

Yes, the Clerk has an amendment, LCO7469. I ask that he call it and I be granted leave of the Chamber to summarize.

DEPUTY SPEAKER MARKHAM:

The Clerk has an amendment in his possession, LCO7469, designated House Amendment Schedule "K". Will the Clerk please call the amendment.

CLERK:

LCO7469, designated House Amendment Schedule "K",
offered by Representative Fritz.

DEPUTY SPEAKER MARKHAM:

The gentleman has sought leave of the Chamber to summarize. Is there objection? Is there objection? Please proceed.

REP. GODFREY: (110th)

Thank you, Mr. Speaker. This extends the period of time authorizing the Commission of Education to enter into grant commitment for school roof replacement projects in the Town of Cheshire.

I move adoption.

DEPUTY SPEAKER MARKHAM:

pat

House of Representatives

Tuesday, June 4, 1991

The question is on adoption of House Amendment Schedule "K". Will you remark? If not, I shall try your minds. Those in favor of House Amendment Schedule "K" please signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER MARKHAM:

Opposed nay.

The ayes have it.

The amendment is adopted.

House Amendment Schedule "K":

After line 638, insert the following and renumber the remaining section accordingly:

"Sec. 13. Notwithstanding the provisions of sections 10-283 and 10-284 of the general statutes 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 or requiring ;that the town begin construction within two years after the effective date of the act of the general assembly authorizing the commissioner of education to enter into grant commitments for such projects, the town of Cheshire shall have until June 30, 1992, to authorize and until June 30, 1993, to begin construction on roof replacement projects at the Chapman Elementary and Darcey Schools and shall be eligible to subsequently be considered for a grant commitment from the state.

pat

591

House of Representatives

Tuesday, June 4, 1991

DEPUTY SPEAKER MARKHAM:

Representative Godfrey.

REP. GODFREY: (110th)

Mr. Speaker, the Clerk has an amendment, LCO7478.

I ask that he call and I be granted leave of the Chamber to summarize.

DEPUTY SPEAKER MARKHAM:

The Clerk has in his possession an amendment, LCO7478, designated House Amendment Schedule "L". Will the Clerk please call the amendment.

CLERK:

LCO7478, designated House Amendment Schedule "L", offered by Representative Winkler, et al.

DEPUTY SPEAKER MARKHAM:

The gentleman has sought leave of the Chamber to summarize. Is there objection? Hearing none, please proceed.

REP. GODFREY: (110th)

Thank you, Mr. Speaker. This amendment came out of discussions after we had granted veterans of the Desert Storm and then the Persian Gulf Campaign veterans benefits along with other veterans and there was discussion of what about those who fought in Lebanon, Grenada in Operation Earnest Will and in the invasion of Panama. This adds those particular combat

pat

House of Representatives

Tuesday, June 4, 1991

engagements to the list of times during which these people will become eligible for various veterans benefits.

I move adoption.

DEPUTY SPEAKER MARKHAM:

Will you remark? Representative Stolberg of the 93rd.

REP. STOLBERG: (93rd)

Mr. Speaker, could the gentleman explain that one more time because I want to know what benefits they're going to get. I thought we had already given those and I just wanted to hear it again.

DEPUTY SPEAKER MARKHAM:

Representative Godfrey.

REP. GODFREY: (110th)

Thank you, Mr. Speaker, through you, we had given those benefits to people who served during Operation Desert Shield and Desert Storm. As you may recall, this was I think the first thing that the General Assembly did in this regular session. There was discussion then, but not action, as to whether or not it would also have been appropriate to provide those same benefits to people who served in Lebanon, Grenada, escorting the Kuwaiti oil tankers and who participated in the invasion of Panama who were no less put in

pat

593

House of Representatives

Tuesday, June 4, 1991

harm's way and this amendment goes to include those small but yet significant, small in short time, but yet significant operations so that veterans of those particular campaigns will get the same benefits as other veterans of both previous wars and engagements and as well as those who served in Desert Storm.

We want to be sure that we're being inclusive of all veterans who have served in harm's way.

DEPUTY SPEAKER MARKHAM:

Representative Stolberg, you have the floor.

REP. STOLBERG: (93rd)

Mr. Speaker, the escorting of Kuwaiti tankers, did you indicate that was an action?

REP. GODFREY: (110th)

That was an operation, through you, Mr. Speaker.

REP. STOLBERG: (93rd)

Is there a period of time on that? Most of the other military actions do have time delineations. Is there a time delineation on this one?

REP. GODFREY: (110th)

Through you, Mr. Speaker, in lines 51 and 52, that would be from February 1, 1987 to July 23, 1987.

REP. STOLBERG: (93rd)

Thank you.

DEPUTY SPEAKER MARKHAM:

pat

594

House of Representatives

Tuesday, June 4, 1991

Will you remark on House Amendment Schedule "L"?
Representative Samowitz of the 129th.

REP. SAMOWITZ: (129th)

Through you, Mr. Speaker, is there a fiscal impact
to this amendment?

DEPUTY SPEAKER MARKHAM:

Representative Godfrey.

REP. GODFREY: (110th)

Through you, Mr. Speaker, yes, there is, and in
summary, there are potential costs, potential revenue
gains, potential minimal revenue loss. The agencies
affected are the Department of Veterans Affairs, the
Soldiers, Sailors and Marines Fund, the various
constituent units of the system of higher education.
It will increase the number of individuals who are
eligible for the various benefits and services made
available by the state.

However, OFA cannot determine at this time how many
new individuals would apply for and request these
benefits and services.

DEPUTY SPEAKER MARKHAM:

Representative Samowitz.

REP. SAMOWITZ: (129th)

Through you, Mr. Speaker, I don't wish to prolong
this debate, but do you know how many people it's

pat

595

House of Representatives

Tuesday, June 4, 1991

estimated?

REP. GODFREY: (110th)

Mr. Speaker, I would suggest that the gentleman may wish to direct his question to Representative Winkler, the co-sponsor of this particular amendment. I believe she has that information.

DEPUTY SPEAKER MARKHAM:

Representative Winkler, would you care to respond to the question?

REP. WINKLER: (41st)

Yes, thank you, Mr. Speaker. Representative Samowitz, through you, Mr. Speaker, there are approximately 200 individuals that are involved in the conflicts that were mentioned. I would also like to mention that legislation was passed on May 24th here when -- with revisions to the education statutes that I believe extended education benefits to several of these -- to several of the conflicts that are listed here, so the cost would not be as great as might have been anticipated at the time OFA had come forward with their report.

DEPUTY SPEAKER MARKHAM:

Representative Samowitz.

REP. SAMOWITZ: (129th)

Thank you, Mr. Speaker. Maybe Representative

pat

House of Representatives

Tuesday, June 4, 1991

Winkler could explain to the body (microphone not working -- being done in a Technical Revision Act. -- instances where --. Mr. Speaker, I'll try this one more --.

DEPUTY SPEAKER MARKHAM:

Representative Samowitz, why don't you try the mike adjacent to you?

REP. SAMOWITZ: (129th)

Mr. Speaker, thank you. Representative Winkler, my main concern is that this is being done through a Technical Revision Act and I'm trying to decide whether this is a technical revision or is this a substantive change. You've indicated in your prior answer that there may have been other acts where these classes of people have been included, and apparently in some other bills they were not included. Maybe if you could tell the body which cuts they were included and which acts they weren't included so that it would seem an apropos matter for a Technical Revision Act.

REP. WINKLER: (41st)

Through you, sir, to Representative Samowitz, this is not a Technical Revisors Bill. These additions we did believe met the criteria to be added to this particular piece of legislation.

REP. SAMOWITZ: (129th)

pat

597

House of Representatives

Tuesday, June 4, 1991

Thank you, Representative Winkler. That explains the reason. Thank you.

REP. WINKLER: (41st)

You're welcome.

DEPUTY SPEAKER MARKHAM:

Representative Grabarz.

REP. GRABARZ: (128th)

Thank you, Mr. Speaker. I would oppose this amendment. The conflict called Operation Desert Shield certainly was a conflict which had the support of the United States Congress and the President, unfortunately though, several of the conflicts that you mentioned, there are many Americans and many people in the State of Connecticut who feel that those conflicts were illegal and unauthorized by the proper authorities and I certainly would object to inclusion amongst those -- I would object to the inclusion of those conflicts with the inclusion of Operation Desert Shield. Thank you, Mr. Speaker.

DEPUTY SPEAKER MARKHAM:

Will you remark further on House "L"? If not, I shall try your minds. Representative Winkler.

REP. WINKLER: (41st)

Yes, thank you. I would just like to add my own feelings on this. I do not believe there are no

pat

598

House of Representatives

Tuesday, June 4, 1991

degrees of risk during combat times, that all Connecticut citizens who have risked their lives during international conflict regardless of the duration should be entitled to benefits that are derived by others of past conflicts and I would urge the Chamber for everyone to keep that in mind when they vote on this particular issue.

DEPUTY SPEAKER MARKHAM:

Will you remark further on House "L"?

Representative Migliaro of the 80th.

REP. MIGLIARO: (80th)

Thank you, Mr. Speaker. Just to answer a couple of questions, I think, to clear the air. Many years ago Representative Chet Morgan and myself put in a bill that included the National Guard Units on the education and all those who served in Desert Shield and in many of these areas were National Guard Units. They're already covered under that, so the impact will not be very much.

I won't say much more than other than when these men and women were called up, they went, willingly, defended and did what they had to do for this country and I think it's about time we recognize it. Thank you.

DEPUTY SPEAKER MARKHAM:

pat

House of Representatives

Tuesday, June 4, 1991

Will you remark further on House "L"? If not, I shall try your minds. Those in favor of House Amendment Schedule "L" please signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER MARKHAM:

Opposed nay.

REPRESENTATIVES:

No.

DEPUTY SPEAKER MARKHAM:

The ayes have it.

The amendment is adopted.

House Amendment Schedule "L":

After line 638, insert the following and renumber the remaining section accordingly:

"Sec. 13. Subsection (a) of section 27-103 of the general statutes, as amended by section 6 of public act 91-2, is repealed and the following is substituted in lieu thereof:

(a) As used in the general statutes, except chapter 504, and except as otherwise provided: (1) "Armed forces" means the United State Army, Navy, Marine Corps, Coast Guard and Air Force; (2) "veteran" means any person honorably discharged from, or released under honorable conditions from active service in, the armed forces; (3) "service in time of war" means service of ninety or more days EXCEPT, IF THE WAR, CAMPAIGN OR OTHER OPERATION LASTED LESS THAN NINETY DAYS, "SERVICE IN TIME OF WAR" MEANS SERVICE FOR THE ENTIRE DURATION OF THE WAR, CAMPAIGN OR OTHER OPERATION, unless separated from service earlier because of a service-connected disability rated by the Veterans' Administration, during the Spanish-American War, April 21, 1898, to August 13, 1898; the Philippine insurrection, August 13, 1898, to July 4, 1902, but as

pat

600

House of Representatives

Tuesday, June 4, 1991

to engagements in the Moro, Province, to July 15, 1903; the Boxer Rebellion, June 20, 1900, to May 12, 1901; the Cuban pacification, September 12, 1906, to April 1, 1909; the Nicaraguan campaign, August 28, 1912, to November 2, 1913; the Haitian campaign, July 9, 1915, to December 6, 1915; the punitive expedition into Mexico, March 10, 1916, to April 6, 1917; World War I, April 6, 1917, to November 11, 1918, but as to service in Russia, to April 1, 1920; World War II, December 7, 1941, to December 31, 1946; and the Korean hostilities, June 27, 1950, to January 31, 1955; and shall include service during the Vietnam era, January 1, 1964, to July 1, 1975; AND SHALL INCLUDE SERVICE WHILE ENGAGED IN COMBAT OR A COMBAT SUPPORT ROLE DURING THE PEACE-KEEPING MISSION IN LEBANON, SEPTEMBER 29, 1982, TO MARCH 30, 1984, THE INVASION OF GRENADA, OCTOBER 25, 1983, TO DECEMBER 15, 1983, OPERATION EARNEST WILL, INVOLVING THE ESCORT OF KUWAITI OIL TANKERS FLYING THE UNITED STATES FLAG IN THE PERSIAN GULF, FEBRUARY 1, 1987, TO JULY 23, 1987, AND THE INVASION OF PANAMA, DECEMBER 20, 1989, TO JANUARY 31, 1990; and shall include service during Operation Desert Shield and Operation Desert Storm, August 7, 1990, until the cessation of hostilities as determined by the President of the United States or until a date established by an act of the general assembly; and shall include service during such periods with the armed forces of any government associated with the United States."

DEPUTY SPEAKER MARKHAM:

Representative Godfrey.

REP. GODFREY: (110th)

Yes, Mr. Speaker. The Clerk has an amendment, LCO7521. I ask that he call and I be granted leave of the Chamber to summarize.

DEPUTY SPEAKER MARKHAM:

The Clerk has an amendment, LCO7521, designated House Amendment Schedule "M". Will the Clerk please

pat

601

House of Representatives

Tuesday, June 4, 1991

call the amendment.

