

Legislative History for Connecticut Act

|  |                                   |      |
|--|-----------------------------------|------|
| SB383  | PA224                             | 1992 |
| House  | 3844-3861, 6547-6556              | (28) |
| Sen  | 1608-1609, 1683-1685<br>3329-3335 | (12) |
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CONNECTICUT  
GEN. ASSEMBLY  
HOUSE

PROCEEDINGS  
1992

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3495-3861

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machine will be locked. The Clerk please take a tally.

Representative Nystrom of the 46th.

REP. NYSTROM: (46th)

In the affirmative, please.

DEPUTY SPEAKER MARKHAM:

Representative Nystrom in the affirmative. The Clerk please announce the tally.

CLERK:

House Bill 5889 as amended by House "B".

|                             |     |
|-----------------------------|-----|
| Total number voting         | 148 |
| Necessary for passage       | 75  |
| Those voting yea            | 148 |
| Those voting nay            | 0   |
| Those absent and not voting | 3   |

DEPUTY SPEAKER MARKHAM:

The bill is adopted.

CLERK:

Page 9, Calendar 469, Senate Bill 383, AN ACT  
CONCERNING THE DEFINITION OF A CORRECTION FACILITY FOR  
THE PURPOSES OF THE STATE GRANT IN LIEU OF TAXES FOR  
STATE-OWNED PROPERTY. Favorable Report of the Committee  
on Finance.

DEPUTY SPEAKER POLINSKY:

Representative Newton of the 124th

REP. NEWTON: (124th)

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

DEPUTY SPEAKER POLINSKY:

Motion is acceptance and passage in concurrence with the Senate. Will you remark, Sir?

REP. NEWTON: (124th)

Yes, Madam Speaker. The Clerk has an amendment. Would the Clerk please call and I be allowed to summarize. LCO3553.

May I be allowed to summarize.

DEPUTY SPEAKER POLINSKY:

The House stand at ease while they look for a copy of the amendment.

The House please come to order. Will the Clerk please call LCO Number 3533 which is designated House Amendment Schedule "A".

REP. KRAWIECKI: (78th)

A point of order, Madam Speaker.

DEPUTY SPEAKER POLINSKY:

Representative Krawiecki.

REP. KRAWIECKI: (78th)

Thank you, Madam Speaker. I'm wondering if the Chair is contemplating having someone present the bill before an amendment is called.

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DEPUTY SPEAKER POLINSKY:

You are quite correct that that should have been done. It not having been done, the amendment has been called.

REP. KRAWIECKI: (78th)

Madam Speaker, I believe the amendment being called is perhaps out of order until the bill is presented.

DEPUTY SPEAKER POLINSKY:

Representative Krawiecki.

REP. KRAWIECKI: (78th)

Madam Speaker, I'd be happy to remove the point of order if the Representative will simply present the bill.

DEPUTY SPEAKER POLINSKY:

The Amendment, House "A" has been called. I would ask Representative Newton, he has asked to summarize. I would ask him to summarize it, make the motion to adopt and then start to just very briefly, explain what the bill is about and how the amendment relates to it.

REP. NEWTON: (124th)

Thank you, Madam Speaker.

DEPUTY SPEAKER POLINSKY:

Representative Newton.

REP. NEWTON: (124th)

For the second time.

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DEPUTY SPEAKER POLINSKY:

The gentleman has asked leave of the Chamber to summarize. If there is no objection, please proceed, Sir. Representative Newton.

REP. NEWTON: (124th)

Yes, Madam Speaker, what the amendment does, is basically clarifies that every town will be reimbursed 100% for its facility. I move adoption.

DEPUTY SPEAKER POLINSKY:

The question is on adoption of House "A". Now, if you would, Representative Newton, please explain the bill and tie the amendment to it.

REP. NEWTON: (124th)

Yes, Madam Speaker. Right now, the process for reimbursements for State facilities, correction facilities are six months. We're trying to do away with the six month provision so that you will have reimbursement automatically. That's what we're trying to do, Madam Speaker. I move acceptance.

And the amendment ties into that, Madam Speaker.

DEPUTY SPEAKER POLINSKY:

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

REP. REL: (107th)

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Thank you, Madam Speaker, a question, through you, to Representative Newton please.

DEPUTY SPEAKER POLINSKY:

Certainly, Madam, please proceed.

REP. RELL: (107th)

Thank you. Representative Newton, since section c is not in the file company, could you tell me what, notwithstanding the provisions of subsection c actually do? Through you, Madam Speaker.

DEPUTY SPEAKER POLINSKY:

Representative Newton.

REP. NEWTON: (124th)

Madam Speaker to --

DEPUTY SPEAKER POLINSKY:

Representative Newton, do you wish to respond?

REP. NEWTON: (124th)

Yes, Madam Speaker, right now the pilot program at 100%, right now there are facilities that are capped right now. But what this would do, it would give 100% reimbursement to those facilities and the ones that are capped at 100%, they will be reimbursed at that original cap.

