

Legislative History for Connecticut Act

HB5029 PA 94 1992

House 374, 2457-2463, 4953-4957  
(13)

SENATE 2144-2148, 2179-2181  
(8)

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HOUSE

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346-665

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House of Representatives

Wednesday, March 4, 1992

House Bill 5024 as amended by House "A".

Total number voting 140

Necessary for passage 71

Those voting yea 140

Those voting nay 0

Those absent and not voting 10

SPEAKER BALDUCCI:

The bill as amended is passed.

CLERK:

Calendar 44, House Bill 5029, AN ACT CONCERNING THE  
TREATMENT OF FARM ANIMALS, FARM EQUIPMENT AND LIVESTOCK  
FEED AS EXEMPT PROPERTY. Favorable Report of the  
Committee on Banks.

REP. COHEN: (15th)

Mr. Speaker.

SPEAKER BALDUCCI:

Representative Cohen.

REP. COHEN: (15th)

Thank you, Mr. Speaker. Mr. Speaker, may that item  
be referred to the Committee on Judiciary.

SPEAKER BALDUCCI:

The question is on referral. Is there objection?  
Seeing none, so ordered.

CLERK:

Calendar 52, Page 8, House Bill 5096, AN ACT

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House of Representatives

Wednesday, April 22, 1992

They are sitting in the well of the House and I'd like to introduce them. Robert Corbo who is a member of the Norwalk City Council and Mr. Edward Bonello who is a member of the Governor's Fitness Commission. I'm sure if they rise, the Chamber will accord them their usual fine welcome. (Applause)

SPEAKER BALDUCCI:

Thank you, Representative Anastasia.

Representative Beamon of the 72nd.

REP. BEAMON: (72nd)

Thank you, Mr. Speaker, good morning. I would just like to ask my colleagues to wish a Happy Birthday to one of our messengers, Mr. Rufus Mitchell. I don't know how old he is today and I would not ask, but I just wish everyone would wish him a Happy Birthday.

(Applause)

SPEAKER BALDUCCI:

Other announcements or points? Other announcements or points of personal privilege? If not, we'll turn to the Call of the Calendar.

CLERK:

Good morning, State of Connecticut, House of Representatives Calendar Wednesday, April 22, 1992, please turn to Page 15, Matters Returned from Committee, Calendar 44, Substitute for House Bill 5029,

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House of Representatives

Wednesday, April 22, 1992

AN ACT CONCERNING THE TREATMENT OF FARM ANIMALS, FARM  
EQUIPMENT AND LIVESTOCK FEED AS EXEMPT PROPERTY.

Favorable Report of the Committee on Judiciary.

SPEAKER BALDUCCI:

Representative Mordasky of the 52nd.

REP. MORDASKY: (52nd)

Thank you, 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. MORDASKY: (52nd)

Thank you, Mr. Speaker. The Clerk has an  
amendment, LCO Number 3214. Will he please call and I  
be allowed to summarize.

SPEAKER BALDUCCI:

The Clerk please call LCO3214 designated House  
Schedule "A".

CLERK:

LCO3214, House "A", offered by Representative  
Mordasky.

SPEAKER BALDUCCI:

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

REP. MORDASKY: (52nd)

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House of Representatives

Wednesday, April 22, 1992

Thank you, Mr. Speaker. What this does is explains what a family farm is and it puts it more in line with the federal bankruptcy, the explanations of the federal bankruptcy law. I move adoption.

SPEAKER BALDUCCI:

The question is on adoption of House "A". Will you remark? Will you remark further on House "A". If not, all those in favor signify by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER BALDUCCI:

Opposed, nay. The ayes have it. House "A" is adopted and ruled technical. Will you remark further on the bill as amended?

REP. MORDASKY: (52nd)

Mr. Speaker.

SPEAKER BALDUCCI:

Representative Mordasky.

REP. MORDASKY: (52nd)

The Clerk has an amendment, LCO Number 3462. Will the Clerk please call and read.

