

Legislative History for Connecticut Act

SB 3004 PA 11 (June 18 Sp. Sess.) 1997

Senate - 4698 - 4723 (26)

HOUSE: 7859 - 7899 (41)

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CONNECTICUT  
GEN. ASSEMBLY  
SENATE

PROCEEDINGS  
1997

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PART 14

JUNE 18

JUNE 5

JULY 21

SPECIAL  
SESSIONS

VETO

SESSION

4526-4809

Senate at 6:25 p.m. recessed.

The Senate reconvened at 9:41 p.m., the President in the Chair.

THE CHAIR:

(GAVEL) Would the Senate please come to order. Before we begin tonight's deliberations, I would ask if there are any points of personal privilege or announcements?

If not, Senator Jepsen.

SEN. JEPSEN:

Thank you, Madam President. At this time, I ask the circle to take up from Senate Agenda No. 1, Emergency Certified SB3004.

THE CLERK:

Calling from Senate Agenda No. 1, Emergency Certified SB3004 An Act Concerning Computerized Information Sharing, the Mashantucket Pequot and Mohegan Fund, Early Retirement, School Construction, State Buildings, Nursing Home Loans, Executive and Legislative Councils and Commissions, and Appropriations for the Fiscal Years Ending June 30, 1997, 1998 and 1999. The bill is accompanied by Emergency Certification and the Clerk is in possession

of amendments.

THE CHAIR:

Senator Crisco.

SEN. CRISCO:

Thank you, Madam President. Madam President, I move adoption of the bill.

THE CHAIR:

The question is on passage of the bill. Will you remark?

SEN. CRISCO:

Thank you, Madam President. Madam President, it's been a long day and to be very brief on this piece of legislation which some of us have titled the Baskin and Robbins bill because there are some 57 flavors to the legislation and instead of detailing each and every one of the sections, let me just state that, Madam President, this is a bill which covers many areas that need to be implemented for budget.

It makes numerous corrections. It pioneers some areas, particularly in regard to the nursing home fund that is established in the treasurer's office. It addresses many other issues and Madam President, I think the circle should take positive action on it.

THE CHAIR:

Thank you, Senator Crisco. Will you remark

further on the bill? Will you remark further? Senator Genuario.

SEN. GENUARIO:

Thank you, Madam President. Madam President, as the Chairman of the Appropriations Committee has indicated, the bill contains many, many sections, some of which I think all of us heartily endorse. Some of which many of us endorse less heartily and at least one of which many of us oppose.

And in light of that, I would ask the Clerk to call LCO8943.

THE CLERK:

LCO8943 which will be designated Senate Amendment Schedule "A". It's offered by Senator Genuario of the 25th District.

THE CHAIR:

Senator Genuario.

SEN. GENUARIO:

Thank you, Madam President. Madam President, I move adoption of the amendment and request leave to summarize.

THE CHAIR:

The question is on adoption. Will you remark?

SEN. GENUARIO:

Yes I will, Madam President. Thank you. Madam

President, quite simply, the chairman would strike Section 51 of the bill in its entirety and do no more than that.

Madam President, it's been a long day and I will be brief. We think there are some serious policy flaws in Section 51. To summarize them very briefly, we note that while Section 51 would require under certain circumstances the Commissioner of Social Services to grant interim rate relief requests when there are contract or enforceable agreements entered into by parties that there is nothing in Section 51 that requires those legally enforceable agreements to be reasonable.

There is nothing in Section 51 that requires those legally enforceable agreements to be at a rate increase that is commensurate with other rate increases granted around the state and there are simply no standards by which the reasonableness or appropriateness of those contracts can be judged. That is problem number one.

Problem number two is that it would set up what in Connecticut is an unprecedented practice of granting interim rate relief requests based on wage agreements. The state has had a very consistent position on that for many, many years.

This is a, the nursing home area of the budget is

one of the largest areas of the budget. It has a history and a potential to grow very rapidly. Any amendment or any change to that practice which has the potential to over the long haul, and I don't say that this section in itself over the long haul would, but if followed as a precedent over the long haul could significantly increase. That fund deserves greater study and that study has not yet happened. I do not think that as a legislative body we are ready to adopt this section and this policy at this time and so I would urge adoption of this amendment that would delete that section. Thank you very much, Madam President.

THE CHAIR:

Thank you, Sir. Will you remark further? Will you remark further?

SEN. GENUARIO:

Madam President, I would request a roll call vote.

THE CHAIR:

A roll call vote will be ordered. Will you remark further? Senator Daily.

SEN. DAILY:

Thank you very much, Madam President. I stand to offer reluctant support for the amendment. There was a compromise put forth that would have extended this benefit to all companies regardless of union status and

that was not an acceptable compromise. So in view of the fact that that is not, I think there's no choice but to support this amendment. Thank you.

THE CHAIR:

Thank you, Senator. Will you remark further? If not, would the Clerk please announce a roll call vote. The machine will be opened.

THE CLERK:

An immediate roll call has been ordered in the Senate. Will 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:

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

THE CLERK:

The motion is on adoption of Senate Amendment Schedule "A", LC08943. Total number voting, 34; necessary for adoption 18. Those voting "yea", 18; those voting "nay", 16. Those absent and not voting, 2.