DEPUTY SPEAKER POLINSKY:

Representative Rell.

REP. RELL: (107th)

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Through you, Madam Speaker, do we have a fiscal note on this amendment?

DEPUTY SPEAKER POLINSKY:

Representative Newton.

REP. NEWTON: (124th)

The fiscal impact right now is for 93-94 and it cannot be determined at this time.

DEPUTY SPEAKER POLINSKY:

Representative Rell.

REP. RELL: (107th)

Through you, Madam Speaker, I'm not sure that I actually follow this dialogue, so let's go back. The section c, and I have the statutes, indicate that beginning in the fiscal year ending June 30, 1992, there is a cap of 12%. How does that relate to the file copy before us? Through you, Madam Speaker.

DEPUTY SPEAKER POLINSKY:

Representative Newton.

REP. NEWTON: (124th)

Yes, Madam Speaker. Because this amendment was put in by our leader, I would like to yield to Representative Pelto, if I may.

REP. RELL: (107th)

I think I have the floor, Madam Speaker.

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Representative Rell, since you have the floor.

REP. RELL: (107th)

May I ask Representative Pelto the same question, through you, Madam Speaker.

DEPUTY SPEAKER POLINSKY:

Representative Pelto, do you wish to respond?

REP. PELTO: (54th)

Thank you, Madam Speaker, I will. Through you to Representative Rell, the way that the prison pilot works is that it's a two year reach back so that it would have no fiscal impact but it reaches back and says that any town that has a correctional facility that had been open at least six months gets the payment.

What the underlying bill says is, any town that has a prison. What the amendment says is that every town that has a prison gets the reimbursement. It has been unclear in the Department of Office of Policy and Management, has been unclear as to whether every town or only towns that are not presently capped. Windsor Locks, actually my own town. There may very well be a cap in the Town of Somers, are all towns that have prison facilities that there has been disagreement.

What this says is that every town that has a prison would get their reimbursement. Through you, Madam

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Speaker.

REP. RELL: (107th)

Then through you, Madam Speaker, to Representative Pelto, those towns, are you telling me there are towns that are currently under a cap and they would receive then 100% full reimbursement beginning after this fiscal year and we don't have a fiscal note on that or an undetermined amount at this time, Madam Speaker.

REP. PELTO: (54th)

Through you, Madam Speaker, the reason that it's undetermined is that the pilot payment is scheduled and then apportioned throughout the whole State, so that it would not in itself have a fiscal impact unless you actually increased the bottom line for the formula.

Through you, Madam Speaker.

DEPUTY SPEAKER POLINSKY:

Representative Rell.

REP. RELL: (107th)

Thank you, Madam Speaker. I may have some additional questions later. Thank you.

DEPUTY SPEAKER POLINSKY:

Thank you. Will you remark further on House Amendment "A"? Will you remark further?

Representative Belden.

REP. BELDEN: (113th)

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Thank you, Madam Speaker. I want to try and see if I can put this in perspective before I ask the gentleman a question.

Subsection 1-1w of the statutes, which is referenced in the file copy, deals with all of the correctional institutions in the State of Connecticut. The amendment before us, House "A" in line 17, puts a notwithstanding in the statutes, or will. This is notwithstanding the provisions of sub c of section 12-19a. This is what will happen.

Sub c of 12-19a deals with a cap. It also deals with grants shall not be greater than the percentage of the total tax levied by such town on real property in the preceding calendar year as follows. Through you, Madam Speaker, to the gentleman, does that mean that in the case of prison facilities, with the amendment and its notwithstanding, that the grant to prisons can be more than a normal pilot and could be equivalent to the theoretical appraised value and real estate taxes that might be owed for any correctional institution?

Through you, Madam Speaker.

DEPUTY SPEAKER POLINSKY:

Representative Pelto.

REP. PELTO: (54th)

Through you, Madam Speaker, no. The fiscal note

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says no municipalities that are affected by the cap have facilities that are affected by the removal of the six month requirement in the bill and therefore no fiscal impact is expected in 1992-93. There may be a fiscal impact in 93-94 if a facility was in a town that was capped.

I believe there are either 3 or 5 towns that are capped. If they had a facility, the prison pilot would be separate. The bill, through you, Madam Speaker, I'm slightly going off the question, but let me stick to it. The bill is to address that prisons that come on line in Newtown and Suffield that will be on line in less than six months, and those towns in 94 would still like to get the prison pilot. That's very understandable. Every town that has the prison deserves and should get their pilot.

What this says is that including those towns that are capped, they, too, would get it, regardless of the six month window. Through you, Madam Speaker.

DEPUTY SPEAKER POLINSKY:

Representative Belden.

REP. BELDEN: (113th)

Thank you, Madam Speaker. I'd like to pursue the follow on year a little bit, if I might, because that's what concerns me. It's not what the action of the file

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is right now. Any time I see notwithstanding or shall, I always get a little nervous and try to read a little further and I'm sure the gentleman is advising me of what he feels the affect of the amendment will be, based upon my question.

