

Legislative History for Connecticut Act

HB 7000 P.A. 1 MAY 26 SESSION 1994

Sen: 3383 - 3394 (12)

House 9128 - 9160 (33)  
P.A.

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WEDNESDAY  
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5/25 House Passed with House "A", "B", "C",  
"D", "E", "F", "G", "H", "J", "K", and  
"L"

END SENATE AGENDA #4

THE CHAIR:

Mr. Clerk.

THE CLERK:

Emergency Certified Bill Number 7002, 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", "B",  
"C", "D", "E", "F", "G", "H", "J", "K", and "L".

The Clerk is in possession of two Senate  
Amendments.

THE CHAIR:

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

SENATOR JEPSON:

Thank you, Madam President. I move acceptance of  
the Joint Committee's Favorable Report and adoption of  
the bill, in concurrence with the House.

THE CHAIR:

Thank you very much. Mr. Clerk.

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LCO6980, which will be designated Senate Amendment  
Schedule "A" offered by Senator Freedman of the 26th  
District.

THE CHAIR:

Thank you very much. The Chair recognizes Senator  
Freedman.

SENATOR FREEDMAN:

Thank you, Madam President. I move the amendment  
waive its reading and seek leave of the Chamber to  
summarize.

THE CHAIR:

Thank you, Senator. Please proceed.

SENATOR FREEDMAN:

Basically, what this amendment does is to allow a  
municipal bus or transit district to declare  
bankruptcy. There have been certain problems,  
particularly in my town involving a particular lawsuit  
and the liability cannot be afforded by the town at  
this point and we were not sure at this stage exactly  
how to go about resolving them or absolving them of  
some of this liability. So they thought if they could  
get the right to declare bankruptcy, they might be in a  
better position.

THE CHAIR:

Thank you very much. Would anybody else wish to

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remark on Senate Amendment "A", LCO6980. Senator  
Jepson.

SENATOR JEPSON:

Thank you, Madam President. I would oppose this amendment. We made a very strong effort this year in the tech revisor's bill to keep the bills technical and I will be discussing that in some detail and discuss the bill overall, but I think, in addition we had a process by which all suggested amendments were cleared by all four caucuses. That is to say every amendment, the file copy, plus the amendments were all -- are there by virtue of input from all four caucuses and to pass this amendment would violate that understanding.

So on both grounds, this is clearly a substantive amendment. It in a substantive manner expands the authority of certain legal bodies and on the internal processes of the House and Senate. I would urge rejection.

THE CHAIR:

Thank you very much. Anybody else care to remark on Senate Amendment "A"? Are there any further remarks? If not then, please let me know your mind.  
All those in favor of LCO6980, designated by the Clerk as Senate Amendment "A", please signify by saying aye.

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SENATORS:

Aye.

THE CHAIR:

Opposed.

SENATORS:

No.

THE CHAIR:

The noes have it. The Amendment fails. Mr. Clerk,  
do you have any further amendments?

THE CLERK:

Madam President, it is my understanding that the  
other amendments to be followed are not to be called.

THE CHAIR:

Thank you very much. Senator Jepson.

SENATOR JEPSON:

Thank you, Madam President. On the bill, I think  
it is important to understand the process by which this  
is before us. A bill came up, a technical revisor's  
bill came up to us from the House at the tail end of  
the Regular Session. It was chock full of  
non-technical items. We, I think, did the right thing  
in refusing to take up that bill.

In the interim, since that time, we asked the

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Legislative Commissioners' Office to go through the bill and pull out only those and create a new bill of only those portions which are purely technical in nature. Since that time, we have been meeting with all four caucuses, Republican and Democratic House and Senate to review possible additions and as strictly as possible, we have adhered to the notion that all proposed amendments, those would be "A" through, I believe it is "L", that were adopted in the House, are purely technical in nature.

They range from the types of amendments -- some are correcting mistakes. For example, one where an amendment that passed by the House and Senate was found to have been mislined so that the amendment was, as it turns out, of a deleted section and therefore meaningless. So that is a technical correction.

Others where the draft made no sense because of a drafting that strayed away from what was the clear intention of the party. So all of these amendments, and I would be happy to answer any questions anyone might have about any amendment in particular, have been through the process. They have been signed off on by the Legislative Commissioners' Office and by all four caucuses and they really are technical in their scope.

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Thank you very much, Senator Jepson. Would anyone else care to remark? Senator Kissel.

SENATOR KISSEL:

Thank you, Madam President. I know the hour is late and I just have some questions to the proponent, through you, Madam President.

THE CHAIR:

Thank you.

SENATOR KISSEL:

Just for my personal clarification. On page 3, line 82, there is a change in the amount of the upper level of the fine. It is being changed from \$50 to \$75 and I am just wondering, what is the basis for the increase of the fine? Through you, Madam President.