CLERK:

LC07521, designated House Amendment Schedule "M",
offered by Representative Krawiec, et al.

DEPUTY SPEAKER MARKHAM:

The gentleman has sought leave of the Chamber to summarize. Is there objection? Is there objection? Hearing none, please proceed.

REP. GODFREY: (110th)

Thank you, Mr. Speaker. At the beginning of the session when we granted to veterans of Desert Shield and Desert Storm the opportunity to file for additional veterans benefits vis-a-vis the property tax, we inadvertently gave them only to October 1, 1990 to register for that, for the October 1, 1990 year. Of course, obviously, many of the men and women who served didn't come back by October 1, 1990, to give them the opportunity to come back and register properly with the assessors and so we shall give them until October 1, 1991.

I move adoption.

DEPUTY SPEAKER MARKHAM:

The question is on adoption of House Amendment Schedule "L", excuse me, Schedule "M". Will you remark? Will you remark? If not --. Representative

pat

House of Representatives

Tuesday, June 4, 1991

Emmons of the 101st.

REP. EMMONS: (101st)

Just one question. You're giving them a delay until October 1, 1991 or for the October 1, 1991 Grand List?

REP. GODFREY: (110th)

We're giving -- through you, Mr. Speaker.

DEPUTY SPEAKER MARKHAM:

Representative Godfrey.

REP. GODFREY: (110th)

We're giving them an extension of time to register their property tax exemption for the October 1, 1990 Grand List. We're giving them a full year to go back and register for that.

I did talk to Fiscal Analysis about this because I had some of the concerns similar to what you have. They say that this is a very, very minimal cost. While it would obviously result in some Grand List Reductions, it's going to be so miniscule that it's diminimous and there was a feeling that we should go forward with this nonetheless.

REP. EMMONS: (101st)

Excuse me, through you, is this by local option or is this a state mandate?

REP. GODFREY: (110th)

pat

603

House of Representatives

Tuesday, June 4, 1991

Through you, Mr. Speaker, this is the -- this is a state mandate.

REP. EMMONS: (101st)

Through you, then if they don't register before October 1st -- October 1, 1991 to register even though they could have a tax lien placed for not paying on time?

REP. GODFREY: (110th)

I'm sorry, Mr. Speaker, I didn't hear her. I apologize.

REP. EMMONS: (101st)

Well, it's not I guess really important except if they have until October 1, 1991 to get deferment for the Grand List of October 1, 1990 and they go in late, they will be in a position of getting a lien on their property and have a late penalty and interest.

REP. GODFREY: (110th)

There would -- I was concerned about their being an effect in the net reduction in the Grand List and I indeed talked to a couple of people who come out of local government who assured me that this is no larger an impact than a number of the adjustments they usually do in the course of the year and they felt that they could handle it and were comfortable enough with it, so we decided after discussion to go forward with this

pat

604

House of Representatives

Tuesday, June 4, 1991

amendment.

REP. EMMONS: (101st)

That's not really the point that I'm trying to make. Come July 1st your taxes in 1991, you're taxes are due for the Grand List of October 1, 1990. So you're away and you do not file the form to get a deferral. It comes August 1st, your taxes are now overdue. You get a penalty. Well, I guess it's not a penalty -- you get interest charged which cannot be waived by the tax collector and then they can put a lien on your property for which they send you the bill and all I'm saying is in this marvelous little amendment are you finding a way that the tax collector can automatically forgive the interest because my belief is interest cannot be forgiven on the local level.

REP. GODFREY: (110th)

Through you, Mr. Speaker, I understand the lady's concern. It's a concern that I had shared and unless Representative Krawiec may be able to help out on this, as he's the co-sponsor of -- the principal sponsor of this amendment, perhaps the question could be directed to him.

DEPUTY SPEAKER MARKHAM:

Representative Krawiec.

pat

605

House of Representatives

Tuesday, June 4, 1991

REP. KRAWIEC: (26th)

Thank you, Mr. Speaker. This was brought to my attention by our assessor. When we set the date, we set the date for October 1, 1990 which meant that many of the servicemen were not coming back by that time and they didn't have time to file, so it meant that the servicemen returning wouldn't get any benefit until the tax year of the July bill of 1992 and therefore the assessor suggested that we set the date and give them all this time to file and then they could make it retroactive.

REP. EMMONS: (101st)

Well, Mr. Speaker, I'm not going to belabor the point, but I do have a feeling from the way it has been explained, and I think you really ought to have it checked with somebody from OPM who understands Grand List Assessments and penalties and taxes, but if they do not pay their taxes on time, deferment or not, regardless of when you go and give them the opportunity, the window, they will be liable for the interest and they will also be liable for the lien and I think you don't have it cleaned up well enough to give the tax collector the authority to waive that.

That's different than what you're saying to the assessor.

pat

606

House of Representatives

Tuesday, June 4, 1991

REP. KRAWIEC: (26th)

Mr. Speaker, the only thing I can say is I conferred with our assessor and he said they could take care of it and otherwise they will not get the benefit until 1992.

REP. EMMONS: (101st)

But, Mr. Speaker, just continuing. The assessor is to do the assessment. The tax collector has to do with the collection of taxes. Each have different responsibilities and the assessor is the one that charges the interest who has no state authority to waive it once it's gotten there, so if you don't give him the authority to waive it, if these gentlemen don't get their applications in, in time, it cannot be waived.

REP. KRAWIEC: (26th)

Mr. Speaker, I think this is the reason we are putting this in, that it will give the assessor the authority to waive it. Otherwise he couldn't do a thing about it.

DEPUTY SPEAKER MARKHAM:

Will you remark further on House Schedule "M"? Will you remark further? If not, I'll try your minds. Those in favor of House Amendment Schedule "M" please signify by saying aye.

pat

House of Representatives

Tuesday, June 4, 1991

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER MARKHAM:

Opposed nay.

The ayes have it.

The amendment is adopted.

House Amendment Schedule "M":

After line 638, insert the following and renumber the remaining section accordingly:

"Sec. 13. Any veteran who served during Operation Desert Shield and Operation Desert Storm, August 7, 1990, until the cessation of hostilities as determined by the President of the United States or until a date established by an act of the general assembly, shall have until October 1, 1991, to apply for any property tax exemption for the assessment year commencing on or after October 1, 1990, that is authorized pursuant to section 6 of public act 91-2."

REP. GODFREY: (110th)

Mr. Speaker.

DEPUTY SPEAKER MARKHAM:

Representative Godfrey.

REP. GODFREY: (110th)

The Clerk has an amendment, LC07559. I ask that he call and I be granted leave of the Chamber to summarize.

DEPUTY SPEAKER MARKHAM:

The Clerk has in his possession an amendment,

pat

608

House of Representatives

Tuesday, June 4, 1991

LC07559, designated House Amendment Schedule "N". Will the Clerk please call the amendment.

CLERK:

LC07559, designated House Amendment Schedule "N", offered by Representative Tulisano.

DEPUTY SPEAKER MARKHAM:

The gentleman has sought leave of the Chamber to summarize. Is there objection? Is there objection? Hearing none, please proceed, Representative Godfrey.

REP. GODFREY: (110th)

Thank you, Mr. Speaker. Mr. Speaker, about a week or so ago we had done a bill regarding low level radioactive waste in which we incorporated a definition from federal law. I'm told that we had inserted in in the wrong part of a subsection and this corrects that action.

I move adoption.

DEPUTY SPEAKER MARKHAM:

The question is on adoption of House Amendment Schedule "N". Will you remark? Will you remark? If not, I'll try your minds. Those in favor of House Amendment Schedule "M" please signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER MARKHAM:

pat

House of Representatives

Tuesday, June 4, 1991

Opposed nay.

The ayes have it.

The amendment is adopted.

House Amendment Schedule "N":

After line 639, insert the following and renumber the remaining section accordingly:

"Sec. 13. Subdivision (9) of section 22a-163 of the general statutes, as amended by substitute house bill 6985 of the current session, is repealed and the following is substituted in lieu thereof:

(9) "Low-level radioactive waste" means radioactive material that (A) is not high-level radioactive waste, spent nuclear fuel, or by-product material, as defined in 42 U.S.C. 2014(e)(2); [, including material which is reclassified by the United States Nuclear Regulatory Commission as below regulatory concern if such material was classified as low-level radioactive waste on or before June 30, 1991;] (B) the nuclear regulatory commission, consistent with existing law and in accordance with subparagraph (A) of subdivision (9) of this section, classifies as low-level radioactive waste; or (C) is defined as low-level radioactive waste in the Low-Level Radioactive Waste Policy Amendments Act of 1985, P.L. 99-240, INCLUDING MATERIAL WHICH IS RECLASSIFIED BY THE UNITED STATES NUCLEAR REGULATORY COMMISSION AS BELOW REGULATORY CONCERN IF SUCH MATERIAL WAS CLASSIFIED AS LOW-LEVEL RADIOACTIVE WASTE ON OR BEFORE JUNE 30, 1991, as from time to time amended."

DEPUTY SPEAKER MARKHAM:

Representative Godfrey.

REP. GODFREY: (110th)

Mr. Speaker, the Clerk has an amendment, LCO7721.

I ask that he call and I be granted leave of the Chamber to summarize.

pat

610

House of Representatives

Tuesday, June 4, 1991

DEPUTY SPEAKER MARKHAM:

The Clerk has in his possession Amendment, LCO7721, designated House Amendment Schedule "O". Would the Clerk please call the amendment.

CLERK:

LCO7721, designated House Amendment Schedule "O", offered by Representative Collins, et al.

DEPUTY SPEAKER MARKHAM:

The gentleman has sought leave of the Chamber to summarize. Is there objection? Is there objection? Hearing none, please proceed.

REP. GODFREY: (110th)

Thank you, Mr. Speaker. The Mary L. Tracy School in Orange is unique in that it is a masonry building. In order to be able to receive school construction grants to repair those masonry buildings, this amendment is necessary so that such work is not considered maintenance for our grant program.

I move adoption.

DEPUTY SPEAKER MARKHAM:

The question is on adoption of House Amendment Schedule "O". Will you remark? Will you remark? If not, I shall try your minds. Those in favor of House Amendment Schedule "O" please signify by saying aye.

REPRESENTATIVES:

pat

611

House of Representatives

Tuesday, June 4, 1991

Aye.

DEPUTY SPEAKER MARKHAM:

Opposed nay.

The ayes have it.

The amendment is adopted.

House Amendment Schedule "O":

After line 638, insert the following and renumber the remaining section accordingly:

"Sec. 2. Notwithstanding any regulation to the contrary, the masonry repointing of windows at the Mary L. Tracy School in Orange shall not be considered maintenance and the town of Orange shall be eligible to receive a school construction grant for such window project."

REP. GODFREY: (110th)

Mr. Speaker, the Clerk has an amendment, LCO7819.

I ask that he call and I be granted leave of the Chamber to summarize.

DEPUTY SPEAKER MARKHAM:

The Clerk has in his possession an amendment, LCO7819, designated House Amendment Schedule "Q". Will the Clerk please call the amendment. Pardon me, that is House Schedule "P".

CLERK:

LCO7819, designated House Amendment Schedule "P",
offered by Representative Del Bianco.

pat

House of Representatives

Tuesday, June 4, 1991

DEPUTY SPEAKER MARKHAM:

The gentleman has sought leave of the Chamber to summarize. Is there objection? Is there objection? Hearing none, please proceed.

REP. GODFREY: (110th)

Thank you, Mr. Speaker. This ensures that for a fire and water district in Middlebury that only real property owners within that district have the right to vote in connection with activities of the water system.

I move adoption.

DEPUTY SPEAKER MARKHAM:

The question is on adoption of House Amendment Schedule "P". Will you remark? Will you remark? Representative Farr of the 19th.

REP. FARR: (19th)

Yes, just a quick question. Why are we doing this one? I don't understand. Anybody know?

REP. GODFREY: (110th)

Mr. Speaker, I believe, through you, that Representative Del Bianco would be appropriate to answer that question.

DEPUTY SPEAKER MARKHAM:

Representative Del Bianco of the 71st. Will you respond to Representative Farr's question?

REP. DEL BIANCO: (71st)

pat

613

House of Representatives

Tuesday, June 4, 1991

Yes, Mr. Speaker. Currently non-connected property owners and renters are allowed to vote in the district, so if you're not paying the water bill, you get a vote -- or if you're a renter you get a vote. The owners of the property do not. This changes the rule so that if you are connected to the water district and a property owner, you can vote on whatever changes the water company is making.

DEPUTY SPEAKER MARKHAM:

Will you remark further on House "P"? Will you remark further? If not, I'll try your minds. Those in favor of House Amendment Schedule "P" please signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER MARKHAM:

Opposed nay.

The ayes have it.

The amendment is adopted.