Through you, Madam Speaker, in the outgoing years, will there be the possibility that rather than the pilot that we understand currently exists in the language in 12-19a sub c will stay in effect, or will the amount of funds granted to towns be higher than what we currently understand the pilot to be under that subsection. Through you, Madam Speaker.

DEPUTY SPEAKER POLINSKY:

Representative Pelto.

REP. PELTO: (54th)

Through you, Madam Speaker, if this amendment was adopted and the bill was adopted, any town that has a prison facility would be reimbursed at 100% of the lost revenue. Period. Regardless of the pilot payment.

The pilot payment would then cap the towns that have significant State property, would still be capped under their regular pilot payment, but would receive the 100% reimbursement for the prison facility.

Through you, Madam Speaker.

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Representative Belden.

REP. BELDEN: (113th)

Okay, I think I've narrowed it down now. We still have pilot in all the towns except for prisons. If we pass this amendment with the notwithstanding on it, we're not going to have a pilot like for everything else for prisons. We're going to pay prisons 100% of their assessed value as you would any other property.

Through you, Madam Speaker, to Representative Pelto, is that the essence of what the amendment will do in the outgoing years?

REP. PELTO: (54th)

Through you, Madam Speaker, that's the present system today. Prisons are reimbursed at 100% as people in Enfield and Somers and Cheshire and New Haven and Bridgeport and all of the other towns know. This does not change the way in which the pilot is calculated in any way. If it does, then the amendment would be flawed. Through you, Madam Speaker.

DEPUTY SPEAKER POLINSKY:

Representative Belden.

REP. BELDEN: (113th)

Thank you, Madam Speaker. I don't know what the answer is, what the real answer is, that's why I keep asking the questions, and I'm just trying to make sure

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in my own mind before we adopt an amendment that talks about notwithstanding, that we're not obligating ourselves for a terrific new liability in the future, and that's the whole point of the questioning that transpired.

Perhaps through you, Madam Speaker, one more question. Let's take a theoretical town. Let's call it Enfield. Enfield has Eastern State College over there and they also have a prison. With this amendment passed, what would be the affect of our statutes as you would understand them, say next fiscal year?

REP. PELTO: (54th)

Through you, Madam Speaker, two years from now, when the formula reached back, it would then calculate the pilot for Enfield, 100% for the prison, plus 20% for all other land up to the cap and that would be the grant to that town. Through you, Madam Speaker.

DEPUTY SPEAKER POLINSKY:

Representative Belden, you still have the floor.

REP. BELDEN: (113th)

Yes, thank you, Representative Pelto and Madam Speaker. I don't believe I really have any other questions to ask at this point in time. It's really still not that clear to me.

I understand the gentleman's presentation and he

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indicates that we're not imbibing in any future additional liability. I certainly will take him at his word. As I say, any time I see notwithstanding, it gives me grave concern because you then have to go back and tie it to all the statutes. Thank you, Madam Speaker.d

DEPUTY SPEAKER POLINSKY:

Thank you, Sir. Will you remark further on this amendment? Will you remark further? Representative Maddox.

REP. MADDOX: (66th)

Thank you, Madam Speaker, I do have one question. Again, in Finance Committee we also had a long debate on this. It's very confusing what's attempting to be done here, and through you, Madam Speaker, I'd like to know, Representative Pelto, what the affect of this legislation is on prisons that may be built but not opened.

Would a prison, a facility that maybe we have actually built the bricks and mortar, it's sitting there, but there aren't any prisoners in it, are they eligible for the pilot and is that what the purpose of this legislation is? Through you, Madam Speaker.

DEPUTY SPEAKER POLINSKY:

Representative Pelto.

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REP. PELTO: (54th)

Through you, Madam Speaker, my understanding is that every year on August 1st, the Commissioner of Corrections list the prison facilities in the State of Connecticut. The towns that have been taking the prisons have been told that they would have a prison pilot. The existing law says that that prison has to be open for six months.

So coincidentally what happened is, they open it on July 15 and then say to the town, you're not going to get any prison pilot for this year because it wasn't open for six months. Remember that it's a two year reach back, so the town automatically has to wait two years and now most towns are being told, I'm sorry, you have to wait three years.

What this bill does is, it says when you open the prison in that year, that's when the clock starts. No matter when you open it, you wait two years, you reach back and you get your 100% for the lost revenue, unlike other State land where you only get 20% for the lost revenue. Here, you get 100% for that year, two years hence. Through you, Madam Speaker.

DEPUTY SPEAKER POLINSKY:

Representative Maddox.

REP. MADDOX: (66th)

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I just want to make sure I'm correct in assuming then, through you, Madam Speaker, that if the prison is not open, there are no prisoners being incarcerated in a building somewhere, then they get no pilot payment. Is that correct? Through you, Madam Speaker.

DEPUTY SPEAKER POLINSKY:

Representative Pelto.