SPEAKER BALDUCCI:

The Clerk please call and read LCO3462 designated House Schedule "B".

CLERK:

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House of Representatives

Wednesday, April 22, 1992

LCO3462, House "B" offered by Representative  
Grabarz et al.

In line 29, delete ", FARM EQUIPMENT"

SPEAKER BALDUCCI:

Representative Mordasky the amendment is in your  
possession.

REP. MORDASKY: (52nd)

Mr. Speaker, I move its adoption.

SPEAKER BALDUCCI:

The question is on adoption. Will you remark?

REP. MORDASKY: (52nd)

This has been put in by the Federal Land Bank  
because they believe that they were exempted too much.  
At this time, I believe that any tractor that you buy,  
a farm tractor, is probably financed and has a lien  
against it anyway, but they thought that there was too  
much of an exemption with livestock, feed and  
equipment.

SPEAKER BALDUCCI:

Thank you, Representative Mordasky for the  
explanation. Will you remark further on House "B". If  
not, all those in favor of House "B" signify by saying  
aye.

REPRESENTATIVES:

Aye.

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House of Representatives

Wednesday, April 22, 1992

SPEAKER BALDUCCI:

Opposed, nay. The ayes have it. House "B" is adopted and ruled technical. Will you remark further on the bill as amended by House "A" and "B"? 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 call. Members to the Chamber. Members to the Chamber, please. The House of Representatives is taking its first roll call vote of the day. Members to the Chamber, please.

SPEAKER BALDUCCI:

Have all the members voted? Have all the members voted and is their vote properly recorded? If all the members have voted, the machine will be locked. The Clerk take a tally. Representative Lawlor of the 99th.

REP. LAWLOR: (99th)

Thank you, Mr. Speaker. In the affirmative.

SPEAKER BALDUCCI:

Representative Lawlor in the affirmative.  
Representative Arthur of the 42nd.

REP. ARTHUR: (42nd)

In the affirmative, Mr. Speaker, thank you.

SPEAKER BALDUCCI:

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House of Representatives

Wednesday, April 22, 1992

Representative Arthur in the affirmative.

Representative DePino of the 97th.

REP. DEPINO: (97th)

In the affirmative, Mr. Speaker.

SPEAKER BALDUCCI:

Representative DePino in the affirmative.

Representative Rapoport of the 18th.

REP. RAPOPORT: (18th)

In the affirmative.

SPEAKER BALDUCCI:

Representative Rapoport in the affirmative.

Representative Knowles of the 70th.

REP. KNOWLES: (70th)

In the affirmative, Mr. Speaker.

SPEAKER BALDUCCI:

Representative Knowles in the affirmative.

The Clerk please announce the tally.

CLERK:

House Bill 5029 as amended by House "A" and  
"B".

Total number voting	130
Necessary for passage	66
Those voting yea	129
Those voting nay	1
Those absent and not voting	21

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House of Representatives

Wednesday, April 22, 1992

SPEAKER BALDUCCI:

The bill as amended is passed. Announcements or points of personal privilege? Representative Kiner of the 59th.

REP. KINER: (59th)

Thank you, Mr. Speaker. For the purposes of introduction. Mr. Speaker, seated in the Gallery are a group of students from Asnuntuck Community College, a people I would consider who are some of Enfield's best and brightest, if you will.

They're here today with their Government teacher, Bridge Birdshall, watching their government in action and I would certainly welcome all of them here today. Mr. Speaker, I would like to yield to Representative Gelsi, please.

REP. GELSI: (58th)

Mr. Speaker.

SPEAKER BALDUCCI:

Representative Gelsi do you accept the yield, Sir?

REP. GELSI: (58th)

Yes. Thank you, Mr. Speaker. I, too, would like to welcome the students from Asnuntuck and I hope they have a good and productive day here today and wish them luck in finishing up their courses.