House Amendment Schedule "P":

After line 638, insert the following and renumber the remaining section accordingly:

"Sec. 13. Section 9 of number 350 of the special acts of 1931 is amended to read as follows:

Said fire district shall have the power to make, alter, repeal or enforce by-laws and orders for effectuating the purposes herein authorized and the violation of any such by-law shall be a misdemeanor and

pat

House of Representatives

Tuesday, June 4, 1991

shall be prosecuted for as are other offenses in said town of Middlebury. No such by-law shall be passed except at a meeting duly called for such purpose, nor shall it take effect until fifteen days after its passage and until the same shall have been published in a newspaper having a general circulation in said district. Such by-laws may impose fines or penalties not to exceed ten dollars for any one offense. All persons who [shall become inhabitants of] OWN REAL PROPERTY IN said district WHICH IS CONNECTED TO THE DISTRICT'S WATER SYSTEM shall, while they [live within said district and] are electors of this state, be qualified, as members of said fire district, to vote in meetings of said corporation."

REP. GODFREY: (110th)

Will you remark further on the bill as amended?

REP. GODFREY: (110th)

Mr. Speaker, the Clerk has an amendment, LCO7839.

I ask that he call and I be granted leave of the Chamber to summarize.

DEPUTY SPEAKER MARKHAM:

The Clerk has in his possession an amendment, LCO7839, designated House Amendment Schedule "Q". Will the Clerk please call the amendment.

CLERK:

LCO7839, designated House Amendment Schedule "Q",
offered by Representative Krawiec, et al.

DEPUTY SPEAKER MARKHAM:

The gentleman has sought leave of the Chamber to summarize. Is there objection? Is there objection?

pat

House of Representatives

Tuesday, June 4, 1991

Hearing none, please proceed.

REP. GODFREY: (110th)

Thank you, Mr. Speaker. This is in regard to certain occupational licensing. It clarifies that the penalties apply not only -- that the penalties could apply to those who violate provisions of the law, regulations adopted according to the law, vis-a-vis, the occupational licensing and it changes the penalty from \$250 to not more than \$500 for the first violation, not more than \$750 for the second violation and not more than \$1,500 for subsequent violations and I move adoption.

DEPUTY SPEAKER MARKHAM:

The question is on adoption of House Amendment Schedule "Q". Will you remark? Representative Emmons.

REP. EMMONS: (101st)

Mr. Speaker, didn't we just vote down that bill some time in the last four days?

DEPUTY SPEAKER MARKHAM:

No, Representative Emmons, something very similar to this, if the Chair can interject, was ruled not germane on a point by Representative Belden on another bill.

REP. EMMONS: (101st)

Well, Mr. Speaker, there haven't been many copies

pat

616

House of Representatives

Tuesday, June 4, 1991

of these out and around for people to follow. This is the particular one that was found to be not germane on another bill?

DEPUTY SPEAKER MARKHAM:

Yes.

REP. EMMONS: (101st)

And this is the one where the different fees or fines for not having a license go from \$200 to \$500 to \$1,500? Well, Mr. Speaker, I'd like a roll call on that. Well, I think that is substantive.

DEPUTY SPEAKER MARKHAM:

The question before the Chamber is for a roll call vote on House Amendment Schedule "Q". All those in favor of a roll call please signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER MARKHAM:

I would say in the opinion of the Chair the requisite 20 percent has not been derived, madam. Will you remark further on House Amendment Schedule "Q"? Representative Belden.

REP. BELDEN: (113th)

Mr. Speaker, I would perhaps before appealing the Ruling of the Chair indicate that the rules are 20 percent of those in the Chamber.

pat

House of Representatives

Tuesday, June 4, 1991

DEPUTY SPEAKER MARKHAM:

That is correct, sir.

REP. BELDEN: (113th)

And as I look around this room, Mr. Speaker, there's no doubt in my mind that more than 20 percent of those in this room voted.

DEPUTY SPEAKER MARKHAM:

There was doubt in my mind, sir. I only heard about six people.

REP. BELDEN: (113th)

I would appeal the Ruling of the Chair, Mr. Speaker. Mr. Speaker, I will withdraw my appeal.

DEPUTY SPEAKER MARKHAM:

The gentleman has withdrawn his appeal. Will you remark further on House Amendment Schedule "Q"? Will you remark further? If not, I will try your minds. Those in favor of House Amendment Schedule "Q" please signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER MARKHAM:

Opposed nay.

REPRESENTATIVES:

No.

DEPUTY SPEAKER MARKHAM:

pat

House of Representatives

Tuesday, June 4, 1991

The Chair is in doubt. Rather than -- I will try your minds once more. Those in favor of House Amendment Schedule "Q" please signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER MARKHAM:

Opposed nay.

REPRESENTATIVES:

No.

DEPUTY SPEAKER MARKHAM:

The ayes have it.

The amendment is adopted.

House Amendment Schedule "Q":

After line 638, insert the following:

"Sec. 13. Section 20-341 off the general statutes is repealed and the following is substituted in lieu thereof:

(a) Any person who engages in or practices the work or occupation for which a license is required by this chapter without having first obtained an apprentice permit or a certificate and license for such work, or who wilfully employs or supplies for employment a person who does not have a certificate and license for such work or who wilfully and falsely pretends to qualify to engage in or practice such work or occupation, or who engages in or practices any of the work or occupations for which a license is required by this chapter after the expiration of his license, or who violates any other provision of this chapter, unless the penalty is otherwise specifically prescribed, shall be fined not more than one hundred dollars for each such violation.

(b) The appropriate examining board may, after notice and hearing, impose a civil penalty on any person who engages in or practices the work or

occupation for which a license or apprentice registration certificate is required by this chapter without having first obtained such a certificate or license, or who wilfully employs or supplies for employment a person who does not have such a license or certificate or who wilfully and falsely presents to qualify to engage in or practice such work or occupation, or who engages in or practices any of the work or occupations for which a license or certificate is required by this chapter after the expiration of his license or certificate OR WHO VIOLATES ANY OF THE PROVISIONS OF THIS CHAPTER OR THE REGULATIONS DOPTED PURSUANT THERETO. Such penalty shall be in [the] AN amount [of two hundred fifty] NOT MORE THAN FIVE HUNDRED dollars for a first violation of this subsection, [five hundred] NOT MORE THAN SEVEN HUNDRED FIFTY DOLLARS for a second violation and NOT MORE THAN one thousand FIVE HUNDRED dollars for each [subsequent] violation of this subsection OCCURRING LESS THAN THREE YEARS AFTER A SECOND OR SUBSEQUENT VIOLATION OF THIS SUBSECTION, EXCEPT THAT ANY INDIVIDUAL EMPLOYED AS AN APPRENTICE BUT IMPROPERLY REGISTERED SHALL NOT BE PENALIZED FOR A FIRST OFFENSE.

Sec. 14. Section 20-334 of the general statutes is repealed and the following is substituted in lieu thereof:

No person shall engage in, practice or offer to perform the work of any occupation covered by this chapter in this state unless he has first obtained a license as provided in section 20-333, or possesses a card of registration from the state apprentice training division or the board and shall be subject to all the regulations established under this chapter for the purpose of governing apprenticeship training or has been issued a license for such particular work under this chapter prior to July 6, 1967. The department of consumer protection shall furnish to each qualified applicant a license certifying that the holder thereof is entitled to engage in the work or occupation for which the person has been issued a license under this chapter, and the holder of such license shall carry it on his person while engaging in such work or occupation. Such license shall be shown to any properly interested person on request. No such license shall be transferred to or used by any person other than the person to whom the license was issued. Contractors shall display their state license number on all commercial vehicles used in their business and shall display such number in a conspicuous manner on all printed advertisements, bid proposals, contracts,

pat

House of Representatives

Tuesday, June 4, 1991

invoices and on all stationery used in their business. The department shall keep a register in which shall be entered the names of all persons to whom such licenses are issued, and said names of all persons to whom such licenses are issued, and said register shall be at all times open to public inspection. Each board may suspend or revoke any license or certificate granted or issued by it if the holder thereof is convicted of a felony, is grossly incompetent, engages in malpractice or unethical conduct or knowingly makes false, misleading or deceptive representations regarding his work or violates the rules and regulations established under this chapter. Before any license is suspended or revoked, such holder shall be given notice and opportunity for hearing as provided in regulations established by the commissioner of consumer protection. Any person whose license has been suspended or revoked may, after ninety days, apply to the board to have the same reinstated. [and the same shall be reinstated upon a satisfactory showing that the disqualification has ceased.]"

DEPUTY SPEAKER MARKHAM:

Will you remark further on the bill as amended?

REP. GODFREY: (110th)

Ziping right along, Mr. Speaker.

DEPUTY SPEAKER MARKHAM:

I hope so.

REP. GODFREY: (110th)

The Clerk has an amendment, LC08301. I ask that he call and I be granted leave of the Chamber to summarize.

DEPUTY SPEAKER MARKHAM:

The Clerk has in his possession an amendment, LC08301, designated House Amendment Schedule "R". The

pat

House of Representatives

Tuesday, June 4, 1991

Clerk please call the amendment.

CLERK:

LCO8301, designated House Amendment Schedule "R",
offered by Senator -- excuse me, Representative Pelto,
et al.

DEPUTY SPEAKER MARKHAM:

The gentleman has sought leave of the Chamber to summarize. Is there objection? Is there objection? Hearing none, please proceed, sir.

REP. GODFREY: (110th)

Thank you, Mr. Speaker. This is two technical changes left out of House Bill 6997, clarifying that the Higher Education Operating Fund remains in the state cash flow.

I move adoption.

DEPUTY SPEAKER MARKHAM:

The question is on adoption of House Schedule "R". Will you remark? Will you remark? If not, I shall try your minds. Those in favor of House Amendment Schedule "R" please signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER MARKHAM:

Opposed nay.

The ayes have it.

The amendment is adopted.

House Amendment Schedule "R":

After line 638 insert the following and renumber the remaining section accordingly:

"Sec. 13. Subsection (b) of section 3-25 of the general statutes, as amended by section 1 of substitute house bill 6997 of the current session, is repealed and the following is substituted in lieu thereof:

(b) [Upon receipt of a request from] SUBJECT TO THE APPROVAL OF THE COMPTROLLER AND IN ACCORDANCE WITH SUCH PROCEDURES AS HE MAY SPECIFY, the chief executive officer of a constituent unit of the state system of higher education or, in the case of the Connecticut State University system, [upon receipt of a request from] the chief executive officer of a state university, [for authority to make payment of any claim] MAY MAKE PAYMENT OF ANY CLAIM against the constituent unit or institution, as appropriate, other than a payment for payroll, debt service payable on state bonds to bondholders, paying agents, or trustees, or any payment the source of which includes the proceeds of a state bond issue. [,] UPON RECEIPT OF A REQUEST TO MAKE SUCH PAYMENT, the treasurer shall delegate such authority to such chief executive officer and shall approve such banking arrangements as are necessary for such unit or institution to make such payments. Payments for payroll, debt services payable on state bonds to bondholders, paying agents or trustees, or payments from the proceeds of state bonds shall be made solely by the treasurer in accordance with the provisions of subsection (a) of this section.

Sec. 14. Subsection (b) of section 3-117 of the general statutes, as amended by section 3 of substitute house bill 6997 of the current session, is repealed and the following is substituted in lieu thereof:

(b) The board of trustees of a constituent unit of the state system of higher education may authorize the chief executive officer of the unit or in the case of the Connecticut State University system, the chief executive officer of a state university requesting such authority, with the approval of the comptroller and in accordance with the procedure prescribed by the

pat

House of Representatives

Tuesday, June 4, 1991

comptroller, to certify to the comptroller that the articles or services for which claims against the constituent unit or institution are made have been properly received or performed or, if not yet received of performed, are covered (1) by contracts properly drawn and executed or (2) under procedures approved by such chief executive officer, and that such claims are supported by vouchers or receipts for the payment of any money exceeding twenty-five dollars at one time, and by an accurate account, showing the items of such claims, and a detailed account of expenses, when expenses constitute a portion of them, specifying the day when and purpose for which they were incurred; and the original vouchers or receipts shall be filed at the constituent unit or institution, as appropriate. Upon receipt of such certification of a claim from the chief executive officer, the comptroller shall draw an order for its payment pursuant to [subsection (b) of] section 3-25, as amended by section 1 of [this act] SUBSTITUTE HOUSE BILL 6997 OF THE CURRENT SESSION.