REP. PELTO: (54th)

Through you, Madam Speaker, my understanding is that the list of prisons that's created on August 1st is the list that includes prisoners, and so that if there were no prisoners, there would be no facility and therefore there would be no pilot. Through you, Madam Speaker.

DEPUTY SPEAKER POLINSKY:

Representative Maddox.

REP. MADDOX: (66th)

Thank you, Representative

DEPUTY SPEAKER POLINSKY:

Will you remark further on this amendment? Will you remark further on this amendment? If not, let us try your minds. All in favor please indicate by saying aye.

REPRESENTATIVES:

Aye.

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DEPUTY SPEAKER POLINSKY:

Opposed, nay. The ayes have it. The amendment is adopted and ruled technical. Will you remark further on this bill as amended? Will you remark further on this bill? If not, will all members please take their seats. Staff and guests to the well of the House. The machine will be opened.

CLERK:

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

DEPUTY SPEAKER POLINSKY:

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

CLERK:

Senate Bill 383 as amended by House "A".

|                             |     |
|-----------------------------|-----|
| Total number voting         | 144 |
| Necessary for passage       | 73  |
| Those voting yea            | 144 |
| Those voting nay            | 0   |
| Those absent and not voting | 7   |

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DEPUTY SPEAKER POLINSKY:

The bill as amended is passed. Are there any  
announcements or points of personal privilege?  
Representative Holbrook.

REP. HOLBROOK: (35th)

Thank you, Madam Speaker. Will the Journal please  
note that Representative Gene Migliaro has left the  
Chamber due to illness. And that Representative Julia  
Wasserman has left the Chamber due to illness in her  
family.

DEPUTY SPEAKER POLINSKY:

The Journal will note.

REP. HOLBROOK: (35th)

Thank you.

REP. MINTZ: (140th)

Madam Speaker.

DEPUTY SPEAKER POLINSKY:

Representative Mintz, for what purpose do you rise?

REP. MINTZ: (140th)

For the purpose of an announcement.

DEPUTY SPEAKER POLINSKY:

For the purpose of an announcement, please proceed,  
Sir.

REP. MINTZ: (140th)

Thank you, Madam Speaker. The Judiciary Committee

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Members to the Chamber. The House is taking its first roll call of the morning. Members to the Chamber. The House is taking its first roll call vote of the morning. Members to the Chamber please.

SPEAKER BALDUCCI:

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

The Clerk please announce the tally.

CLERK:

House Bill 5886, as amended by House Amendment Schedule "A" and Senate Amendment Schedules "A", "B" and "C", in concurrence with the Senate.

|                             |    |
|-----------------------------|----|
| Total Number Voting         | 98 |
| Necessary for Passage       | 50 |
| Those voting Yea            | 98 |
| Those voting Nay            | 0  |
| Those absent and not Voting | 53 |

SPEAKER BALDUCCI:

The bill as amended is passed.

CLERK:

Page 19, Calendar 469, Senate Bill 383, AN ACT CONCERNING THE DEFINITION OF A CORRECTION FACILITY FOR THE PURPOSES OF THE STATE GRANT IN LIEU OF TAXES FOR STATE-OWNED PROPERTY. (As amended by House Amendment

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Schedule "A").

Favorable Report of the Committee on Finance.

REP. PELTO: (54th)

Mr. Speaker.

SPEAKER BALDUCCI:

Representative Pelto.

REP. PELTO: (54th)

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

SPEAKER BALDUCCI:

The question is on passage. Will you remark?

REP. PELTO: (54th)

Thank you, Mr. Speaker. I will. We had this bill in this Chamber only a few days ago. We added House "A". After review, the Senate Legislative Commissioner's Office, the Office of Policy and Management, recommended that the wording be slightly changed to achieve the same result and so the Senate adopted an amendment. It's Senate Amendment "A". If the Clerk could please call LCO No. 4330 and I have leave to summarize.

SPEAKER BALDUCCI:

The Clerk please call LCO4330, previously designated Senate "A".

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CLERK:

SEN. LCO4330, Senate "A", offered by Senator DiBella, et al.

SPEAKER BALDUCCI:

The question is summarization. Is there objection? Seeing none, Representative Pelto.

REP. PELTO: (54th)

The amendment strips everything after the enacting clause and does the wording we believe this time the correct way. There are two operative changes. The first occurs on line 40 where it clarifies that any town that has a prison will get a prison pilot. This is for the Towns of Suffield and Newtown. Then farther down on line 64 and 66 it clarifies that that grant shall be 100 percent for the prison and the prison only. Otherwise it would be for 20 percent and for those towns that are capped on the 20 percent, they would remain capped. The only change would be that the prison pilot would be 100 percent for all towns that have a prison and I move adoption.

SPEAKER BALDUCCI:

The question is adoption. Will you remark? Representative Wasserman of the 106th.

REP. WASSERMAN: (106th)

Thank you, Mr. Speaker. Through you, Mr. Speaker,

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to the proponent.