THE CHAIR:

Senator Jepson.

SENATOR JEPSON:

Can I have a minute, please to read the file?

THE CHAIR:

The Senate will stand at ease.

SENATOR JEPSON:

Thank you, Madam President. I apologize for the delay. We checked the fiscal note on the file copy and there is no fiscal note, the fiscal note says there is no necessary state impact. And that is why this

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technical vote is permissive and nature and does not  
mandate any fine increase.

THE CHAIR:

Thank you very much. Senator Kissel.

SENATOR KISSEL:

Again, through you, Madam President. That's less  
my concern. I am simply trying to determine what was  
the basis for determining the \$75 limit rather than the  
\$50 limit. Through you, Madam President.

THE CHAIR:

Senator Jepson.

SENATOR JEPSON:

I assume because Public Works felt they needed to  
have that authority.

SENATOR KISSEL:

Okay. I would like to move on to page 65, line  
2248 and line 2247. There is a new line in there. It  
says, "the fee for such 90-day permit shall be \$500".  
It appears to be new language and I am wondering what  
the basis for that is. Through you, Madam President.

THE CHAIR:

Thank you. Senator Jepson.

SENATOR JEPSON:

It is my understanding that this was the fee that  
had been in place and that it was dropped inadvertently

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in legislation last year through a drafting mistake and is merely placing back into statute what had been the existing law.

SENATOR KISSEL:

Okay. Thank you. Page No. 72, line 2470 and 2471. It has to do with a change of definition of the type of school buses that can be allowed on the Merritt and Wilbur Cross Parkways and it seems to me that the language changes it from services buses and registered school buses to a different definition of two axle, four wheeled vehicles and I am just wondering if this either expands from what the original language was or contracts from the original language or if it affects what the underlying intent of the bill was. Through you, Madam President.

THE CHAIR:

Senator Jepson.

SENATOR JEPSON:

It is my understanding that this doesn't change the type of bus. It more clearly defines the kinds of service buses that maybe used on the Merritt Parkway.

SENATOR KISSEL:

Okay. And I have just one more. And again, these are just friendly inquiries so that I can better understand some of the technical revisions.

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On page 76, lines 2615 through 2617, we are changing the amount of renewal fees from \$150 to \$75 and from \$120 to \$60. In reading the preceding paragraphs, it seems to bring that into line with as to what the original fees are, but I am wondering if whether in passing this originally, the intent was to increase it over time. Through you, Madam President.

THE CHAIR:

Senator Jepson.

SENATOR JEPSON:

It is my understanding that the reason for this change is that it was discovered that the statute had the unintended result of a renewal that would cost twice as much as the initial licensing fee and it is intended simply to bring the renewal into line with the original licensing fee.

SENATOR KISSEL:

Okay. Through you, Madam President. So that was the doubling of the renewal fee was an error.

SENATOR JEPSON:

That is correct.

SENATOR KISSEL:

That is all my questions. Thank you, Madam President.

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Thank you very much, Senator Kissel. Are there any further remarks? Senator Peters.

SENATOR PETERS:

Thank you, Madam President. A question through you to Senator Jepson.

THE CHAIR:

Yes, Ma'am.

SENATOR PETERS:

Thank you. LC06569, Amendment "F" speaks to the Labor Commissioner in exercise of his duties including his duties as administrator and lists the various areas.

Do you have an understanding, Senator Jepson, as to what that means?

SENATOR JEPSON:

Yes. This was requested by the Department of Labor as a clarification of what is intended. The Labor Commissioner has certain functions that are substantively related solely as Labor Commissioner. In addition, the Labor Commissioner has certain statutory duties that are assigned to him to administer, as an administrator within state government.

This is simply intended to clarify that the funds available are useable within the broad scope of his powers and they are not limited to those powers as the

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Labor Commissioner, per se.

SENATOR PETERS:

Through you, Madam President.

THE CHAIR:

Senator Peters.

SENATOR PETERS:

Thank you. On that administration of the duties with respect to and you might not know the answers to this, Senator Jepson, but with respect to career centers or job centers that are set up with private industry councils in a joint collaboration with the Department of Labor, would this be all inclusive of the Commissioner's administrative powers over that or is there room for joint administration with the private industry council or job training centers?

THE CHAIR:

Senator Jepson.

SENATOR JEPSON:

I don't think it would preclude joint administration. This is simply -- this is an empowerment act for the Labor Commissioner and just clarifies what, I think, was intended all along.

SENATOR PETERS:

Thank you.

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Thank you very much. Would anybody else care to remark on House Bill 7002? Are there any further remarks? Any further remarks on House Bill 7002? If not, Mr. Clerk, would you make the necessary announcement for a roll call vote, please?

THE CLERK:

An immediate roll call has been ordered in the Senate. Would all Senators please return to the Chamber. An immediate roll call has been ordered in the Senate. Will all Senators please return to the Chamber?