Sec. 15. Subsections (b) and (c) of section 10a-105 of the general statutes, as amended by section 29 of substitute house bill 6997 of the current session, are repealed and the following is substituted in lieu thereof:

(b) The board of trustees of The University of Connecticut shall establish and administer a fund to be known as The University of Connecticut operating fund. Appropriations from general revenues of the state except THE AMOUNT OF THE APPROPRIATION FOR OPERATING EXPENSES TO BE USED FOR PERSONAL SERVICES AND THE appropriations for fringe benefits pursuant to subsection (a) of section 4-73, as amended by section 4 of [this act, and] SUBSTITUTE HOUSE BILL 6997 OF THE CURRENT SESSION, all tuition revenue received by the university in accordance with the provisions of subsection (a) of this section, income from student fees or related charges, the proceeds of auxiliary receipts derived from the conduct by The University of Connecticut and its education extension program and its summer school session, except funds received by The University of Connecticut Health Center, shall be deposited in said fund. All costs of waiving or remitting tuition pursuant to subsection (e) of this section, except the cost of waiving or remitting tuition for students enrolled in the schools of medicine or dental medicine, shall be charged to said fund. Repairs, alterations or additions to facilities supported by said fund costing one million dollars or more shall require the approval of the general

pat

House of Representatives

Tuesday, June 4, 1991

assembly, or when the general assembly is not in session, of the finance advisory committee. Any balance of receipts above expenditures shall remain in said fund, except such sums as may be required for deposit into a debt service fund or the general fund for further payment by the treasurer of debt service on general obligation bonds of the state issued for purposes of The University of Connecticut.

(c) The board of trustees of The University of Connecticut shall establish and administer a fund to be known as The University of Connecticut Health Center operating fund. Appropriations from general revenues of the state except THE AMOUNT OF THE APPROPRIATION FOR OPERATING EXPENSES TO BE USED FOR PERSONAL SERVICES AND THE appropriations for fringe benefits pursuant to subsection (a) of section 4-73, as amended by section 4 of [this act] SUBSTITUTE HOUSE BILL 6997 OF THE CURRENT SESSION, all tuition revenue received by the health center in accordance with the provisions of subsection (a) of this section, income from student fees or related charges, proceeds from auxiliary and business enterprises, gifts and donations, and other income relative to these activities shall be deposited in said fund. [, provided the proceeds of auxiliary and business enterprises, gifts and donations shall be maintained in accordance with applicable provisions of the federal tax code.] All costs of waiving or remitting tuition pursuant to subsection (f) of this section for students enrolled in the schools of medicine or dental medicine shall be charged to said fund. Repairs, alterations or additions to facilities supported by said fund costing one million dollars or more shall require the approval of the general assembly, or when the general assembly is not in session, of the finance advisory committee. Any balance of receipts above expenditures shall remain in said fund, except such sums as may be required for deposit into a debt service fund or the general fund for further payment by the treasurer of debt service on general obligation bonds of the state issued for purposes of The University of Connecticut Health Center.

Sec. 16. Subsection (b) of section 10a-77 of the general statutes, as amended by section 16 of substitute house bill 6997 of the current session, is repealed and the following is substituted in lieu thereof:

(b) The board of trustees of the community-technical collages shall establish and administer a fund to be known as the regional community colleges

operating fund. Appropriations from general revenues of the state except THE AMOUNT OF THE APPROPRIATION FOR OPERATING EXPENSES TO BE USED FOR PERSONAL SERVICES AND THE appropriations for fringe benefits pursuant to subsection (a) of section 4-73, as amended by section 4 of [this act, and] SUBSTITUTE HOUSE BILL 6997 OF THE CURRENT SESSION, all tuition revenue received by the regional community colleges in accordance with the provisions of subsection (a) of this section shall be deposited in said fund. Income from student fees or related charges; the proceeds of auxiliary activities and business enterprises, gifts and donations; and all receipts derived from the conduct by the colleges of their education extension programs and summer school sessions shall be credited to said fund but shall be allocated to the central office and institutional operating accounts which shall be established and maintained from the central office and each community college. The board of trustees shall establish an equitable policy for allocation of appropriations from general revenues of the state and tuition revenue deposited in the regional community colleges operating fund. At the beginning of each quarter of the fiscal year, the board shall allocate and transfer, in accordance with said policy, monies for expenditure in such institutional operating accounts, exclusive of amounts retained for central office operations and reasonable reserves for future distribution. All costs of waiving or remitting tuition pursuant to subsection (e) of this section shall be charged to the regional community colleges operating fund. Repairs, alterations or additions to facilities supported by operating funds and costing one million dollars or more shall require the approval of the general assembly, or when the general assembly is not in session, of the finance advisory committee. Any balance of receipts above expenditures shall remain in said fund, except such sums as may be required for deposit into a debt service fund or the general fund for further payment by the treasurer of debt service on general obligation bonds of the state issued for purposes of community colleges.

Sec. 17. Subsection (b) of section 10a-83 of the general statutes, as amended by section 19 of substitute house bill 6997 of the current session, is repealed and the following is substituted in lieu thereof:

(b) The board of trustees of the community-technical colleges shall establish and administer a fund to be known as the regional technical

pat

House of Representatives

Tuesday, June 4, 1991

colleges operating fund. Appropriations from general revenues of the state except THE AMOUNT OF THE APPROPRIATION FOR OPERATING EXPENSES TO BE USED FOR PERSONAL SERVICES AND THE appropriations for fringe benefits pursuant to subsection (a) of section 4-73, as amended by section 4 of [this act, and] SUBSTITUTE HOUSE BILL 6997 OF THE CURRENT SESSION, all tuition revenue received by the regional technical colleges in accordance with the provisions of subsection (a) of this section shall be deposited in said fund. Income from student fees or related charges, the proceeds of auxiliary activities and business enterprises, gifts and donations and all receipts derived from the conduct by the colleges of their education extension programs and summer school sessions shall be credited to said fund but shall be allocated to the central office and institutional operating accounts which shall be established and maintained for the central office and each technical college. The board of trustees shall establish an equitable policy for allocation of revenue deposited in the regional technical colleges operating fund. At the beginning of each quarter of the fiscal year, the policy, monies for expenditure in such institutional operating accounts, exclusive of amounts retained for central office operations and reasonable reserves for future distribution. All costs of waiving or remitting tuition pursuant to subsection (e) of this section shall be charged to the regional technical colleges operating fund. Repairs, alterations or additions to institutional facilities supported by operating funds and costing one million dollars or more shall require the approval of the general assembly, or when the general assembly is not in session, of the finance advisory committee. Any balance of receipts above expenditures shall remain in said fund, except such sums as may be required for deposit into a debt service fund or the general fund for further payment by the treasurer of debt service on general obligation bonds of the state issued for purposes of the technical colleges.

Sec. 18. Subsection (b) of section 10a-99 of the general statutes, as amended by section 26 of substitute house bill 6997 of the current session, is repealed and the following is substituted in lieu thereof:

(b) The board of trustees of the Connecticut State University system shall establish and administer a fund to be known as the Connecticut State University system operating fund. Appropriations from general revenues of the state except THE AMOUNT OF THE APPROPRIATION FOR

OPERATING EXPENSES TO BE USED FOR PERSONAL SERVICES AND THE appropriations for fringe benefits pursuant to subsection (a) of section 4-73, as amended by section 4 of [this act, and] SUBSTITUTE HOUSE BILL 6997 OF THE CURRENT SESSION, all tuition revenue received by the Connecticut State University system in accordance with the provisions of subsection (a) of this section shall be deposited in said fund. Income from student fees or related charges, the proceeds of auxiliary activities and business enterprises, gifts and donations and all receipts derived from the conduct by a state university of its education extension program and its summer school session shall be credited to said fund but shall be allocated to the central office and institutional operating accounts which shall be established and maintained for the central office and each state university. The board of trustees shall establish an equitable policy for allocation of appropriations from general revenues of the state and tuition revenue deposited in the Connecticut State University system and operating fund. At the beginning of each quarter of the fiscal year, the board shall allocate and transfer, in accordance with said policy, monies for expenditure in such institutional operating accounts, exclusive of amounts retained for central distribution.

All costs of waiving or remitting tuition pursuant to subsection (e) of this section shall be charged to the Connecticut State University system operating fund. Repairs, alterations or additions to facilities supported by the Connecticut State University system operating fund and costing one million dollars or more shall require the approval of the general assembly, or when the general assembly is not in session, of the finance advisory committee. Any balance of receipts above expenditures shall remain in said fund, except such sums as may be required for deposit into a debt service fund or the general fund for further payment by the treasurer of debt service on general obligation bonds of the state issued for purposes of the Connecticut State University system."

After line 644 insert the following:

"Sec. 20. This act shall take effect July 1, 1991, except that sections 1 to 12, inclusive, and 19 shall take effect October 1, 1991."

pat

House of Representatives

Tuesday, June 4, 1991

DEPUTY SPEAKER MARKHAM:

Representative Godfrey.

REP. GODFREY: (110th)

Mr. Speaker, the Clerk has an amendment, LCO7846. I ask that he call and I be granted leave of the Chamber to summarize.

DEPUTY SPEAKER MARKHAM:

The Clerk has in his possession an amendment, LCO7846, designated House Amendment Schedule "S". Will the Clerk please call the amendment.

CLERK:

LCO7846, designated House Amendment Schedule "S", offered by Representative Luby, et al.

DEPUTY SPEAKER MARKHAM:

The gentleman has sought leave of the Chamber to summarize. Is there objection? Hearing none, please proceed.

REP. GODFREY: (110th)

Thank you, Mr. Speaker. This clarifies a section in Substitute for House Bill 6391 of this session which dealt with the economic development of funds to clarify that marketing includes advertising.

I move adoption.

DEPUTY SPEAKER MARKHAM:

The question is on House Amendment Schedule "S".

pat

629

House of Representatives

Tuesday, June 4, 1991

Will you remark? If not, I shall try your minds.

Those in favor of House Amendment Schedule "S" please signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER MARKHAM:

Opposed nay.

The ayes have it.

The amendment is adopted.

House Amendment Schedule "S":

After line 638, insert a new section 13 as follows and renumber the remaining section accordingly:

"Sec. 13. Subdivision (3) of section 3 of substitute house bill 6391 of the current session is repealed and the following is substituted in lieu thereof:

(3) Assistance in the development of new products and markets, including the costs of services of consultants concerning marketing, ADVERTISING, new product development, exporting, capital, organizational and technological modernization and any other such considerations contributing to diversification possibilities, and including the extent that it may be advantageous to eligible applicants for assistance, a pooling arrangement applicable to such consulting services, provided the department of economic development shall adopt regulations in accordance with chapter 54 of the general statutes for purposes of implementing any such pooling arrangement.

DEPUTY SPEAKER MARKHAM:

Representative Godfrey.

REP. GODFREY: (110th)

pat

House of Representatives

Tuesday, June 4, 1991

The Clerk has an amendment, LCO7850. I ask that he call and I be granted leave of the Chamber to summarize.

DEPUTY SPEAKER MARKHAM:

The Clerk has in his possession an amendment, LCO No. 7850, designated House Amendment Schedule "T". Will the Clerk please call the amendment.

CLERK:

LCO7850, designated House Amendment Schedule "T", offered by Representative Luby, et al.

DEPUTY SPEAKER MARKHAM:

The gentleman has sought leave of the Chamber to summarize. Is there objection? Is there objection? Hearing none, please proceed.

REP. GODFREY: (110th)

Thank you, Mr. Speaker. We recently created a tourism task force to advise the Commission of Economic Development a tourism plan. This adds to that task force the Commissioner of Economic Development or his designee and the executive director of the Connecticut Commission on the arts or his designee.

I move adoption.

DEPUTY SPEAKER MARKHAM:

The question is on adoption of House Amendment Schedule "T". Representative Stolberg of the 93rd.

pat

631

House of Representatives

Tuesday, June 4, 1991

REP. STOLBERG: (93rd)

Mr. Speaker, I may as well raise this point at this time. I'm going to raise it on the final bill. This is one of the worst experiments in legislation I've ever seen. What we have before us is a vehicle which is being used for a few technical amendments that can go on another bill we have on the Calendar plus a vehicle for virtually everything that anyone wants to do in the final two days of the session.

I hope this is the last time we will see this. If people want to take a little time, you can prepare any amendment to any bill you've had that hasn't gone and throw it on this. This is not good policy. It is not good for the process. I don't know why we're doing these things. None of them are emergencies that I've heard thus far.

If they were, we have a process of emergency certification that can deal with any of these if they are emergencies. A few of the others are technical. I don't care about most of these things, but it's bad policy to throw them all in, in the last two days of the session and I hope the legislature will not try this experiment again.

DEPUTY SPEAKER MARKHAM:

Will you remark further on House Amendment Schedule

pat

House of Representatives

Tuesday, June 4, 1991

"T"? Representative Emmons of the 101st.

REP. EMMONS: (101st)

Yes, Mr. Speaker. I'd like to point out just to the Chamber's attention these tourist task forces or the tourist districts has been a matter of quite a lot of discussion. If you remember, the Governor eliminated their funding and then the funding came partially back in. Then it came more back in and a lot of the fights are between the Connecticut Commission on the Arts and the other local districts and so I'm not so sure that the lack of the executive director of the Connecticut Commission on the Arts and the original bill was not done on purpose and so, therefore, Mr. Speaker, I'm going to vote against it because that was one of the problems that these were not being used as tourism, economic development bureaus in one particular district that has the most amount of money coming from the occupancy tax.