And if the members of the Chamber would give them

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HOUSE OF REPRESENTATIVES

Friday, May 1, 1992

Are there any other announcements or points? We will return to the call of the Calendar. Prior to doing that, I would like to indicate toward the end of the Session, in which we are heading, tradition in the Chamber has been to allow some of the members have the opportunity to speak and work from the dais in the Chair. Over in the course of the next 4 or 5 days, I will try and continue that tradition.

And today I would like to ask the Majority Leader, Robert Frankel, to join me on the dais. As you all know, Bob has indicated he will be serving out his last term as served as, not only as Majority Leader but Deputy Speaker so the dais is not new to him. And, I would think that all of us recognize the fact on both sides of the aisle that, when all is said and done, he has not only been a good friend and good Majority Leader but a fine mechanic in the operation of this Chamber.

With that, I would like to turn the dais to my good friend and our Majority Leader, Bob Frankel.

(applause)

ACTING SPEAKER FRANKEL:

Clerk, please return to the call of the Calendar.

CLERK:

Kindly turn to Page 22, Calendar 44, substitute for

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HOUSE OF REPRESENTATIVES

Friday, May 1, 1992

House Bill 5029, AN ACT CONCERNING THE TREATMENT OF FARM ANIMALS, FARM EQUIPMENT, AND LIVESTOCK FEED AS EXEMPT PROPERTY. (As amended by House Amendment Schedules "A" and "B" and Senate Amendment Schedule "A")

Favorable Report of the Committee on Judiciary.

REP. MORDASKY: (52nd)

Mr. Speaker?

ACTING SPEAKER FRANKEL:

Gentleman from the 52nd, Representative Mordasky.

REP. MORDASKY: (52nd)

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

ACTING SPEAKER FRANKEL:

Question before the Chamber is acceptance and passage in concurrence with the Senate. Will you remark sir?

REP. MORDASKY: (52nd)

Thank you Mr. Speaker. The Clerk has LCO3627, will the Clerk please call and read.

ACTING SPEAKER FRANKEL:

Representative Mordasky, if you will bear with us a moment. I would ask the House to stand at ease while the item is posted on the boards. House please come to

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HOUSE OF REPRESENTATIVES

Friday, May 1, 1992

order. Representative Mordasky, you have the floor  
sir.

REP. MORDASKY: (52nd)

Thank you very much Mr. Speaker. Mr. Speaker, what  
this amendment does, deletes the word "farm equipment"  
in Section 3 and it makes it compatible with Section 2,  
which is Senate Amendment, I mean, House Amendment "A".  
I move adoption of the amendment.

ACTING SPEAKER FRANKEL:

I think perhaps we should call the amendment, the  
Clerk has in his possession LCO3627, designated Senate  
Amendment Schedule "A". Will the Clerk please call and  
read the amendment.

CLERK:

LCO3627, Senate "A" offered by Senator Larson, et  
al. On Line 79, delete "farm equipment".

ACTING SPEAKER FRANKEL:

Amendment is in your possession. What is your  
pleasure sir?

REP. MORDASKY: (52nd)

I move adoption of the amendment.

ACTING SPEAKER FRANKEL:

Question is on adoption. Will you remark? Will  
you remark further on the adoption of Senate Amendment  
Schedule "A"? If not, I will try your minds. All

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those in favor, please signify by saying aye.

REPRESENTATIVES:

Aye.

ACTING SPEAKER FRANKEL:

Those opposed nay. The ayes have it and the amendment is adopted and ruled technical. (gavel) Will you remark further? Representative Mordasky.

REP. MORDASKY: (52nd)

Thank you Mr. Speaker. This has cleaned up the bill and I move passage.

ACTING SPEAKER FRANKEL:

Will you remark further on this bill as amended by Senate Amendment Schedule "A"? Representative Tiffany.

REP. TIFFANY: (36th)

Thank you Mr. Speaker, this thrice amended file is now a good amendment and I urge its passage.

ACTING SPEAKER FRANKEL:

Thank you sir. Will you remark further on Senate Amendment Schedule "A"? Will you remark further? If not, staff and guests please come to the Well of the House. Will members please be seated, the machine will be open.