THE CHAIR:

Thank you very much, Mr. Clerk. The issue before the Chamber is House Bill 7002. The machine is on. You may record your vote.

Have all Senators voted and is your vote properly recorded? Have all Senators voted and are your votes properly recorded? The machine is closed.

The result of the vote:

34	Yea
0	Nay
2	Absent

The bill passes.

Mr. Clerk, do you have any further business on your desk?

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roll call. Members to the Chamber.

~~S~~SPEAKER RITTER:

Have all the members voted? Please check the roll, and I think while you're all in here, we're going to have some quick roll calls, that would be my guess. So I would encourage you to stay by the Chamber. Please check the roll call machine. The machine will be locked. The Clerk please take the tally.

The Clerk please announce the tally.

CLERK:

Emergency Certified Bill 7001 as amended by House "A" and "B".

Total number voting	135
Necessary for passage	68
Those voting yea	135
Those voting nay	0
Those absent and not voting	16

SPEAKER RITTER:

The bill as amended passes. The Clerk please call Emergency Certified Bill 7002.

CLERK:

Emergency Certified Bill 7002, AN ACT CONCERNING THE REVISOR'S TECHNICAL CORRECTIONS TO THE GENERAL STATUTES AND TO CERTAIN PUBLIC AND SPECIAL ACTS, LCO5725.

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REP. TULISANO: (29th)

Mr. Speaker.

SPEAKER RITTER:

Representative Tulisano.

REP. TULISANO: (29th)

Mr. Speaker, I move for acceptance and passage of the Emergency Certification of Bill 7002.

SPEAKER RITTER:

The motion is on acceptance and passage of the Emergency Certified Bill 7002.

REP. TULISANO: (29th)

Mr. Speaker, the file copy, if you will, 7002 we're advised by LCO that everything in there is technical in nature only, except for House Amendment Schedule "A" which I'm going to call next and it has no substantive import whatsoever.

Mr. Speaker, the Clerk has an amendment, LCO7014.

SPEAKER RITTER:

The Clerk has amendment, LCO7014. If he may call, Representative Tulisano would like to summarize.

CLERK:

LCO7014, House "A" offered by Representative Tulisano.

SPEAKER RITTER:

Representative Tulisano.

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REP. TULISANO: (29th)

Mr. Speaker, this amendment strikes Section 12. Although we believe it was technical in nature, it did have a fiscal impact. Therefore, I would move its adoption.

SPEAKER RITTER:

The question is on adoption. Will you remark further on House "A"? If not, I'll try your minds. All in favor signify by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER RITTER:

Opposed, no. House "A" is adopted. Will you remark further on this bill? Representative Tulisano.

REP. TULISANO: (29th)

Mr. Speaker, the Clerk has an amendment, LCO7012.

SPEAKER RITTER:

The Clerk has amendment LCO7012. If he may call and Representative Tulisano would like to summarize.

CLERK:

LCO7012, House "B" offered by Representative Tulisano.

REP. TULISANO: (29th)

Mr. Speaker, this replaces the words tele-theater facility for tele-track. Tele-tracks don't exist any

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more, and insures that successor business organizations may hold successor licenses. I move its adoption.

SPEAKER RITTER:

Will you remark further? A member has moved adoption of House "B". Will you remark further? Representative Belden.

REP. BELDEN: (113th)

Mr. Speaker, Representative Tulisano will be offering a series of amendments and just for the record, they have been reviewed by a task force, and they are in fact, all technical in nature. I just want to assure the Chamber that although we may be going a little fast here, that they all have been reviewed. Thank you.

SPEAKER RITTER:

Thank you very much. And plus, we're used to doing this about twenty of twelve, rather than twenty of eleven, so we're a little bit out of sorts on this. But thank you very much and we thank you for the work you did on this.

I'll try your minds. All in favor signify by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER RITTER:

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Opposed, no. House "B" is adopted. Representative  
Tulisano.

REP. TULISANO: (29th)

Mr. Speaker, the Clerk has amendment LCO6987.

SPEAKER RITTER:

The Clerk has amendment LCO6987. If he may call,  
Representative Tulisano would like to summarize.

CLERK:

LCO6987, House "C" offered by Representative  
Rapoport.

SPEAKER RITTER:

Representative Tulisano.

REP. TULISANO: (29th)

Yes, Mr. Speaker. Mr. Speaker, this amendment  
clarifies some language of the recently adopted bill  
dealing with justices of the peace. It makes it clear  
that all parties can fill vacancies, including A  
Connecticut Party. I move its adoption.

SPEAKER RITTER:

The question is on adoption. Will you remark  
further? Representative Ward.

REP. WARD: (86th)

Mr. Speaker, a question, through you, to the  
proponent of the amendment.