DEPUTY SPEAKER MARKHAM:

Will you remark further on House "T"? Will you remark further? If not, I shall try your minds. Those in favor of House Amendment Schedule "T" please signify by saying aye.

REPRESENTATIVES:

Aye.

pat

House of Representatives

Tuesday, June 4, 1991

DEPUTY SPEAKER MARKHAM:

Opposed nay.

REPRESENTATIVES:

No.

DEPUTY SPEAKER MARKHAM:

The Chair is in doubt. I'll try your minds again. Those in favor of House Amendment Schedule "T" please signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER MARKHAM:

Opposed nay.

REPRESENTATIVES:

No.

DEPUTY SPEAKER MARKHAM:

The ayes have it.

The amendment is adopted.

House Amendment Schedule "T":

After line 638, insert the following and renumber the remaining section accordingly:

"Sec. 13. Section 2 of substitute house bill 6224 of the current session is repealed and the following is substituted in lieu thereof:

(a) There is established a tourism task force to advise the commissioner of economic development in preparing the plan required under section 1 of this act.

(b) The task force shall consist of the following members: The cochairmen and ranking members, or their designs, of the joint standing committee of the

pat

House of Representatives

Tuesday, June 4, 1991

general assembly having cognizance of matters relating to commerce and exportation; the commissioner of environmental protection, or his designee; THE COMMISSIONER OF ECONOMIC DEVELOPMENT, OR HIS DESIGNEE; THE EXECUTIVE DIRECTOR OF THE CONNECTICUT COMMISSION ON THE ARTS, OR HIS DESIGNEE; a member of the joint standing committee of the general assembly having cognizance of matters relating to planning and development, a member representing the restaurant industry and a member representing a regional tourist district, each appointed by the speaker of the house of representatives; a member representing the Connecticut Convention Center Authority, appointed by the majority leader of the house of representatives; a member representing a regional tourist district and a member representing the hotel and motel industry, each appointed by the minority leader of the house of representatives; a member representing coliseum authorities, a member representing the campground industry and a member representing a tourist attraction, each appointed by the president pro tempore of the senate; a member representing the Connecticut Tourism Association, appointed by the majority leader of the senate and a member representing a tourist attraction and a member representing a regional tourist district, each appointed by the minority leader of the senate. The commissioner of economic development or his designee shall be the chairman of the task force."

DEPUTY SPEAKER MARKHAM:

Will you remark further on the bill?

REP. GODFREY: (110th)

Mr. Speaker.

DEPUTY SPEAKER MARKHAM:

Representative Godfrey.

REP. GODFREY: (110th)

The Clerk has an amendment, LC07860. I ask that he call and I be granted leave of the Chamber to

pat

House of Representatives

Tuesday, June 4, 1991

summarize.

DEPUTY SPEAKER MARKHAM:

The Clerk has an amendment, LCO7860, designated House Amendment Schedule "U".

CLERK:

LCO6860, designated House Amendment Schedule "U", offered by Representative Foley.

DEPUTY SPEAKER MARKHAM:

The gentleman has sought leave of the Chamber to summarize. Is there objection? Is there objection? Hearing none, please proceed, sir.

REP. GODFREY: (110th)

Thank you, Mr. Speaker. This will allow the security deposit for telephone services to be paid through a credit card on behalf of a candidate or a candidate committee.

I move adoption.

DEPUTY SPEAKER MARKHAM:

The question is on adoption of House Amendment Schedule "U". Will you remark? Representative Smoko of the 91st.

REP. SMOKO: (91st)

Thank you, Mr. Speaker. Through you, a question. What kind of credit card? Any kind? Do they have any flexibility as to what they can accept at all? Through

pat

House of Representatives

Tuesday, June 4, 1991

you, a question to the proponent of the amendment,
Representative Foley.

DEPUTY SPEAKER MARKHAM:

Representative Foley.

REP. SMOKO: (91st)

Just out of curiosity, Representative Foley, it says that the bank -- the telephone company will have no alternative but to accept a credit card. Through you, Mr. Speaker, is there any flexibility on the part of the telephone company as to what type of credit card they might be required to accept?

REP. FOLEY: (131st)

Sir, through you, Mr. Speaker, the ones they accept now which they presently use for residential phone services, sir.

REP. SMOKO: (91st)

Through you, Mr. Speaker, I think the language is rather inartfully drafted. It doesn't provide for any flexibility on the part of the telephone company. Ma Bell I think would be very distressed to find out that they will be required to accept any and all credit cards. Perhaps even my mobile credit card might suffice.

Mr. Speaker, I guess that's one of the dangers that Representative Stolberg has been pointing out all

pat

637

House of Representatives

Tuesday, June 4, 1991

evening. We have a substantive change that has not had the review of anybody that I know of. Through you, Mr. Speaker, to Representative Foley, have you discussed this at all with our good friends from the Southern New England Telephone Company?

REP. FOLEY: (131st)

Yes, through you, Mr. Speaker, yes, sir. I have. They're supportive of the legislative. I point out to the Representative for his further enlightenment that the language he refers to does not say all credit cards, but a credit card meaning "a", not all, sir.

REP. SMOKO: (91st)

Through you, Mr. Speaker, would you please explain to me the difference between "a" credit card and "all" credit cards as contained within the context of the language here?

REP. FOLEY: (131st)

Through you, Mr. Speaker, certainly. The language said "all credit cards" would be totally inclusive of all being used in this state. It does not say that. At the present time I believe that Southern New England Telephone Company uses both VISA and MasterCard. It does not use American Express. It will use the same credit cards that are presently used, through you, Mr. Speaker.

pat

House of Representatives

Tuesday, June 4, 1991

DEPUTY SPEAKER MARKHAM:

Representative Smoko.

REP. SMOKO: (91st)

Well, Mr. Speaker, I can understand where reasonable people can differ, but I think the language here is fairly clear that virtually any type of credit card would have to be accepted. I guess we'll have to see how it works out in reality since the die seems to be cast.

I understand what you're trying to do, Representative Foley, I just think perhaps if we had spent a little time on drafting, we might have been able to do it a little better.

DEPUTY SPEAKER MARKHAM:

Will you remark further on House "U"?

Representative Stolberg.

REP. STOLBERG: (93rd)

Mr. Speaker, through you, to the gentleman whose amendment it is. Was this a bill or did it have a public hearing or is this an idea that has been generated in the last few days and that's why it appears on this vehicle, through you, Mr. Speaker?

DEPUTY SPEAKER MARKHAM:

Representative Foley.

REP. FOLEY: (131st)

pat

639

House of Representatives

Tuesday, June 4, 1991

Through you, Mr. Speaker, I do not believe, or to the best of my knowledge, that this was not filed as a bill. It is an idea that has been discussed with numerous people within the Chamber and within the industry the last 30 days, sir.

REP. STOLBERG: (93rd)

Through you, Mr. Speaker, if a credit card was drawn for a candidate committee, I don't think there would be a problem with this, but through you, Mr. Speaker, to the gentleman bringing out the amendment or the gentleman who is the proponent of the amendment, is there not a problem with a person making individual expenditures through a personal credit card for a candidate committee? Does that not raise some legal questions, through you, Mr. Speaker?

REP. FOLEY: (131st)

Through you, Mr. Speaker, to the gentleman from New Haven, in my discussion with the Elections Commission and Mr. Garfield, they suggested some alternative language which we have incorporated in the bill to solve this very concern, through you, Mr. Speaker.

REP. STOLBERG: (93rd)

Through you, Mr. Speaker, I -- one of the problems with -- one of the small problems with the large problem that this bill is, which is about, again, the

pat

House of Representatives

Tuesday, June 4, 1991

worse thing I've seen, is that all of the members do not have copies of all of the amendments, so I apologize, sir, that I don't have it before me. If you could indicate that section that does alleviate that problem, I would appreciate it, through you, Mr. Speaker.

REP. FOLEY: (131st)

Through you, Mr. Speaker.

DEPUTY SPEAKER MARKHAM:

Representative Foley.

REP. FOLEY: (131st)

I believe as I'm going through now the final draft of this which incorporates the language which only arrived here a few moments ago, sir, I believe part of it is incorporated on line 116, and if I can flip over and go through it quickly, I will find what I believe is the second reference.

Mr. Speaker, through you, perhaps a little further for the gentleman, 116 is the line and that was the language that was suggested by Mr. Garfield of the Elections Commission, for the gentleman from New Haven.

REP. STOLBERG: (93rd)

Mr. Speaker, while I hate the underlying bill, I think the amendment has some merit. If the credit cards are credit cards drawn for political committees,

pat

House of Representatives

Tuesday, June 4, 1991

I think there is a serious problem that I do not see addressed in line 116, but in the use of personal credit cards, to pay for what are candidate committee expenses and I would just draw the gentleman's attention to that.

REP. FOLEY: (131st)

Through you, Mr. Speaker, I accepted the gentleman's insight, but I would suggest that, as he well knows, candidate's personal credit cards right now are allowed. I presume the gentleman knows that at least because that's the law that I believe we voted on about five or six years ago when he was Speaker and probably passed unanimous in this Chamber.

REP. STOLBERG: (93rd)

Mr. Speaker, records being kept with credit cards, some expenses are allowed. It is my contention that if telephone credit cards are used by a number of individuals in a candidate committee, the tracking of legitimate candidate expenses are going to be made more difficult. I don't see that this legislation requires the credit card to be a special credit card for a candidate committee, and therefore, I will oppose it. I think it has some serious difficulties and runs in the face of the law now.

If that were addressed, this would be no worse than

pat

House of Representatives

Tuesday, June 4, 1991

many of the other amendments, but I think without it, it does have a serious problem.

DEPUTY SPEAKER MARKHAM:

Will you remark further on House Amendment Schedule "U"? Representative Foley.

REP. FOLEY: (131st)

Mr. Speaker, ladies and gentlemen.

DEPUTY SPEAKER MARKHAM:

Just a moment, Representative. (Gavel)

REP. FOLEY: (131st)

I understand some of the concerns that have been raised, but again, I think the Chamber should understand, this is the language that the Elections Commission specifically requested in order to properly codify that I have the original draft, a different section, that addressed specifically the gentleman's concerns and laid it out. Yes, I'll gladly share with him the first draft, if he chooses to see this. However, the Elections Commission said that they would -- in the person of the executive director -- said that they would prefer to have it in this fashion because when it's inserted here, it falls under the exemption statutes as opposed to other methods which could be reported.

The gentleman's concern is well-founded. I don't

pat

House of Representatives

Tuesday, June 4, 1991

doubt his sincerity in determenance of anything he said regarding (a) the bill, or (b) this amendment. The simple fact of the matter is, though, this is what the agency, which regulates reports requested. This is what they said is the best hope from the tracking, and foolish me, I actually believe the people that have to monitor this, who do it every day and probably should have some more random audits. We'll find out, but this will -- the gentleman raises a concern that doesn't really exist. Thank you, Mr. Speaker.

DEPUTY SPEAKER MARKHAM:

Will you remark further on House Amendment Schedule "U"? If not, I shall try your minds. Those in favor of House Amendment Schedule "U" please signify by saying aye.

REPRESENTATIVES:

Aye.d

DEPUTY SPEAKER MARKHAM:

Opposed nay.

REPRESENTATIVES:

No.

DEPUTY SPEAKER MARKHAM:

The ayes have it.

The amendment is adopted.

pat

House of Representatives

Tuesday, June 4, 1991

House Amendment Schedule "U":

After line 638, insert the following:

"Sec. 13. Section 16-262j of the general statutes is repealed and the following is substituted in lieu thereof:

(a) No public service company shall refuse to provide electric, gas or water service to a residential customer based on the financial ability of such customer to pay a security deposit for such service. The department of public utility control shall adopt regulations in accordance with chapter 54 to carry out the provisions of this subsection.

(b) NO TELEPHONE COMPANY SHALL REFUSE TO PROVIDE TELECOMMUNICATIONS SERVICE TO A CANDIDATE OR A COMMITTEE, AS DEFINED IN SECTION 9-333a, ON THE GROUNDS THAT SUCH CANDIDATE, SUCH COMMITTEE OR THE PERSON ACTING ON BEHALF OF SUCH COMMITTEE HAS OFFERED TO PAY THE SECURITY DEPOSIT FOR SUCH SERVICE WITH A CREDIT CARD.

[(b)] (c) Each public service company shall pay interest on any security deposit it receives from a customer at the legal rate as provided in section 37-1.

Sec. 14. Section 9-333b of the general statutes is repealed and the following is substituted in lieu thereof:

As used in this chapter, the term "contribution" means:

(a)(1) Any gift, subscription, loan, advance, payment or deposit of money or anything of value, made for the purpose of influencing the nomination for election, or election, of any person or for the purpose of aiding or promoting the success or defeat of any referendum question or on behalf of any political party;

(2) A written contract, promise or agreement to make a contribution for any such purpose;

(3) The payment by any person, other than a candidate or campaign treasurer, of compensation for the personal services of any other person which are rendered without charge to a committee or candidate for any such purpose;

(4) An expenditure when made by a person with the cooperation or, or in consultation with, any candidate, candidate committee or candidate's agent or which is made in concert with, or at the request or suggestion of, any candidate, candidate committee or candidate's agent; or

(5) Funds received by a committee which are transferred from another committee or other source for

any such purpose.