SPEAKER BALDUCCI:

Proceed, madam.

REP. WASSERMAN: (106th)

I could not hear you. You were talking about line 40 -- I believe 40 -- beginning with 41. Are you not indeed talking about line 37? You mentioned the towns of -- through you, Mr. Speaker, you mentioned the Towns of Suffield and Newtown and I really could not hear what you were saying, if you'll excuse me.

REP. PELTO: (54th)

I'm sorry, Mr. Speaker.

SPEAKER BALDUCCI:

Representative Pelto.

REP. PELTO: (54th)

Let me reiterate the change that this amendment would allow. Presently towns that have prisons get a 100 percent payment in lieu of taxes, however, those towns have to wait six months. The six months is effectively a year and a half because of the way that the grant is calculated. This removes that six month requirement and allows towns with prisons to get their payment in lieu of taxes when that prison opens.

It would affect the Towns of Suffield and Newtown, not in this fiscal year, in next fiscal year. They

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would not have to wait then another 18 months. They would get it -- they would not have to wait six months after the prison opened for the clock to start ticking for the grant, through you, Mr. Speaker.

REP. WASSERMAN: (106th)

Through you, Mr. Speaker, to Representative Pelto. Am I assuming correctly that if the facility were open merely one day during the previously fiscal year, then that would apply? It need -- it could be open longer, of course, but according to this, it could mean that it need only be open one day for it to apply.

REP. PELTO: (54th)

Through you, Mr. Speaker, yes. The feeling was that if a town had a prison open in the preceding fiscal year, they deserve the grant, that it was no reason that they should have to wait an extra six months and this amendment removes that provision, thus helping the Towns of Suffield and Newtown, through you, Mr. Speaker.

REP. WASSERMAN: (106th)

Thank you very much.

SPEAKER BALDUCCI:

Thank you, Representative Wasserman.

Representative Ward of the 86th.

REP. WARD: (86th)

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Mr. Speaker, we were checking back here and couldn't locate it. Through you, to the gentleman bringing out the bill, a question of whether he has a fiscal note on this amendment.

REP. PELTO: (54th)

Through you, Mr. Speaker, yes, I do. It is stamped no fiscal impact. Through you, Mr. Speaker, that's no fiscal impact, of course, for this fiscal year. Two fiscal years from now, because there's not the six month requirement on the preceding fiscal year, those towns would receive their pilot grant as opposed to having to wait one more year after that, through you, Mr. Speaker.

REP. WARD: (86th)

Through you, Mr. Speaker, just one other question and I apologize if it may have been asked, but I was having some difficulty hearing responses. Comparing this amendment to what this Chamber passed, is there any community that would have benefitted the longer benefits or is there any community that now benefits and didn't prior to this change in this amendment, through you, Mr. Speaker?

REP. PELTO: (54th)

Through you, Mr. Speaker, no, there isn't. This amendment does exactly what House "A" did. The wording

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is just modified at the recommendation of LCO. The fiscal note is exactly the same because the impact is exactly the same, through you, Mr. Speaker.

REP. WARD: (86th)

Thank you, Mr. Speaker. I just wanted to make sure that I understood that. I thank the gentleman.

SPEAKER BALDUCCI:

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.

Senate "A" is adopted.

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

CLERK:

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

The House of Representatives is voting by roll. Members kindly report to the Chamber. Members to the Chamber for the second roll call vote of the morning.

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SPEAKER BALDUCCI:

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

REP. BURNHAM: (147th)

Mr. Speaker.

SPEAKER BALDUCCI:

Representative Burnham of the 147th.

REP. BURNHAM: (147th)

In the affirmative please, Mr. Speaker.

SPEAKER BALDUCCI:

Representative Burnham in the affirmative.

Representative Jones of the 141st.

REP. JONES: (141st)

In the affirmative please, Mr. Speaker.

SPEAKER BALDUCCI:

Representative Jones in the affirmative.

Representative Rapoport of the 18th.

REP. RAPOPORT: (18th)

In the affirmative.

SPEAKER BALDUCCI:

Representative Rapoport in the affirmative.

REP. WILBER: (133rd)

Mr. Speaker.

SPEAKER BALDUCCI:

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Representative Wilber of the 133rd.

REP. WILBER: (133rd)

Thank you, Mr. Speaker. In the affirmative.

REP. COCCO: (127th)

Mr. Speaker.

SPEAKER BALDUCCI:

Representative Cocco of the 127th.

REP. COCCO: (127th)

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

SPEAKER BALDUCCI:

Representative Cocco in the affirmative.

Representative Dillon of the 92nd.

REP. DILLON: (92nd)

In the affirmative.

SPEAKER BALDUCCI:

Representative Dillon in the affirmative.

Representative DeZinno of the 84th.

REP. DEZINNO: (84th)

In the affirmative, Mr. Speaker.

SPEAKER BALDUCCI:

Representative DeZinno in the affirmative.