SPEAKER RITTER:

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Please proceed, Sir.

REP. WARD: (86th)

Representative Tulisano, I'm not certain, has the Governor signed the bill that we're affixing yet? Through you, Mr. Speaker.

SPEAKER RITTER:

Representative Tulisano.

REP. TULISANO: (29th)

Through you, Mr. Speaker, I don't know. I haven't seen it on the list of bills I've reviewed. I doubt it. I'm not sure.

REP. WARD: (86th)

Through you, if the Chairman of GAE?

SPEAKER RITTER:

The Chairman of GAE is not in the Chamber tonight, Sir. The Ranking Member is here. He works well with him.

REP. WARD: (86th)

Through you, Mr. Speaker, to my friend --

SPEAKER RITTER:

I take that back, Representative Prelli. I didn't mean to get you in trouble over there.

REP. WARD: (86th)

Through you, Mr. Speaker, to my friend Representative Prelli, if I may.

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SPEAKER RITTER:

Representative Prelli.

REP. WARD: (86th)

Representative Prelli, has the Governor signed the justice of the peace bill as of yet?

REP. PRELLI: (63rd)

As of today, he has not.

REP. WARD: (86th)

Through you. In the discussions about needing a change, as I understand it this change would only affect the A Connecticut Party if I read it correctly. Has there been an indication whether the Governor intends to sign that bill or not?

SPEAKER RITTER:

Representative Prelli.

REP. PRELLI: (63rd)

Through you, Mr. Speaker, Representative Ward is correct. It does only affect the third major party in this state under the definition. There have been discussions with the Governor and there is a hope that he will sign the bill, but also there's probably a need for this amendment in that if it's not signed, that hopefully we will override his veto.

SPEAKER RITTER:

Representative Ward.

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REP. WARD: (86th)

Thank you, Mr. Speaker. Mr. Speaker, I'll support the amendment if in fact it corrects something that could be viewed as technical in the underlying bill. I do hope, and I guess since we might see the Governor some time tonight, maybe he or somebody on his staff is listening, that they do go ahead and sign this bill because at the moment there are a lot of people who are concerned that there will be no justices of the peace unless this bill is in place.

At least by doing this, the General Assembly has addressed what seemed to be the one concern raised by the administration. I hope we don't have to solve the justice of the peace problem on June 20th and that the Governor can take care of it before that. Thank you, Mr. Speaker.

SPEAKER RITTER:

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

REP. PRELLI: (63rd)

Mr. Speaker, I rise in support of the amendment. I really believe it is a technical change and an oversight.

What the amendment allows is for that third major party to fill any vacancies due to resignations of

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their elected justices of the peace and it is a need,  
so I would urge support.

SPEAKER RITTER:

Thank you, Sir. At this time I'll try your minds.  
All in favor signify by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER RITTER:

Opposed, no. House "C" is adopted. Will you  
remark further? Representative Tulisano.

REP. TULISANO: (29th)

Mr. Speaker, the Clerk has an amendment LCO6566.

SPEAKER RITTER:

The Clerk has an amendment LCO6566. If he may call  
it and Representative Tulisano would like to summarize.

CLERK:

LCO6566, House "D".

SPEAKER RITTER:

Representative Tulisano.

REP. TULISANO: (29th)

Mr. Speaker, this amendment makes changes in the  
language which are required by the uncompensated care  
bill we passed earlier. It changes the word from caps  
to limits, the language that's used in that bill. I  
move its adoption.

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SPEAKER RITTER:

Will you remark further on the adoption of this amendment? If not, I'll try your minds. All those in favor signify by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER RITTER:

Opposed, no. House "D" is adopted. Will you remark further as amended? Representative Tulisano.

REP. TULISANO: (29th)

Mr. Speaker, the Clerk has an amendment, LCO6565.

SPEAKER RITTER:

The Clerk has an amendment, LCO6565 which will be designated House "E". If he may call and Representative Tulisano would like to summarize.

CLERK:

LCO6565, House "E".

SPEAKER RITTER:

Representative Tulisano.

REP. TULISANO: (29th)

Mr. Speaker, this amendment makes it clear that massage therapists have, as long as they are qualified by the date already scheduled, February 1, 1994, they have until June 30, 1994 to register.

SPEAKER RITTER:

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Will you remark further on the adoption of this amendment? If not, I'll try your minds.

Representative Krawiecki, I apologize, Sir.

REP. KRAWIECKI: (78th)

Thank you, Mr. Speaker. I wonder if Representative Tulisano could just explain the alteration in the dates to the Chamber, just so I understand how this is technical, versus not being technical.

REP. TULISANO: (29th)

Through you, Mr. Speaker, as we understand it, by one statute we extended the time until June 30, 1994 for people to have passed an examination to be sort of grandfathered in. But they had to be, that was because of the number of snowstorms, people couldn't there wasn't time, or were not available to get in to register.