CLERK:

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

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HOUSE OF REPRESENTATIVES

Friday, May 1, 1992

the House is taking a roll call vote.

ACTING SPEAKER FRANKEL:

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

CLERK:

House Bill 5029 as amended by Senate "A" and House Amendments "A" and "B".

Total number Voting	141
Necessary for Passage	71
Those voting Yea	141
Those voting Nay	0
Those absent and not voting	10

ACTING SPEAKER FRANKEL:

The bill as amended is passed. (Gavel.)

CLERK:

Calendar 450 on Page 5, Substitute for Senate Bill 259. AN ACT CONCERNING AUTHORIZATION OF STATE OF STATE GRANT COMMITMENTS FOR SCHOOL BUILDING PROJECTS. (As amended by Senate Amendment Schedules "A" and "B)

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

REP. WYMAN: (53rd)

Mr. Speaker?

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would establish the Connecticut Pilot Commission which is similar to commissions in many other states that have a piloting industry as we do in Connecticut which would be in existence to advise the Department of Transportation on the regulation of pilots.

THE CHAIR:

Thank you very much, Senator. Would anyone else wish to remark on the bill? Are there any other remarks? If not, Senator Meotti, would you consider a motion to place this on the Consent Calendar?

SENATOR MEOTTI:

I certainly would.

THE CHAIR:

Thank you very much. Is there any objection to placing Senate Calendar No. 279, Substitute for Senate Bill 416, as amended by Senate Amendments "A" and "B" on the Consent Calendar? Is there any objection?  
Hearing none, so ordered.

THE CLERK:

Page 17, Calendar 411, File 7, 403, 572, Substitute for House Bill No. 5029, AN ACT CONCERNING THE TREATMENT OF FARM ANIMALS, FARM EQUIPMENT AND LIVESTOCK FEED AS EXEMPT PROPERTY. (As amended by House Amendment Schedules "A" and "B").

Favorable Report of the Committee on Judiciary.

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The Clerk is in possession of an amendment.

THE CHAIR:

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

SENATOR CASEY:

Thank you very much, Madam President. I move acceptance of the Joint Committee's Favorable Report and passage of the bill as amended by House Amendment "A" and House Amendment "B". I understand the Clerk has an amendment.

THE CHAIR:

Thank you very much, Senator. Madam Clerk.

THE CLERK:

LCO No. 3627, designated Senate Amendment Schedule "A", offered by Senator Casey.

THE CHAIR:

Thank you very much. Senator Casey.

SENATOR CASEY:

Thank you very much, Madam President. I move the amendment and ask that the reading be waived. Please proceed, Senator.

SENATOR CASEY:

I'd love to. The amendment includes farm equipment for those post judgment debt collection exemptions from partnerships.

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THE CHAIR:

Thank you very much. Would anybody else wish to remark on LCO3726, Senate Amendment "A"? Are there any further remarks? If not, then please let me know your mind. All those in -- Senator Fleming.

SENATOR FLEMING:

Yes, thank you, Madam President. Just a question, Senator Casey, so I can understand the effect of this. Could you just elaborate a little bit more as to what the implication might be to the agriculture industry in this state by passage of this amendment?

SENATOR CASEY:

Certainly. Through you, Madam President, this bill and the amendment exempts from post judgment debt collections farm equipment that is owned by partnerships.

SENATOR FLEMING:

Could you put that in English for me please?

SENATOR CASEY:

If there is a debt collection that is due from a farm that is part of a partnership -- that is owned by a partnership as opposed to an individual, the individual is taken care of in Section 1. The partnerships are taken care of and referred to in Section 2. Then certain partnerships would be exempt

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from post judgment collections. The bank or the debt collector would not be able to go to that farm and take their farm equipment if it was owned 50 percent by the family involved and also if there was farm equipment that was being used to maintain the farm.