Representative Schiessl of the 60th.

REP. SCHIESSL: (60th)

In the affirmative, Mr. Speaker.

SPEAKER BALDUCCI:

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House of Representatives

Wednesday, May 6, 1992

Representative Schiessl in the affirmative.

The Clerk please announce the tally.

CLERK:

Senate Bill 383, as amended by House Amendment  
Schedule "A" and Senate Amendment Schedule "A", in  
concurrence with the Senate.

|                             |     |
|-----------------------------|-----|
| Total Number Voting         | 121 |
| Necessary for Passage       | 61  |
| Those voting Yea            | 121 |
| Those voting Nay            | 0   |
| Those absent and not Voting | 30  |

SPEAKER BALDUCCI:

The bill as amended is passed.

CLERK:

Page 17, Calendar 252, Substitute for House Bill  
5655, AN ACT CONCERNING REVISIONS TO THE EDUCATION  
STATUTES. (As amended by House "A", "B", "C", "K" and  
"L" and Senate "A".

Favorable Report of the Committee on Transportation

SPEAKER BALDUCCI:

Representative Wyman.

REP. WYMAN: (53rd)

Good morning, Mr. Speaker. For a small, little  
bill. Mr. Speaker, I move acceptance of the Joint  
Committee's Favorable Report and passage of the bill.

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OF REAPPORTIONMENT.

Favorable Report of the Committee on Government  
Administration and Elections.

The Clerk is in possession of two amendments.

THE CHAIR:

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

SENATOR HERBST:

I'm sorry, Madam President, but I'm going to have  
to ask for a P-T because one of the amendments is not  
mine and the Senator is not in the Chambers.

THE CHAIR:

Thank you very much.

THE CLERK:

Calendar Page 14, Calendar No. 355, File No. 476,  
Senate Bill No. 383, AN ACT CONCERNING THE DEFINITION  
OF A CORRECTION FACILITY FOR THE PURPOSES OF THE STATE  
GRANT IN LIEU OF TAXES FOR STATE-OWNED PROPERTY.

Favorable Report of the Committee on Finance,  
Revenue and Bonding.

THE CHAIR:

Senator DiBella.

SENATOR DIBELLA:

Thank you, Madam President. I move adoption of the  
Committee's Joint Favorable Report and urge passage of

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the bill.

THE CHAIR:

Please proceed.

SENATOR DIBELLA:

Sure. This bill changes the definition of a correction facility for the purpose of state grants in lieu of taxes for state-owned property by deleting the requirement that a facility be in operation for at least six months during the preceding fiscal year in order for the town in which the facility is located to be eligible for 100 percent reimbursement.

THE CHAIR:

Thank you very much, Senator. Would anyone else wish to remark on Senate Calendar No. 355, Senate Bill No. 383? Are there any further remarks?

SENATOR DIBELLA:

If there's no objection, Madam President, I ask this be placed on the Consent Calendar.

THE CHAIR:

Thank you very much. Is there any objection to placing Senate Calendar No. 355, Senate Bill No. 383 on the Consent Calendar? Any objection? Hearing none, so ordered. Mr. Clerk.

THE CLERK:

Calendar Page 15, Calendar No. 360, File No. 500,

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THE CHAIR:

Senator Matthews.

SENATOR MATTHEWS:

Thank you, Madam President. I was absent on legislative business for Calendar 295 and for the roll call vote. I wish to be recorded in the affirmative.

THE CHAIR:

Thank you very much, Senator. The Journal will so note. Mr. Clerk.

THE CLERK:

Madam President, I believe that we are ready to vote the first Consent Calendar.

THE CHAIR:

Thank you very much. Would you make the necessary announcement for a roll call vote.

THE CLERK:

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

THE CHAIR:

Thank you very much, Mr. Clerk. The issue before the Chamber is Consent Calendar No. 1 for today, Friday, April 24, 1992. Mr. Clerk, would you please

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read the items.

THE CLERK:

Madam President, the first Consent Calendar begins on Calendar Page 9, Calendar No. 321, Substitute for Senate Bill No. 8.

Calendar Page 13, Calendar No. 349, Senate Bill No. 134.

Calendar Page 14, Calendar No. 355, Senate Bill No. 383.

Calendar Page 15, Calendar No. 360, Substitute for Senate Bill No. 496.

And Calendar Page 19, Calendar No. 383, Substitute for Senate Bill 477. Madam President, that completes the first Consent Calendar.

THE CHAIR:

Thank you very much, Mr. Clerk. You've heard the items that have been placed on the first Consent Calendar for today. The machine is on. You may record your vote?

Senator Hale. Senator Maloney. Thank you very much. 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:

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0 Nay

0 Absent

The Consent Calendar is adopted.

The Chair would recognize Senator O'Leary.

SENATOR O'LEARY:

Thank you, Madam President. Madam President, we're going to ask for a recess to review the matters that have been passed temporarily and to review amendments which may have come in. So I would ask that we recess until 3:00 and ask for an immediate Senate Democratic Caucus.