It was never intended, however, to extend to another group of people beyond February 1, extend the qualification time for another group of people. The February 1st date makes it sure that although the time for registering is extended, the qualification group is set by the original date which was February 1st, 1994, the original date.

REP. KRAWIECKI: (78th)

Thank you, Representative Tulisano.

pat

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SPEAKER RITTER:

Will you remark further on this House Amendment "E". If not, I'll try your minds. All in favor signify by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER RITTER:

Opposed, no. House "E" is adopted. Representative Tulisano.

REP. TULISANO: (29th)

Mr. Speaker, the Clerk has an amendment, LCO6569.

SPEAKER RITTER:

The Clerk has an amendment, LCO6569. If he may call and Representative Tulisano would like to summarize.

CLERK:

LCO6569, House "F".

REP. TULISANO: (29th)

Mr. Speaker, this amendment allows the labor commissioner when he's acting in his duties as administrator, unemployment compensation, maintain the statewide network of job centers, or provide workers with comprehensive development assistance, and a number of other issues.

The current statute doesn't use the language of

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including the duties as administrator and that's two hats the same person wears and just includes it all. I move its adoption.

SPEAKER RITTER:

Will you remark further on adoption?

REP. KRAWIECKI: (78th)

Mr. Speaker.

SPEAKER RITTER:

Representative Krawiecki.

REP. KRAWIECKI: (78th)

I wonder if we could just get a couple of copies of that amendment to take a look at it.

SPEAKER RITTER:

I'm sorry, Sir. Why don't we stand at ease for a moment to make sure copies are over to Representative Krawiecki, Representative Belden, Representative Chase. Oh, Representative Belden has one, okay.

We'll stand at ease for a moment, Sir.

REP. KRAWIECKI: (78th)

Thank you, Mr. Speaker.

SPEAKER RITTER:

Will you remark further on House Amendment "F". If not, I'll try your minds. All in favor signify by saying aye.

REPRESENTATIVES:

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Aye.

SPEAKER RITTER:

Opposed, no. House "F" is adopted. Will you remark further? Representative Tulisano.

REP. TULISANO: (29th)

Mr. Speaker, the Clerk has an amendment, LCO7006.

SPEAKER RITTER:

The Clerk has an amendment, LCO7006. If he may call and Representative Tulisano would like to summarize.

CLERK:

LCO7006, House Amendment Schedule "G".

SPEAKER RITTER:

Representative Tulisano.

REP. TULISANO: (29th)

Yes, Mr. Speaker. This amendment modifies a bill which we passed earlier by taking out language which requires insurance binders. The language that's in this bill without this amendment will require that insurance binder be given at the time of application and at the time the lender issues the commitment for a loan. It's not going to happen that way. The language was left in the bill after we passed another amendment and it should have been taken out at the time, as I understand it, Mr. Speaker, inadvertently.

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SPEAKER RITTER:

The question is on adoption. Will you remark further on House "G"? If not, I'll try your minds. Signify by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER RITTER:

Opposed, no. House "G" is adopted. Will you remark further on this bill?

REP. TULISANO: (29th)

Mr. Speaker, the Clerk has an amendment, LCO4554.

SPEAKER RITTER:

The Clerk has an amendment, LCO what?

REP. TULISANO: (29th)

4554.

REP. KRAWIECKI: (78th)

Mr. Speaker, a point of parliamentary inquiry, Sir.

SPEAKER RITTER:

Please inquire.

REP. KRAWIECKI: (78th)

I didn't hear how you had ruled on that.

SPEAKER RITTER:

It was adopted. The noes came after I went like that (Gavel) and then the noes came afterward and I had already ruled that it passed. Representative Tulisano.

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REP. TULISANO: (29th)

Mr. Speaker, the Clerk has an amendment LCO4554.

SPEAKER RITTER:

The Clerk has an amendment, LCO4554. If he may call and Representative Tulisano would like to summarize.

CLERK:

LCO4554, House "H".

SPEAKER RITTER:

Representative Tulisano.

REP. TULISANO: (29th)

Yes, Mr. Speaker. Mr. Speaker, this amendment modifies some language in the bill that was passed earlier. The way the current law reads, employers would have to achieve 100% of this car pooling, etc. alternative means of transportation in order to comply with the Clean Air Act.

This limits it to 75%. One hundred percent of anything is virtually impossible to achieve in that kind of compliance, and it merely clarifies that language as it was intended to be done.

SPEAKER RITTER:

The question is on adoption. Will you remark further? If not, I'll try your minds. All in favor signify by saying aye.

REPRESENTATIVES:

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Aye.

SPEAKER RITTER:

Opposed, no. The ayes have it. Will you remark further? Representative Tulisano.

REP. TULISANO: (29th)

Mr. Speaker, the Clerk has an amendment, LC05732.