THE CHAIR:

Are you all set, Senator Fleming? Yes. Okay, anyone else have any other questions on Senate Amendment "A"? Any other remarks? If not, then please let me know your mind. All those in favor of Senate Amendment "A", LCO No. 3627, please signify by saying aye.

SENATORS:

Aye.

THE CHAIR:

Opposed.

The ayes have it.

The amendment is adopted.

Are there any further amendments, Madam Clerk?

THE CLERK:

No further amendments.

THE CHAIR:

Senator Casey.

SENATOR CASEY:

Thank you, Madam President. As I have already

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said, this bill exempts from post judgment debt collections, one, any natural person's farm equipment and livestock feed and that farm animals are already exempt. And two, any farm partnership's farm animals, farm equipment, livestock feed and insurance money due to the partnerships on such property. It's vital to the farms of New Britain and I'm very proud to have Senator Harper's support on this. I ask that it be placed on the Consent Calendar.

THE CHAIR:

Thank you very much. Would anybody else wish to remark on Senate Calendar No. 411, Substitute for House Bill 5029, as amended? Are there any further remarks? If not, then is there any objection to placing Senate Calendar No. 411, Substitute for House Bill 5029, as amended by Senate Amendment "A", LCO No. 3627, on the Consent Calendar? Is there any objection? Hearing none, so ordered. Madam Clerk.

THE CLERK:

Page 25, Calendar 157, File 160 and 571, Substitute for Senate Bill No. 419, AN ACT MAKING TECHNICAL CORRECTIONS TO THE STATUTES CONCERNING SMALL EMPLOYER HEALTH CARE PLANS.

THE CHAIR:

Thank you very -- oh, I'm sorry.

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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, Wednesday, April 29, 1992. Mr. Clerk, would you please call the items that have been placed on Consent.

THE CLERK:

Madam President, the first Consent Calendar begins on Calendar Page 1, Calendar No. 201, Substitute for Senate Bill 471.

Calendar Page 3, Calendar No. 279, Substitute for Senate Bill 416.

Calendar Page 17, Calendar No. 411, Substitute for House Bill 5029.

Calendar Page 25, Calendar No. 157, Substitute for Senate Bill No. 419.

Calendar Page 26, Calendar No. 240, Substitute for House Bill 5488.

Calendar Page 29, Calendar No. 109, Substitute for Senate Bill No. 99. Calendar 150, Substitute for Senate Bill 101.

Calendar Page 30, Calendar No. 210, Substitute for Senate Bill 400.

Calendar Page 31, Calendar 142, Substitute for

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House Bill 5144. And Calendar No. 406, Senate  
Resolution No. 15.

Madam President, that completes the 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, Wednesday, April 29, 1992. Yes,  
Mr. Clerk.

THE CLERK:

Madam President, I need to add one more item to the  
Consent Calendar, that is on Calendar Page 7, Calendar  
No. 330, House Bill 5676.

THE CHAIR:

Thank you very much, Mr. Clerk. You've now heard  
all of the items placed on today's first Consent  
Calendar. The machine is open. You may cast your  
vote.

Senator Fleming. 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:

34	Yea
0	Nay
2	Absent

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The Consent Calendar is adopted.

THE CHAIR:

Senator Upson.

SENATOR UPSON:

Yes, Madam President. The Executive and Legislative Nominations Committee will meet on Monday, May 4th at 9:00 a.m. in 1C for two appointees.

THE CHAIR:

Thank you very much, Senator. Are there any other announcements? Senator Jepsen.

SENATOR JEPSEN:

Thank you, Madam President. There will be a meeting of the Judiciary Committee on Friday morning five minutes before the House goes into session in the Hall of the House. Thank you.

THE CHAIR:

Thank you very much. Senator Herbst.

SENATOR HERBST:

Thank you, Madam President. The Government Administration and Elections Committee will meet tomorrow 15 minutes before the session in the Hall of the House.

THE CHAIR:

Thank you very much. Are there any other announcements? Senator DiBella.