(b) The term "contribution" does not mean:

(1) A loan of money made in the ordinary course of business by a national or state bank;

(2) Any communication made by a corporation, organization or association to its members, owners, stockholders, executive or administrative personnel, or their families;

(3) Nonpartisan voter registration and get-out-the-vote campaigns by any corporation, organization or association aimed at its members, owners, stockholders, executive or administrative personnel, or their families;

(4) Uncompensated services provided by individuals volunteering their time;

(5) The use of real or personal property, and the cost of invitations, food or beverages, voluntarily provided by an individual to a candidate or on behalf of a state central or town committee, in rendering voluntary personal services for candidate or party-related activities at the individual's residence, to the extent that the cumulative value of the invitations, food or beverages provided by the individual on behalf of any single candidate does not exceed two hundred dollars with respect to any single election, and on behalf of all state central and town committees does not exceed four hundred dollars in any calendar year;

(6) The sale of food or beverage for use in a candidate's campaign or for use by a state central or town committee at a discount, if the charge is not less than the cost to the vendor, to the extent that the cumulative value of the discount given to or on behalf of any single candidate does not exceed two hundred dollars with respect to any single election, and on behalf of all state central and town committees does not exceed four hundred dollars in any calendar year;

(7) Any unreimbursed payment for travel expenses made by an individual who on his own behalf volunteers his personal services to any single candidate to the extent the cumulative value does not exceed two hundred dollars with respect to any single election, and on behalf of all state central or town committees does not exceed four hundred dollars in a calendar year;

(8) The payment, by a party committee, political committee or an individual, of the costs of preparation, display, mailing or other distribution incurred by the committee or individual with respect to any printed slate card, sample ballot or other printed list containing the names of three or more candidates;

(9) The donation of any item of personal property by an individual to a committee for a fund-raising affair, including a tag sale or auction, or the purchase by an individual of any such item at such an affair, to the extent that the cumulative value donated or purchased does not exceed fifty dollars;

(10) The purchase by an individual of tickets to any single fund-raising affair to the extent the aggregate purchase price of all such tickets does not exceed thirty dollars;

(11) The purchase of advertising space which clearly identifies the purchaser, in a program for a fund-raising affair, provided that the cost of such space does not exceed one hundred dollars if the purchaser is a business entity or fifty dollars for purchases by any other person;

(12) The payment of money by a candidate to his candidate committee; [or]

(13) The donation of goods or services by a business entity to a committee for a fund-raising affair, including a tag sale or auction, to the extent that the cumulative value donated does not exceed one hundred dollars; OR

(14) THE ADVANCE OF A SECURITY DEPOSIT BY AN INDIVIDUAL TO A TELEPHONE COMPANY, AS DEFINED IN SECTION 16-1, FOR TELECOMMUNICATIONS SERVICE FOR A COMMITTEE, PROVIDED THE SECURITY DEPOSIT IS REFUNDED TO THE INDIVIDUAL.

Sec. 15. Subsection (c) of 9-333j of the general statutes is repealed and the following is substituted in lieu thereof:

(c) (1) Each statement filed under subsection (a), (e) or (f) of this section shall include, but not be limited to: (A) An itemized accounting of each contribution, if any, including the full name and complete address of each contributor and the amount of the contribution; (B) in the case of anonymous contributions, the total amount received and the denomination of the bills; (C) an itemized accounting of each expenditure, if any, including the full name and complete address of each payee, the amount and the purpose of the expenditure, and a statement of the balance on hand or deficit, as the case may be; (D) an itemized accounting of each expense incurred but not paid; (E) the name and address of any person who is the grantor of a loan to, or the cosigner of a note with, the candidate on whose behalf the committee was formed, or the campaign treasurer in the case of a party committee or a political committee OR WHO HAS ADVANCED A SECURITY DEPOSIT TO A TELEPHONE COMPANY, AS DEFINED

pat

House of Representatives

Tuesday, June 4, 1991

IN SECTION 16-1, FOR TELECOMMUNICATIONS SERVICE FOR A COMMITTEE; (F) for each individual who contributes in excess of one thousand dollars in the aggregate, the principal occupation of such individual, the name of the individual's employer, if any, and a statement indicating whether the individual or a business with which he is associated has a contract with the state which is valued at more than five thousand dollars; and (G) for each itemized contribution made by a lobbyist, the spouse of a lobbyist or any dependent child of a lobbyist who resides in the lobbyist's household, a statement to that effect. Each campaign treasurer shall include in such statement an itemized accounting of the receipts and expenditures relative to any testimonial affair held under the provisions of section 9-333k or any other fund-raising affair.

(2) Each contributor described in subparagraphs (F) and (G) of subdivision (1) of this subsection shall, at the time he makes such a contribution, provide the information which the campaign treasurer is required to include under said paragraphs (F) and (G) in the statement filed under subsection (a), (e) or (f) of this section. Any failure of a contributor to provide such information, which results in noncompliance by the campaign treasurer with the provisions of said subparagraphs (F) and (G), shall be a complete defense to any action against the campaign treasurer for failure to disclose such information.

(3) Contributions from a single individual to a campaign treasurer in the aggregate totaling thirty dollars or less need not be individually identified in the statement, but a sum representing the total amount of all such contributions made by all such individuals during the period to be covered by such statement shall be a separate entry, identified only by the words "total contributions from small contributors".

(4) Statements filed in accordance with this section shall remain public records of the state for five years from the date such statements are filed.

In line 639, strike "13." and insert "16." in lieu thereof

After line 642, insert the following:

"Sec. 17. This act shall take effect from its passage, except that sections 1 to 12, inclusive, and 16 shall take effect October 1, 1991."

pat

House of Representatives

Tuesday, June 4, 1991

REP. GODFREY: (110th)

Mr. Speaker.

DEPUTY SPEAKER MARKHAM:

Representative Godfrey.

REP. GODFREY: (110th)

The Clerk has an amendment, LCO7570. I ask that he call and I be granted leave of the Chamber to summarize.

DEPUTY SPEAKER MARKHAM:

The Clerk has in his possession an amendment, LCO7570, designated House Amendment Schedule "V". The Clerk please call the amendment.

CLERK:

LCO7570, designated House Amendment Schedule "V", offered by Representative Kiner.

DEPUTY SPEAKER MARKHAM:

The gentlemen has sought leave of the Chamber to summarize. Is there objection? Is there objection? Hearing none, please proceed.

REP. GODFREY: (110th)

Thank you, Mr. Speaker. This will enable special service districts, which are taxing districts, to choose to have nine directors instead of five and combine the position of clerk and treasurer. They're both at the option of the special service district.

pat

House of Representatives

Tuesday, June 4, 1991

I move adoption.

DEPUTY SPEAKER MARKHAM:

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

REP. KRAWIECKI: (78th)

Thank you, Mr. Speaker. Representative Godfrey, has this had a public hearing this year?

DEPUTY SPEAKER MARKHAM:

Representative Godfrey.

REP. GODFREY: (110th)

Mr. Speaker, I would suggest that the Representative direct his questions to the proponent -- the sponsor of this particular amendment, Representative Kiner.

DEPUTY SPEAKER MARKHAM:

Representative Kiner.

REP. KINER: (59th)

Through you, Mr. Speaker, I accept the yield from Representative Godfrey and the answer is, no, it did not.

REP. KRAWIECKI: (78th)

I'm sorry, I didn't catch the answer, Mr. Speaker.

REP. KINER: (59th)

The answer, through you, Mr. Speaker, is, no, it did not.

pat

650

House of Representatives

Tuesday, June 4, 1991

REP. KRAWIECKI: (78th)

Mr. Speaker, I don't have really any idea who is being impacted by this concept. Frankly, it may very well be harmless, but it seems to me at the very least that the people who might be impacted by this proposition might want to have had an opportunity to speak about the expansion of the board, the merging of the officers that are going to serve, the methodology of how these directors are going to operate and I'm going to oppose the amendment.

REP. KINER: (59th)

Mr. Speaker.

DEPUTY SPEAKER MARKHAM:

Representative Kiner.

REP. KINER: (59th)

Mr. Speaker, I would say a couple of things. Number one, this amendment is purely permissive. Number two, it does in fact impact, as far as I know, one district, and that's in the Town of Enfield. It does not have a public hearing because this problem came to my attention after the public hearing processes after the committees had done their work and since this is permissive and since this affects my district that says they want this, I really don't see what the problem is.

pat

House of Representatives

Tuesday, June 4, 1991

Mr. Speaker, for the edification of the Chamber, it just allows a taxing district to go from five directors to nine directors. It allows the officers to be chosen from the directors which many organizations do now and it allows the Clerk and treasurer to be one position. I certainly see nothing harmful in this particular amendment. There's nothing obnoxious about it and it something that, again, my district has asked for, and as such, Mr. Speaker, I hope this Chamber goes along with this amendment.

DEPUTY SPEAKER MARKHAM:

The question is on House Amendment Schedule "V". Will you remark further? Will you remark further? If not, I'll try your minds on House Amendment Schedule "V". Those in favor please signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER MARKHAM:

Opposed nay.

REPRESENTATIVES:

No.

DEPUTY SPEAKER MARKHAM:

The ayes have it.

The amendment is adopted.

House Amendment Schedule "V":

After line 638, insert the following and renumber the remaining section accordingly:

"Sec. 13. Section 7-327 of the general statutes is repealed and the following is substituted in lieu thereof:

(a) At the meeting called for the purpose of establishing a district, as provided in section 7-325, the voters shall, by ordinance, fix the date of the annual meeting of the voters for the election of district officers and transaction of such other business as may properly come before such annual meeting. At the organization meeting of the district, the voters shall elect from their number a president, vice president, five directors, a clerk and a treasurer to serve until the first annual meeting for the election of officers and thereafter such officers shall be elected annually. Not fewer than fifteen voters of the district shall constitute a quorum for the transaction of business at the organization meeting of the district; and if fifteen voters are not present at such meeting, the selectmen may adjourn such meeting from time to time, until at least fifteen voters are present. Special meetings of the district may be called on the application of ten percent of the total number of persons qualified to vote in the meeting of a district or twenty of the voters of such district, whichever is less, or by the president or any three directors upon giving notice as hereinafter provided. Any special meeting called on the application of the voters shall be held within twenty-one days after receiving such application. Notice of the holding of the annual meeting and all special meetings shall be given by publication of a notice of such meetings in a newspaper having a general circulation in such district at least ten days before the day of such meetings, signed by the president or any three directors, which notice shall designate the time and place of such meetings and the business to be transacted thereat. Two hundred or more persons or ten per cent of the total number of persons qualified to vote in the meeting of a district, whichever is less, may petition the clerk of such district, in writing, at least twenty-four hours prior to any such meeting, requesting that any item or items on the call of such meeting not less than seven nor more than fourteen days thereafter, on a day to be set by the district meeting or, if the district meeting does not set a date, by the board of directors, for a vote by paper ballots or by a

"yes" or "no" vote on the voting machines, during the hours between twelve o'clock noon and eight o'clock p.m., except that any district may, by vote of its board of directors, provide for an earlier hour for opening the polls but not earlier than six o'clock a.m. The paper ballots or voting machine ballot labels, as the case may be, shall be provided by the clerk. When such petition has been filed with the clerk, the president, after completion of other business and after reasonable discussion shall adjourn such meeting and order such vote on such item or items in accordance with the petition; and any item so voted may be rescinded in the same manner. The clerk shall phrase such item or items in a form suitable for printing on such paper ballots or ballot labels. Not fewer than fifteen voters of the district shall constitute a quorum for the transaction of business at any meeting of the district; and if fifteen voters are not present at such meeting, the president of the district or, in his absence, the vice president may adjourn such meeting from time to time, until at least fifteen voters are present; and all meetings of the district where a quorum is present may be adjourned from time to time by a vote of a majority of the voters voting on the question. At any annual or special meeting, the voters may, by a majority vote of those present, discontinue any purposes for which the district is established or undertake any additional purpose or purposes enumerated in section 7-326.

(b) The president of the district shall be the chief executive officer thereof and shall be a member of the board of directors. He shall preside at all meetings of the voters of the district and at all meetings of the directors, and at all meetings where he presides he shall vote to dissolve a tie when necessary. He shall designate the duties devolving upon each of the five directors, shall approve all bills for payment by the treasurer and shall be, ex officio, a member of all committees and boards of the district. The vice president shall be a member of the board of directors, and shall have all the authority, power and duties of the president whenever the president vacates his office, is absent or from any cause is unable to perform his duties. The clerk shall be a member of the board of directors, shall keep a record of the minutes of all meetings of the voters and of the board of directors and shall keep at all times a list of the voters of the district. The treasurer shall have charge of the collection and payment of all monies of the district, under such rules

pat

House of Representatives

Tuesday, June 4, 1991

and regulations as shall be prescribed by the board of directors, and shall prepare the annual budget, which shall be reviewed by the board of directors and transmitted with the board's comments and recommendations to the annual budget meeting of the district for adoption.