SPEAKER RITTER:

The Clerk has amendment LC05732. If he may call it and Representative Tulisano would like to summarize.

REP. TULISANO: (29th)

Mr. Speaker, this amendment authorizes --

SPEAKER RITTER:

Hold on, hold on, the Clerk didn't call. I apologize. We're a little bit ahead of ourselves.

CLERK:

LC05732, House Amendment "I".

SPEAKER RITTER:

Let's hold on. The other side doesn't have that amendment, either. We'll stand at ease for a moment.

REP. TULISANO: (29th)

I'll withdraw that.

SPEAKER RITTER:

Representative Tulisano would like to have permission to withdraw the amendment. Is there any objection to withdraw the amendment? If not, it is

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hereby withdrawn.

REP. TULISANO: (29th)

Mr. Speaker.

SPEAKER RITTER:

Representative Tulisano.

REP. TULISANO: (29th)

The Clerk has an amendment, LCO6989.

SPEAKER RITTER:

The Clerk has amendment LCO6989. If he may call it and he would like to summarize. The Clerk please call it.

CLERK:

LCO6989, House "J".

SPEAKER RITTER:

Representative Tulisano.

REP. TULISANO: (29th)

Yes, Mr. Speaker. Mr. Speaker, this amendment makes one change in line 144. Current language says or, and it was a misprint in the original bill. It should have said of. I move its adoption.

SPEAKER RITTER:

The question is on adoption. Will you remark further on this most difficult amendment. If not, I'll try your minds. All in favor signify by saying aye.

REPRESENTATIVES:

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Aye.

SPEAKER RITTER:

Opposed, no. The amendment is adopted. Will you remark further on this bill as amended? Representative Tulisano.

REP. TULISANO: (29th)

Yes, Mr. Speaker. Mr. Speaker, the Clerk has amendment LCO4561.

SPEAKER RITTER:

The Clerk has amendment LCO4561. If he may call, Representative Tulisano would like to summarize.

CLERK:

LCO4561, House Amendment Schedule "H", excuse me, "K".

SPEAKER RITTER:

Representative Tulisano.

REP. TULISANO: (29th)

Mr. Speaker, this amendment corrects a bill that was passed earlier in the Senate. There was an incorrect deletion. Brackets were placed on the wrong line and this puts it back in. I move its adoption.

SPEAKER RITTER:

Will you remark further on adoption of this? Representative Krawiecki.

REP. KRAWIECKI: (78th)

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Thank you, Mr. Speaker, I'm sorry, I didn't hear all of what Representative Tulisano said, but I --

SPEAKER RITTER:

You didn't miss much, Sir.

REP. KRAWIECKI: (78th)

That's why.

SPEAKER RITTER:

I mean it was a very short, concise and to the point.

REP. KRAWIECKI: (78th)

Will the Representative please restate the reason why we've got this one as a technical amendment.

SPEAKER RITTER:

Representative Tulisano.

REP. TULISANO: (29th)

There were brackets placed improperly along the language that is now being added back in, in the Senate, and it's just replacing language which was. The brackets were put on too many lines when they rewrote the bill upstairs.

REP. KRAWIECKI: (78th)

And through you, Mr. Speaker, was this language in an existing statute, and was then deleted with some other action we took earlier, is that correct?

REP. TULISANO: (29th)

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That is correct. It was already in the law.

REP. KRAWIECKI: (78th)

Thank you.

SPEAKER RITTER:

Thank you, Sir. Will you remark further on this House "K". If not, we'll try your minds. All in favor signify by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER RITTER:

Opposed, no. The amendment is adopted.

Representative Tulisano. Are you done? We'll stand at ease for one minute.

REP. TULISANO: (29th)

Mr. Speaker.

SPEAKER RITTER:

Representative Tulisano.

REP. TULISANO: (29th)

Mr. Speaker, the Clerk has amendment LCO6990.

SPEAKER RITTER:

The Clerk has amendment LCO6990. If he may call and Representative Tulisano would like to summarize.

CLERK:

LCO6990, House Amendment Schedule "L".

SPEAKER RITTER:

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Representative Tulisano.

REP. TULISANO: (29th)

Mr. Speaker, this amendment adds to the language of the current statute the word total as an adjective describing indoor usable space. I think it's for licensed day care centers.

SPEAKER RITTER:

The question is on adoption. Will you remark further? Representative Krawiecki.

REP. KRAWIECKI: (78th)

Mr. Speaker, I wonder if the Representative could explain how the use of the adjective total will now affect indoor usable space. Through you, Mr. Speaker.

SPEAKER RITTER:

Representative Tulisano.

REP. TULISANO: (29th)

Through you, Mr. Speaker.

SPEAKER RITTER:

Representative Tulisano.

REP. TULISANO: (29th)

I can't help. But I would yield to Representative Gyle if I could.