THE CHAIR:

Thank you very much, Senator. Senator Eads, do you have any announcements?

SENATOR EADS:

A Republican Caucus right now. Thank you.

THE CHAIR:

Are there any other announcements? If not, the Senate will stand in recess until 3:00.

On motion of Senator O'Leary of the 7th, the Senate at 2:04 p.m. recessed.

The Senate reconvened at 3:12 p.m., the President in the Chair.

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Madam President.

THE CHAIR:

Yes. Senator Harper.

SENATOR HARPER:

I would like to continue a response to Senator Freedman's inquiries relative to the \$9.7 million on the job program. With respect to her concern about this money being used for administration, I apologize if it hasn't been made clear, but most, if not all of this money, I had a discussion with Deputy Commissioner Sanders of the labor department who oversees the job programs and the assurance he gave me was this money is intended to be used to pay salary or wages for the employable, male employable GA recipient coming off GA after nine months.

What he indicated to me was it would operate like what the call an OJT, on the job training program. The labor department, in the advance of people coming off the program, will do job development. They will market the program with employers. The major incentive will be that they will promise an employer that if they make an opening for somebody who's on GA, even if some of them may need some training, if they will provide the training during a specified period of time, this money will go towards paying the wage of that person. The

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employer will not have to pay the wage.

Secondly, as Senator Przybysz indicated, some time beyond that, sometimes with some employers, you have to go beyond that and give them some, they want some kind of remuneration with respect to any kind of regulatory or paper work, red tape that they may have to spend time on. In other words, they'll participate, but they don't want any cost occurring to them. Now they don't make a guarantee that they're going to roll the person over and then subsidize employment. It will depend upon the success of the person during whatever period they specify for what's essentially a training period, but it's actually an on the job training. The person is working while they're learning a particular kind of job.

When I asked him, where do you anticipate finding employers that would be willing, would potentially have need and would be willing to participate in this program, he said perhaps for the most part, he'd expect a lot of it to come from not-for-profits who currently have been cut short of a number of their funding sources and could use additional help, and it could come from private sector employers.

I think the fact of the matter is because of the shortness of this session and the intense work, the

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work that's been done during a short period of time on this program, all the details clearly haven't been ironed out. But that's the way it was explained to me and the labor department, I would contend, does have the expertise to run these types of job training programs, in particular, on the job training. They run them now under the job training partnership act.

SENATOR FREEDMAN:

Thank you, Senator Harper. Now he's raised another question. Nine months on GA, during the nine month period that a person is on GA and has the potential of skills or has skills, will this job training be available to them during that first nine month period? Will these two things be concurrent or will one follow the other? Through the Chair, Madam President.

THE CHAIR:

Senator Harper.

SENATOR HARPER:

Through you, Madam President. I would imagine the recipient does not have to stay on general assistance nine months, but the nine months sets an absolute deadline for the period that they can stay on. I would imagine that the person cannot be automatically terminated before that period of time, but they certainly could be referred, and they could take a job

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in this program in advance of that, because this is an annualized allocation.

THE CHAIR:

Senator Freedman.

SENATOR FREEDMAN:

Through you, Madam President. There is no obligation, though, on the person who is receiving GA to immediately get into this type of a program while they're on GA. I think I would understand somebody going on GA, our telling them if you have skills already, we're willing to work with those skills. We will give you your GA, but this is what you must do in order to maintain that. Through you to Senator Harper. Is that what you envision or am I wrong?

THE CHAIR:

Senator Harper.

SENATOR HARPER:

Through you, Madam President. The recipient on GA will be able to stay on nine months. My understanding is that the towns will also be provided some assistance so as to encourage the individual to seek employment among other programs including the \$9.7 million program. I don't think there's an attitude. I don't think municipal welfare offices which administer the general assistance grant program discourage recipients

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from seeking job training or from seeking jobs.

But in terms of the policy that will be established here. A recipient will not have to take a job until after nine months. You could not terminate them before nine months because they didn't want to go into this particular program. This program is designed, I understand, for people coming off, but I don't think anything precludes people from going into this program before the nine months is up.

THE CHAIR:

Senator Freedman.

SENATOR FREEDMAN:

Thank you, Madam President. It would seem to me if we were running this type of a program, and this is after your nine months on GA has run out, you now can participate in this brand new program that will try and help you seek another job or a job out there, that we would do that at the time the person comes onto GA, and that would be for those who have skills or have an employable background. That would be the requirement in order to stay on GA.

If jobs were available, if somebody were willing to pick up the training aspect of it, why are we now extending it as an additional program for these people? We might as well say we're going to pay GA for as long

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as you want to stay on GA. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Freedman. Would anybody else wish to remark? Are there any other remarks on Substitute HB5100? Madam Clerk.

THE CLERK:

LCO4718, designated Senate Amendment Schedule "K"  
offered by Senator Aniskovich of the 12th.