(c) The fiscal year of the district shall begin on July first and shall end the following June thirtieth. Annually, not less than thirty days prior to the beginning of the fiscal year, there shall be a meeting of the voters of the district for the purpose of adopting the annual budget, laying the tax and fixing the tax rate.

(d) NOTWITHSTANDING ANY PROVISION OF THIS CHAPTER OR ANY SPECIAL ACT TO THE CONTRARY, A DISTRICT MAY, AT ITS ANNUAL MEETING OR AT A SPECIAL MEETING CALLED IN ACCORDANCE WITH THE PROVISIONS OF THIS SECTION, (1) INCREASE THE MEMBERSHIP OF THE BOARD OF DIRECTORS OF THE DISTRICT TO NINE MEMBERS, THREE OF WHOM MAY BE ELECTED EACH YEAR TO THREE YEAR TERMS, AND IN SUCH CASE, REQUIRE THE OFFICERS OF THE DISTRICT TO BE CHOSEN FROM AMONG THE MEMBERS OF THE BOARD OR (2) PROVIDE FOR ONE MEMBER OF THE BOARD OF DIRECTORS OF THE DISTRICT TO SERVE AS BOTH CLERK AND TREASURER OF THE DISTRICT."

DEPUTY SPEAKER MARKHAM:

Representative Godfrey.

REP. GODFREY: (110th)

Mr. Speaker, it's been a delight, as the old song says, to wander through the alphabet with you. That completes the new list of amendments, however, I believe we had passed over House "G", LCO6698. I would ask the Clerk to recall that.

DEPUTY SPEAKER MARKHAM:

The Clerk has in his possession an amendment, LCO6690, previously designated House Amendment Schedule

pat

House of Representatives

Tuesday, June 4, 1991

"G". Will the Clerk please call the amendment.

CLERK:

LC06698, previously designated House Amendment
Schedule "G", offered by Representative Tulisano.

DEPUTY SPEAKER MARKHAM:

The gentleman has sought leave of the Chamber to summarize. Is there objection?

REP. GODFREY: (110th)

I believe --.

DEPUTY SPEAKER MARKHAM:

Proceed.

REP. GODFREY: (110th)

I apologize, Mr. Speaker, for stepping on your announcement. I believe I had summarized this before. I will move adoption.

DEPUTY SPEAKER MARKHAM:

The question is on adoption of House "G". Will you remark?

REP. GODFREY: (110th)

Mr. Speaker, I'd like to yield to my good friend, Representative Belden.

DEPUTY SPEAKER MARKHAM:

Representative Belden.

REP. BELDEN: (113th)

Thank you, Mr. Speaker, just for a correction. I

pat

656

House of Representatives

Tuesday, June 4, 1991

believe that you had called LCO6690 and it's 6698, just for the record, sir.

DEPUTY SPEAKER MARKHAM:

You are correct. It is 6698 and I believe I did

--.

REP. BELDEN: (113th)

Thank you. Mr. Speaker, there seems to be some concern about the contents of two sections of this four section amendment before us, those two sections dealing with limited partnerships. So at this time, Mr. Speaker, I would move to divide the question so that Sections 13 and 6 should be voted on as one issue and Section 14 and 15 be voted on -- excuse me -- that's Section 13, 16 and 6 would be voted on as one issue and 14 and 15 as a separate issue, through you, Mr. Speaker.

DEPUTY SPEAKER MARKHAM:

The gentleman has made a motion --.

REP. BELDEN: (113th)

And, Mr. Speaker, at this time I would move that we would debate Section 14 and 15 as a separate entity.

DEPUTY SPEAKER MARKHAM:

Let me state the question first, Representative Belden. The gentleman has moved to divide the question along the lines of question number one which would be

pat

House of Representatives

Tuesday, June 4, 1991

incorporate Section 13, Section 16 and Section 6 and question 2 would be along the lines of Section 14 and Section 15. Section 18 deals with effective date, being passage and that I think is not pertinent.

The question is now offered for division and debate on, I believe, Section 2 which is -- or the second time, question 4 -- Section 14 and Section 15. Is that correct, Representative Belden?

REP. BELDEN: (113th)

Yes, Mr. Speaker, the motion to divide is to separate Section 14 and 15 from the balance of House "G", assuming that the Section 18 would apply to either section.

DEPUTY SPEAKER MARKHAM:

Correct. The question is on division. Those in favor of dividing the question, please signify by saying aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER MARKHAM:

Opposed nay.

REPRESENTATIVES:

No.

DEPUTY SPEAKER MARKHAM:

The nays have it.

pat

House of Representatives

Tuesday, June 4, 1991

The question is not divided.

REP. FRANKEL: (121st)

Mr. Speaker.

DEPUTY SPEAKER MARKHAM:

Representative Frankel.

REP. FRANKEL: (121st)

Mr. Speaker, I was hoping you would recognize me as I was on my feet before. I would much prefer to avoid a division and although the Chamber has decided not to divide this, nevertheless, I think it would be appropriate to address these two separate items by way of amendments and with a view towards doing that I would move this item be passed temporarily.

GROANS

DEPUTY SPEAKER MARKHAM:

The motion is to pass the bill temporarily. Is there objection? Hearing none, so ordered.

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

REP. STOLBERG: (93rd)

I was rising to support the motion to pass this temporarily. This will give the members of this Chamber an opportunity to prepare further amendments and I'm sure will give the members of the Upper Chamber a delightful time and when this comes back to us, it

pat

House of Representatives

Tuesday, June 4, 1991

should be really an incredible thing to behold.

DEPUTY SPEAKER MARKHAM:

The colors are most spectacular.

CLERK:

Page 2, Calendar 503, Substitute for House Bill No. 7346, AN ACT CONCERNING REVISION TO THE GENERAL STATUTES.

Favorable Report of the Committee on Judiciary.

SPEAKER BALDUCCI:

Representative Godfrey of the 110th.

REP. GODFREY: (110th)

Once again, 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. GODFREY: (110th)

Yes, Mr. Speaker, we've added a number of amendments to this bill and I have two more that will, I hope, take care of the problem that had arisen during that last go round on this a few minutes ago.

If the Clerk will please call Amendment LC06454 and I be --.

SPEAKER BALDUCCI:

Representative Godfrey.

pat

660

House of Representatives

Tuesday, June 4, 1991

REP. GODFREY: (110th)

I apologize, Mr. Speaker. First I would ask leave of the Chamber to withdraw House Amendment "G".

SPEAKER BALDUCCI:

The question before the Chamber is withdrawal of House Amendment "G". Is there objection to withdrawal? Seeing none, House "G" is withdrawn.

REP. GODFREY: (110th)

Thank you, Mr. Speaker. Mr. Speaker, the Clerk has an amendment, LCO6454. Would he please call and I be granted leave of the Chamber to summarize.

SPEAKER BALDUCCI:

The Clerk please call LCO6454, designated House Schedule "W".

CLERK:

LCO6454, designated House Amendment Schedule "W", offered by Representative Godfrey, et al.

SPEAKER BALDUCCI:

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

REP. GODFREY: (110th)

Thank you, Mr. Speaker. Mr. Speaker, this takes care of the filing -- the extension of time for filing for the Danbury Mutual Fire Insurance Company.

I move adoption.

pat

661

House of Representatives

Tuesday, June 4, 1991

SPEAKER BALDUCCI:

The question is on adoption. Will you remark?
House "W" has been moved and explained. Will you
remark further?

REP. GODFREY: (110th)

Mr. Speaker.

SPEAKER BALDUCCI:

Representative Godfrey.

REP. GODFREY: (110th)

Perhaps let me offer some additional explanation.
House "G" was withdrawn and was the subject of some
discussion as to dividing the question because of --
especially because of concerns regarding changes to --
changes to the sections dealing with limited
partnerships and general partnerships. I understand
that there's a significant amount of concern about
that, but as the discussion and the debate had gone on,
the other two sections of the -- the other two sections
of that particular amendment didn't seem to be a
particular problem.

It's the one dealing with the extension of filing
of certain paperwork with the Secretary of the State
for two corporations -- I'm sorry, for an association
and a corporation here in the State of Connecticut and
this is kind of Plan B. We have two separate

pat

662

House of Representatives

Tuesday, June 4, 1991

amendments that will deal with both of those non-controversial sections, one of them is currently before them, deals with the Danbury Mutual Fire Insurance Company which wants to dissolve and become a stock corporation.

Representative Gyle and I had placed that amendment in the file and when we're finished with this one, I will call a second one that will deal with a corporation in Hartford that deals with Hispanic-speaking people who are involved in a lot of the effort against the AIDS epidemic here in Hartford. We're just trying to expedite that question that arose so that we can avoid the division of the question of procedure and move this bill along tonight.

So I would hope that the Chamber will indulge us and will try and get this done in a quick manner.

SPEAKER BALDUCCI:

Will you remark further on the adoption of House "W"? Representative Krawiecki.

REP. KRAWIECKI: (78th)

Thank you, Mr. Speaker, just a technical question, more than anything. Representative Godfrey, Section 15, lines 26, 27 and 28 of the amendment that's before us make reference to Sections 1 through 12 which I understand is the file copy. You now have Section 13,

pat

House of Representatives

Tuesday, June 4, 1991

but it makes reference to Section 14. So, through you, Mr. Speaker, what is Section 14?

SPEAKER BALDUCCI:

Representative Godfrey.

REP. GODFREY: (110th)

If I could just have a moment, Mr. Speaker.

REP. KRAWIECKI: (78th)

Mr. Speaker.

SPEAKER BALDUCCI:

Yes, Representative Krawiecki.

REP. KRAWIECKI: (78th)

I think in relooking at the file I may have answered my own question. I didn't realize there were 13 sections of the original file copy. I thought there were only 12 and I think I can understand what that language might be incorporated as now.

SPEAKER BALDUCCI:

Thank you, Representative Krawiecki. Will you remark further on this amendment? If not, all those in favor signify by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER BALDUCCI:

pat

664

House of Representatives

Tuesday, June 4, 1991

Opposed nay.

The ayes have it.

The amendment is adopted.

House Amendment Schedule "W":

After line 638, add the following and renumber the remaining section accordingly:

"Sec. 13. Section 7 of special act 88-51 is amended to read as follows:

Section 6 of [this act] SPECIAL ACT 88-51 shall become operative if, within one year of its passage, the plan shall be accepted at a meeting of the corporation duly warned and held for that purpose and IF, NOT LATER THAN DECEMBER 1, 1991, an attested copy of such acceptance SHALL be filed in the office of the secretary of the state."

After line 642, add the following:

"Sec. 15. This act shall take effect from its passage, except that sections 1 to 12, inclusive, and section 14 shall take effect October 1, 1991."

SPEAKER BALDUCCI:

Will you remark further?

REP. GODFREY: (110th)

Yes, Mr. Speaker. The Clerk has an amendment, LCO7218. I ask that he call and I be granted leave of the Chamber to summarize.

SPEAKER BALDUCCI:

The Clerk please call LCO7218, designated House "X".

CLERK:

LCO7218, designated House Amendment Schedule "X",

pat

House of Representatives

Tuesday, June 4, 1991

offered by Representative Negron.

SPEAKER BALDUCCI:

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

REP. GODFREY: (110th)

Thank you, Mr. Speaker. This would grant an extension of time to Latinos/Latinas Contra SIDA to file a quadrennial statement claiming an exemption for property tax.

I move adoption.

SPEAKER BALDUCCI:

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

REPRESENTATIVES:

Aye.

SPEAKER BALDUCCI:

Opposed nay.

The ayes have it.

The amendment is adopted.

House Amendment Schedule "X":

After line 638, add the following and renumber the remaining section accordingly:

"Sec. 13. Notwithstanding the failure of Latinos/as Contra SIDA, Incorporated to file a quadrennial statement claiming exemption from property tax under the provisions of subdivision (7) of section

pat

666

House of Representatives

Tuesday, June 4, 1991

12-81 of the general statutes with the board of assessors of the city of Hartford within the time prescribed by law as required by said subdivision or to file such statement with any extension of time allowed pursuant to section 12-87a of the general statutes, the time within which Latinos/as Contra SIDA, Incorporated may file such statement is extended to July 1, 1991, provided said corporation shall pay the late-filing fee specified in said section 12-87a."

SPEAKER BALDUCCI:

Will you remark further on the bill?

REP. GODFREY: (110th)

Mr. Speaker, I think "X" marks the spot and we'll stop here. Thank you.

SPEAKER BALDUCCI:

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

CLERK:

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

SPEAKER BALDUCCI:

Have all the members voted and is your vote properly recorded? If all the members have voted, the machine will be locked. The Clerk take a tally. Representative Lundfelt of the 37th.