REP. KRAWIECKI: (78th)

I would be happy to pose my question to Representative Gyle who will probably now need to go

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back up the center aisle here.

SPEAKER RITTER:

Representative Gyle, can you explain the technical nature of the word total.

REP. GYLE: (108th)

Yes. That was part of the bill that we passed, the word total was inadvertently left out of the final draft and therefore we're putting it back in. That was the bill itself and it was to make sure that we included all of the usable space inside of the day care and didn't exclude any of it so that they couldn't say that we were only taking up part of the day care, to measure that we were measuring the total amount of the space and it is technical in nature.

SPEAKER RITTER:

Representative Krawiecki.

REP. KRAWIECKI: (78th)

Through you, Mr. Speaker. Let me ask one more question, Representative Gyle. I understand that it was the intention, I gather, to include the word total in the final draft.

When the proposal was brought before the Chamber, was it explained as if total were included?

REP. GYLE: (108th)

Oh absolutely. That was part of the whole bill,

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that was what we wanted to do and it was just a drafting error, it is my understanding. So that was, each one cancelled the other one out and we didn't do anything, essentially.

REP. KRAWIECKI: (78th)

We cancelled what out?

REP. GYLE: (108th)

The two amendments that we passed. The first one deleted the second one, so the second one didn't count any more and the bill is not effective.

REP. KRAWIECKI: (78th)

Thank you, Representative Gyle.

SPEAKER RITTER:

Would you remark further on House Amendment "L". If not, I'll try your minds. All in favor signify by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER RITTER:

Opposed, no. House "L" is adopted. Will you remark further on this bill? Will you remark further? Representative Prelli. Would you turn on Representative Prelli's light.

REP. PRELLI: (63rd)

Thank you, Mr. Speaker. Mr. Speaker, a question

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through you to Representative Tulisano.

SPEAKER RITTER:

Please proceed, Sir.

REP. PRELLI: (63rd)

Representative Tulisano, on one of our amendments it's LCO7002 that was passed, could you please explain why a 30 to 60 day difference in the time frame is considered technical. Through you, Mr. Speaker.

SPEAKER RITTER:

Representative Tulisano. Can you go back to LCO7002 which was House "B"?

REP. PRELLI: (63rd)

I believe so, Mr. Speaker.

SPEAKER RITTER:

I'm sorry, the bill number is 7002. What was the LCO Number again, Representative Prelli?

REP. PRELLI: (63rd)

7002. I'm sorry, Mr. Speaker. 7006.

SPEAKER RITTER:

7006, Sir. It would be House "G", you can make reference to House "G".

Representative Tulisano could you explain why LCO7006, House "G" is technical.

REP. TULISANO: (29th)

Mr. Speaker, I thought he said something about 30

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days and I'm trying, through you, Mr. Speaker, to clarify the question. I thought the question had something to do with 30 days. I'm trying to find that in here.

REP. PRELLI: (63rd)

Mr. Speaker, usually, through you to Representative Tulisano, Mr. Speaker. Usually, it takes about 30 to 60 days by the time you file an application before you get the commitment notice. Therefore, the difference in this time frame would be that 30 day difference. Through you, Mr. Speaker.

SPEAKER RITTER:

Representative Tulisano.

REP. TULISANO: (29th)

Through you, Mr. Speaker, the bill as written, includes a requirement that the borrower provide, get notice from the bank or the lender institution, at least twice. Once at the time of application that they're going to need insurance and at the time of commitment. It's really a double job that people don't need to do.

And the reason I think the question was asked during the debate, that we thought it was technical in nature is that that language was in the original file copy which has subsequently put the bulk of the

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language in here and it was like one of the other bills we've done that in fact those brackets in the rewrite, this was not picked up in the rewrite as part of the language of the old file copy and yet it doesn't fit into what the import and the intent was of the new bill with the amendment as it was passed.

SPEAKER RITTER:

Thank you, Sir. Will you remark further?

REP. PRELLI: (63rd)

Thank you, Mr. Speaker. And Mr. Speaker, then through you to Representative Tulisano. What makes us think that we didn't mean just the opposite, that we wanted to know at the time of the application rather than at the time of the commitment? Through you, Mr. Speaker.

SPEAKER RITTER:

Representative Tulisano.

REP. TULISANO: (29th)

I presume, Mr. Speaker, because generally we don't ask people that are useless to get useless acts, to do useless acts and make them get worried. When the commitment does, it's time enough for people to get the binder necessary and they can present something and what they're going to need to do. That's when most of the conditions are imposed from a bank anyway.

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SPEAKER RITTER:

Representative Prelli.