THE CHAIR:

Thank you very much, Madam Clerk. The Chair would recognize Senator Aniskovich.

SENATOR ANISKOVICH:

Thank you, Madam President. Madam President, I move adoption of the amendment, request waiver of the reading and ask permission to summarize.

THE CHAIR:

Please proceed.

SENATOR ANISKOVICH:

Thank you, Madam President. Madam President, this is a very simple amendment. The six members of the minority caucus today will oppose this bill for a variety of reasons as it did when it was first brought before us on Sunday morning.

A 5% increase in general fund spending, failure to make a deficit payment, a deficit the enormity of which

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was the clarion call of tax reform proponents last session, a massive shift in revenue raising burdens to towns and cities across the state of Connecticut, a revenue raising burden shift that means there will be, under this budget proposal, a state tax increase in 1992.

But most importantly, Madam President, this budget is a set of priorities and there is one glaring fact that indicates the priorities set and selected by the majority who will pass this budget this afternoon: this budget includes \$126.7 million in salary increases for state employees and also includes a \$131 million reduction in state aid to education via reductions in the education cost sharing grant formula.

This amendment would reorder those priorities. It would do so like the amendment similar to this one that was offered on Sunday morning. By ordering the Office of Policy and Management to adjust the personal service line in all funds of this budget, to realize a savings of \$126.7 million, it would also adjust this budget by reducing by 5% the number of managerial level employees in the state of Connecticut, to realize what the Office of Fiscal Analysis has confirmed, has a \$7 million savings.

It would take that \$134 million in savings and

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RON ANGELO: Good morning, Mr. Chairman, members of the Committee. Mr. Chairman, I'd like you to do me a favor. I signed up as pro when signing in this morning. My name is Ronald Angelo. I am vice-president of the W. I. Clark Company in Wallingford, Connecticut, as well as treasurer of the Connecticut Construction Industry better known to most of you as CCIA.

I'm here to testify that we're opposed to SB467 in its present configuration. We feel that it is not workable and I believe what the assessor, speaking for the assessors, Mr. Homicki said we think that it needs to be reworked. Thank you very much.

REP. GELSI: Any questions? Thank you. Jim Finley.

JAMES FINLEY: Representative Gelsi, members of the Committee. My name is Jim Finley, I'm the legislative services director with the Connecticut Conference of Municipalities, here today to indicate our position on several bills before you.

SB 381

HB 5811

HB 5808

The first bill, Raised Bill HB5716 concerning the powers of municipal tax assessors is a proposal that CCM supports wholeheartedly. As we are painfully aware of the situation in the Saybrook revaluation case, it has become the snowball in Connecticut where increasingly cities and towns are being subject to lawsuits contesting the validity of municipal revaluations.

It's clear that this proposal, HB5716 would enact into law current accepted practice in regard to assessors contracting out revaluation services. Again, those companies are certified by the State and are checked to make sure that they do a good job and perform adequately in protecting taxpayer interests.

This is a real concern to cities and towns and we'd ask you to please enact this proposal to stop the flow of lawsuits that are attacking cities and towns at this time.

The second bill is Raised SB383, AN ACT CONCERNING THE DEFINITION OF A CORRECTION FACILITY FOR THE PURPOSES OF THE STATE GRANT IN LIEU OF TAXES FOR

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STATE OWNED PROPERTY. We would urge your support for this. We think the current 6 month designation is inappropriate and if a facility such as this is on board, they should be able to have the benefit of the payment in lieu of taxes.

Raised SB381, AN ACT CONCERNING THE FIXING OF CERTAIN ASSESSMENTS UNDER THE MUNICIPAL PROPERTY TAX. Again, if a municipality feels they need an authority from the State in order to do this, then we would suggest that this legislation is in order.

I can tell you that we have not had a human cry from our membership concerning this proposal, but there has been some talk that municipalities (inaudible) sure as to what their parameters and authority is in regard to fixing assessments.

Raised HB5811, AN ACT CONCERNING MUNICIPAL PROPERTY TAX AMNESTY PROGRAMS. CCM is here today to oppose this measure. This proposal has come before the General Assembly in the past. We're concerned that it undercuts the ability of cities and towns to capture taxes that are duly owed them.

As you know, property tax delinquencies are increasing again as a result of the recession and other factors. It's becoming increasingly difficult for cities and towns to collect the revenues that are owed them and it puts more of a burden on those residents and businesses who do pay their taxes on time. They are in effect penalized for doing so.

We're concerned that a tax amnesty program will backfire and that delinquent taxpayers will look for period amnesty programs in order to relieve them of the interest payments due on delinquent property taxes. So at this time we'd ask you to not to enact this proposal.

Raised HB5808, AN ACT CONCERNING THE LIABILITY FOR PARKING VIOLATIONS ON RENTED MOTOR VEHICLES OF PERSONS RENTING MOTOR VEHICLES TO THE PUBLIC. We'd ask for your support for this proposal. I'd be glad to answer any questions.