REP. LUNDFELT: (37th)

pat

House of Representatives

Tuesday, June 4, 1991

Please in the affirmative please.

SPEAKER BALDUCCI:

Representative Lundfelt in the affirmative.

Representative Poss of the 98th.

REP. POSS: (98th)

In the affirmative.

SPEAKER BALDUCCI:

Representative Poss in the affirmative.

The Clerk please announce the tally.

CLERK:

House Bill 7346, as amended by House Amendment Schedules "A", "B", "C", "D", "E", "F", "H", "I", "J", "K", "L", "M", "N", "O", "P", "Q", "R", "S", "T", "U", "V", "W", and "X".

Total Number Voting	146
Necessary for Passage	74
Those voting Yea	120
Those voting Nay	26
Those absent and not Voting	5

SPEAKER BALDUCCI:

The bill as amended is passed.

REP. FRANKEL: (121st)

Mr. Speaker.

SPEAKER BALDUCCI:

Representative Frankel.

S-323

CONNECTICUT
GEN. ASSEMBLY
SENATE

PROCEEDINGS
1991
TRAILER SESSION

VOL. 34
PART 10
3281-3627

WEDNESDAY
June 5, 1991

134
aak

BOARD OF DIRECTORS OF TRANSIT DISTRICTS. As amended by House Amendment Schedules "A", "B" and "C". Favorable Report of the Committee on Judiciary.

The Senate rejected House Amendment Schedule "C" and the House readopted Senate Amendment Schedule "C", thereby creating a Committee on Conference. The Committee on Conference, I believe has met. I'm sorry, Madam President, there is no Committee on Conference Report on that bill.

Moving to Senate Agenda #1, Business from the House, Substitute HB7346, File #572. AN ACT CONCERNING REVISIONS OF THE GENERAL STATUTES. As amended by House Amendment Schedules "A" through "X". Favorable Report of the Committee on Judiciary.

THE CHAIR:

Thank you very much. The Chair would recognize Senator Avallone.

SENATOR AVALLONE:

Yes, Madam President, I would move the Joint Committee's Favorable Report and adoption of the bill.

THE CHAIR:

In accordance with the House?

SENATOR AVALLONE:

Yes, in accordance with the House.

THE CHAIR:

WEDNESDAY
June 5, 1991

003491
135
aak

Thank you very much, Senator. Would you care to remark further?

SENATOR AVALLONE:

Yes. I'll try to quickly go through these amendments. The first deletes the section which would have added requirements for athletic trainers. The next eliminates the section dealing with rate setting by the Commissioner of Insurance on Title Insurance. The next deals with the Mystic Fire District. There is one town, three districts and the district now needs authority to perform its own bonding, to meet its capital requirements.

The next deletes obsolete references to old collections. The next changes the effective date of the statute from October 1, 1991 to July 1, 1991. The next deals with a condo bill that we did here. The federal government will not guarantee liens of longer than six months. The bill that we passed had it in for 12 months so this changes it back to 6 months.

Next, makes payments or claims against the University of Connecticut system go through the Comptroller, has to deal with the clarification of the bill that we did earlier in the session. The next would extend the period of time for application for property tax relief for veterans of Desert Storm.

WEDNESDAY
June 5, 1991

003492
136
aak

Next deals with Class 3 driver's licenses for truck drivers. A technical change to the definition of radioactive waste. What that was was we did a bill on that earlier and one of the references to in another section of our bill was not taken care of in that particular bill, so this amendment takes care of that. There is a bill dealing with the Mary Tracey School. There was a bond authorization. Under that bond authorization certain repairs were not authorized. This would clear up that technicality.

There is another amendment which deals with certain service districts where currently both renters and property owners are allowed the right to vote. This would restrict that right to vote to property owners. 50-70 deals with an effective date of a statute being from July 1, 1991 to July 1, 1993. There is an amendment dealing with the worker's compensation bill that we had done earlier today which creates a study of insurance rates.

There is another section of this bill which deals with adding the Executive Director of the Commission on Arts to the new task force and study on tourism.

THE CHAIR:

Thank you very much, Senator Avallone. Would anyone else wish to remark on Substitute HB7346? Are

WEDNESDAY
June 5, 1991

003493
137
aak

there any questions? Any remarks?

SENATOR AVALLONE:

I would move it to Consent.

THE CHAIR:

Is there any objection in placing Substitute HB7346 on Senate Agenda #1 on the Consent Calendar? Is there any objection? Hearing none, so ordered.

Mr. Clerk.

THE CLERK:

Substitute HB7344, File #573, AN ACT CONCERNING THE REVISOR'S TECHNICAL CORRECTIONS TO THE GENERAL STATUTES AND TO CERTAIN PUBLIC AND SPECIAL ACTS. As amended by House Amendment Schedules "A" through and including "F". Favorable Report of the Committee on Judiciary.

THE CHAIR:

Thank you very much. The Chair would recognize Senator Avallone.

SENATOR AVALLONE:

Yes, Madam President, I would move the Joint Committee's Favorable Report and adoption of the bill in accordance with the action taken by the House.

THE CHAIR:

Thank you very much, Senator. Would you care to remark further?

SENATOR AVALLONE:

WEDNESDAY
June 5, 1991

003516
160
aak

Calendar for today.

THE CLERK:

Madam President, the Second Consent Calendar begins on Calendar Page 1, Calendar #530, HJ123.

Calendar Page 3, Calendar #604, Substitute HB6637.

Calendar Page 11, Calendar #189, Substitute HB5091,
Calendar #239, Substitute SB347, Calendar #332,
Substitute HB7080.

Calendar Page 12, Calendar #507, Substitute SB723.

Calendar Page 14, Calendar #132, HB6301.

Calendar Page 18, Calendar #614, Substitute HB7337.

Senate Agenda #1, Substitute HB7346, Substitute
HB7344.

Senate Agenda #2, Substitute SB746, Substitute
HB7068, Substitute SB964.

Senate Agenda #3, Substitute SB688.

Senate Agenda #4, SB558.

Senate Agenda #6, Substitute HB7303 and Substitute
SB892.

Madam President, that completes the Second Consent Calendar.

THE CHAIR:

Thank you very much, Mr. Clerk.

You've heard the items that have been placed on the Consent Calendar #2 for June 5, 1991.

WEDNESDAY
June 5, 1991

003517

161
aak

The machine is on. You may cast your vote.

Is Senator Avallone about? Senator Avallone? Have
all Senators voted that wish to vote? Have all
Senators voted that wish to vote?

The machine is closed.

The result of the vote.

35 Yea

0 Nay

1 Absent

The Consent Calendar is adopted.

THE CHAIR:

Senator DeLuca, do you want a Point of Personal
Privilege, I understand.

SENATOR DELUCA:

Thank you, Madam President. We have a visitor with
us this evening, the former State Representative from
the 120th District from Monroe, Adele Kusnitz. I hope
you'll join me in giving her a warm welcome.

THE CHAIR:

Senator O'Leary.

SENATOR O'LEARY:

Thank you, Madam President. On Senate Agenda #6,
under Disagreeing Actions, Substitute HB7251. Ask
that that be called.

THE CHAIR:

JOINT
STANDING
COMMITTEE
HEARINGS

JUDICIARY
PART 4
961-1299PP

1991

establish innovative programs, and again, this section we do not believe should be administratively included.

REP. TULISANO: Thank you.

FAITH MANDELL: Thank you very much.

REP. TULISANO: Thanks.

FAITH MANDELL: Thank you.

REP. TULISANO: Phil Murphy. Is Gary Lebeau here? I don't see him. Is Gary here? Okay, you'll be next, okay?

PHILIP A. MURPHY, JR.: Good morning Representative Tulisano and members of the Judiciary Committee. My name is Philip A. Murphy, Jr. I'm counsel to the Commission on Human Rights and Opportunities. I'm here to speak on two bills, HB7366, an act which retards the hearing officers of the commission and also HB7346, an act regarding learning disability and other revisions of the statute.

With me today is Louida Jones, manager of the Commission's Affirmative Action Contract Compliance Division and she will address HB7381, Thomas Commission bill as it impacts affirmative action programs sponsored by the State of Connecticut.

Turning first to HB7366, AN ACT CONCERNING THE APPOINTMENT OF HEARING OFFICERS FOR THE COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES. This bill would restore the hearing officer process that existed back a couple of years ago which was that the Governor appoints hearing officers and that they serve for 5 year terms.

Two years ago when PA89-332, that process was changed and it required persons interested in becoming hearing officers to apply to the executive director of the Commission who then would forward the name of that individual to the Governor who would approve the name if the Governor so desired to be a hearing officer, and then the hearing officer would be maintained on a list by the executive director of the Commission.

This bill will revert that process back to a situation where the individual would indicate their interest to the Governor, would be appointed by the Governor and it would be for a 5 year term at which time the person could be reappointed or who may no longer wish to serve.

There are 2 benefits to the bill. First the Governor will once again appoint an individual to be a hearing officer rather than approve. This is a traditional gubernatorial function. There has been some concern as to what status an individual who is approved, as opposed to appointed, has.

The second benefit of the bill is that it restores 5 year terms. Presently it appears that hearing officers serve for life, and that they're subject, that their performances as hearing officers were not subject to periodic review. This 5 year term concept similar to the 8 year terms that judges serve, will allow a periodic review of their performance.

REP. TULISANO: You mean they serve for life, how about at the pleasure of the appointing authority.

PHILIP A. MURPHY, JR.: Well, there is a statute that talks about serving at the approval of the appointed authority, I think that's 4-9a, or b. However, that refers to appointees as opposed to approves. And that's the question of this present language that talks about approving hearing offices as opposed to appointing hearing officers, and that's one of the things this bill will clarify, that people are appointees.

Turning to the second bill which is, HB7346, AN ACT CONCERNING REVISIONS TO THE GENERAL STATUTES. I understand this bill was designed to correct several technical matters regarding legislation from last year.

The Commission's concern is with section 1 of the bill which adds learning disability to the protected classes under the fair housing statute. We do not, we are in support of that concept that learning disability be added. The reason it was not added last year when the Connecticut Fair

Housing Statute was passed was that learning disability was not an explicit protecting classes under the statutes that the Commission enforces.

In another public act last year, I believe it was 90-288, learning disability was added to the statutes that then existed. But because this statute was not then in existence, it was not amended. Our suggestion on page 2 of my testimony is that another way of accomplishing this purpose would be to amend the definition of physical and mental disability that is found in section 46a-64b, subsection a, by including the definition of learning disability as one of the disabilities included in that section.

REP. TULISANO: Won't there be an impact on the Commission if we do that?

PHILIP A. MURPHY, JR.: No, I don't think there will be.

REP. TULISANO: No? Okay.

PHILIP A. MURPHY, JR.: The reason for that is that the definition that I just referenced in section 46a-64b includes in its definition the term handicapped and that is used in the federal civil rights act. The federal regulations developed by HUD specifically include learning disability --

REP. TULISANO: We incorporate the federal regulations by reference in our statute? Is that what you're saying?

PHILIP A. MURPHY, JR.: In that definition, we do.

REP. TULISANO: We do.

PHILIP A. MURPHY, JR.: Just the definition of handicap.

REP. TULISANO: What is that? Give me that citation again.

PHILIP A. MURPHY, JR.: Section 46a-64b, subdivision a.

REP. TULISANO: And that says by reference we incorporate whatever the feds may do by regulation? I'm going to go get the statute and check it out. Is that what it says?

PHILIP A. MURPHY, JR.: It interprets, to use the term handicap, which is in the federal statutes.

REP. TULISANO: As it is defined, which may be changed every day by some regulatory agency.

PHILIP A. MURPHY, JR.: -- is not of a mind to make the change, which I have just suggested, our other suggestion would be that learning disability be included in lines 39, 66 and 162 where we believe it's been inadvertently omitted from the bill that's before you. There appears to be an attempt to include it wherever physical or mental disability are and on those three lines it has not been included.

That concludes my testimony. I'll now ask Miss Jones to testify with regard to HB7381.

LOUIDA JONES: Thank you. Honorable Chairpersons and members of the Judiciary Committee. My name is Louida Jones, manager of the Affirmative Action Compliance with the Commission on Human Rights and Opportunities and I'm testifying on behalf of the Commission on section 1 of HB7381, AN ACT CONCERNING RECOMMENDATIONS OF THE THOMAS COMMISSION WITH RESPECT TO AFFIRMATIVE ACTION PLANS, COUNTY SHERIFFS, THE DEPARTMENT OF CORRECTION, THE DIVISION OF CRIMINAL JUSTICE, THE DIVISION OF PUBLIC DEFENDER SERVICES, AND THE JUDICIAL DEPARTMENT.

I appreciate the opportunity to testify before the Judiciary Committee. Section 1 of this bill amends section 46a-68c to provide that an agency department board or commission which hasn't approved an affirmative action plan be permitted to file its affirmative action plan on a biennial, instead of an annual basis provided such agency department board or commission shall supply the commission with an update to the statistical portion of the plan on an annual basis.