REP. PRELLI: (63rd)

Thank you, Mr. Speaker. Mr. Speaker, I would agree with Representative Tulisano, if this said that we would allow a binder. The way I read this, it says that if we refuse, if the lending institution is refusing to accept a binder, it would seem to me that would only give us usually about a 5 day period, and I know for some of the smaller agents and for some of the smaller insurance companies, a 5 day turnaround usually is not long enough to generate a policy and it would seem to me that there was a move on to compromise when this bill came forward, to move to say that when you apply you also got a letter that said, we won't accept a binder if you get the loan, you're going to need an application.

I think that even though we thought of this as technical and the move as technical, I'm just not sure which way we were supposed to go on that, Mr. Speaker and it seems to me that those people do need that advance notice that a binder is not acceptable.

SPEAKER RITTER:

Representative Prelli.

REP. PRELLI: (63rd)

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Mr. Speaker, I was about ready to make a motion.

SPEAKER RITTER:

Why don't you make your motion, Sir.

REP. PRELLI: (63rd)

Mr. Speaker, I'd like to make a motion that we suspend our rules so that we can reconsider the action on House "G".

SPEAKER RITTER:

Motion is on reconsideration. Will you, I'm sorry, the motion is on suspension of the rules. Would you remark on this motion?

Representative Ward.

REP. WARD: (86th)

For what reason do you rise, Sir.

SPEAKER RITTER:

You had asked us if we would remark on suspension of the rules.

SPEAKER RITTER:

I'm sorry, the question before us is suspension of the rules, okay? I'll order a roll call vote and what we'll do is, I'm sorry, you want to remark.

REP. WARD: (86th)

Yes, Mr. Speaker. Just very briefly, because not that the gavel was inappropriately quick, but certainly you are moving very quickly on this and I think it

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appeared to be technical and it may in fact be more substantive than is appropriate, although unusual to consider the suspension for immediate reconsideration.

SPEAKER RITTER:

Thank you. Representative Luby.

REP. LUBY: (82nd)

Thank you, Mr. Speaker, given that we're so close to the end of the session and there's so many other people that may have had things that they wished that we could sort of finally change at the last minute, but the Chamber has already acted. However, reluctantly, but I think understandably opposed to the motion to suspend.

SPEAKER RITTER:

Will you remark further? If not, what we'll do is have a roll call vote. Anyone voting green would make a motion to suspend the rules. Representative Krawiecki.

REP. KRAWIECKI: (78th)

Thank you, Mr. Speaker. I understand that we're about to embark on a vote on this and I'm just responding, frankly, to the comment Representative Luby just made and that is that there are a lot of people who might have an interest.

I think that's exactly why Representative Prelli

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was standing up. There appears to be some feeling that this was not in fact a technical amendment and in fact was something beyond that. And in fact, someone has gotten a change that wasn't meant to be and I admit that this four person panel looking at it, you know, I'm not so sure you can actually make the argument, however, that somebody by objecting and asking for reconsideration is asking for something beyond what's already passed this General Assembly.

So I don't think it's quite the way Representative Luby posed his comment a moment ago in opposition to the suspension.

SPEAKER RITTER:

Okay. The staff and guests please come to the well of the House. A vote green will be to suspend the rules. A vote red will be not to suspend the rules. I'm sorry, there will be a roll call vote. 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 voting by roll call. Members please report to the Chamber.

SPEAKER RITTER:

Have all the members voted? Please check the roll

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call machine to make sure your vote is properly cast and if it has, the machine will be locked. The Clerk please take the tally. The Clerk please announce the tally.

CLERK:

On the motion to suspend the rules.

Total number voting 138

Necessary for suspension 70

Those voting yea 57

Those voting nay 81

Those absent and not voting 13

SPEAKER RITTER:

The motion fails. Will you remark further on this bill? If not, staff and guests please come 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 voting by roll call. Members please report to the Chamber.

SPEAKER RITTER:

Have all the members voted? If all members have voted, the machine will be locked. The Clerk please take a tally. Representative Munns.

REP. MUNNS: (9th)

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In the affirmative.

SPEAKER RITTER:

Representative Munns in the affirmative. Anybody else? The Clerk please announce the tally.

CLERK:

Emergency Certified Bill 7002 as amended by House Amendments "A", "B", "C", "D", "E", "F", "G", "H", "I", "J", "K", "L".

Total number voting	137
Necessary or passage	69
Those voting yea	135
Those voting nay	2
Those absent and not voting	14

SPEAKER RITTER:

The bill as amended passes. The Clerk please call Emergency Certified House Bill 202, House Resolution 202.

CLERK:

Emergency Certified House Resolution 202,  
RESOLUTION PROPOSING APPROVAL OF A MEMORANDUM OF AGREEMENT BETWEEN THE STATE OF CONNECTICUT AND THE CONNECTICUT EMPLOYEES UNION INDEPENDENT, LCO6754, introduced by Representative Ritter.

SPEAKER RITTER:

The Honorable Chair of the Appropriations