THE CHAIR:

The amendment is adopted. Will you remark further on the bill as amended? Senator Crisco.

SEN. CRISCO:

Thank you, Madam President. I request that the Clerk call LCO7386.

THE CLERK:

LCO7386 which will be designated Senate Amendment Schedule "B". It's offered by Senator Crisco of the 17th District et al.

THE CHAIR:

Senator Crisco.

SEN. CRISCO:

Thank you, Madam President. Madam President, I move adoption of the amendment, that the reading be waived and that I be given permission to summarize.

THE CHAIR:

Please proceed.

SEN. CRISCO:

Very simply, Madam President, this is to correct a typographic error in previous legislation and I find that this proposal just be strictly technical.

THE CHAIR:

The question is on adoption of the amendment. Will you remark further? Will you remark? If not, I'll try your minds. All those in favor indicate by

saying "aye".

ASSEMBLY:

Aye.

THE CHAIR:

Opposed, "nay". Ayes have it. Motion carries.

Will you remark further on the bill as amended?

Senator Kissel.

SEN. KISSEL:

Thank you very much, Madam President. I'd ask the Clerk to please call LC08945.

THE CLERK:

LC08945 which will be designated Senate Amendment  
Schedule "C". It is offered by Senator Kissel of the  
7th District et al.

THE CHAIR:

Senator Kissel.

SEN. KISSEL:

Madam President, I move adoption and ask leave of the Chamber to summarize.

THE CHAIR:

The question is on adoption. Will you remark?

SEN. KISSEL:

What this does is completely reflects the Conference Committee Report. It was in two parts when we came to the end of the last legislative session

having to do with well water and what this would do, one of the sections did not go forward in the last legislative session due to the fact that the underlying bill was changed downstairs in the House and this simply would reflect a bipartisan mutual agreement and again move adoption.

THE CHAIR:

The question is on adoption of Senate Amendment "C". Will you remark further? Will you remark further? If not, I'll try your minds. All those in favor indicate by saying "aye".

ASSEMBLY:

Aye.

THE CHAIR:

Opposed, "nay". Ayes have it. Motion carries. The amendment is adopted. Will you remark further on the bill? Senator Gaffey.

SEN. GAFFEY:

Thank you, Madam President. Madam President, the Clerk is in possession of LC09813. If he would call and I be allowed to summarize.

THE CLERK:

LC09813 which will be designated Senate Amendment Schedule "D". It is offered by Senator Gaffey of the 13th District.

THE CHAIR:

Senator Gaffey.

SEN. GAFFEY:

I move adoption.

THE CHAIR:

The question is on adoption. Please remark.

SEN. GAFFEY:

Yes, Madam President. This amendment will retain the current statutory level of funding for the administration of Project Concern.

THE CHAIR:

The question is on adoption of Senate Amendment "D". Will you remark further? Will you remark further? If not, all those in favor indicate by saying "aye".

ASSEMBLY:

Aye.

THE CHAIR:

Opposed, "nay". Ayes have it. Motion carries. The amendment is adopted. Will you remark further? Senator Harp.

SEN. HARP:

Thank you, Madam President. There is an amendment, LC09822.

THE CLERK:

LC09822 which will be designated Senate Amendment  
Schedule "E". It is offered by Senator Harp of the  
10th District.

THE CHAIR:

Senator Harp.

SEN. HARP:

Thank you, Madam President. This amendment, I  
move the amendment.

THE CHAIR:

The question is on adoption. Will you remark?

SEN. HARP:

Thank you. This amendment reduces to three  
business days from five business days the amount of  
time the person who self refers is confined to a  
hospital for psychiatric disability if he's not  
committed.

I urge your support.

THE CHAIR:

The question is on adoption of Senate Amendment  
"E". Will you remark? Will you remark? If not, all  
those in favor indicate by saying "aye".

ASSEMBLY:

Aye.

THE CHAIR:

Opposed, "nay". Ayes have it. Senate "E" is

adopted. Will you remark further on the bill? Will you remark further? If not -- Senator Penn, do you have an amendment that is ready to be called, Sir.

SEN. PENN:

I ask the Clerk to call LCO9827 and move its adoption.

THE CHAIR:

Let's get it before us.

THE CLERK:

LCO9827 which will be designated Senate Amendment Schedule "F". It is offered by Senator Penn of the 23rd District et al.

THE CHAIR:

Senator Penn, you may now move adoption.

SEN. PENN:

I would like to move its adoption.

THE CHAIR:

The question is on adoption. Please remark.

SEN. PENN:

I ask the reading be waived and permission to summarize. What this does, Madam President, is create and establish a task force to look at the pursuit policy developed within the State of Connecticut and the appointments to be made by leadership and asked by the reporting task force to come back no later than

January 1st of 1998 and submit a report and its findings and recommendations to the Joint Standing Committee of the General Assembly having cognizance over such matters.

THE CHAIR:

The question is on adoption of Senate Amendment "F". Will you remark? Will you remark further?  
Senator Prague.

SEN. PRAGUE:

Thank you, Madam President. Again, Senator Penn, for the legislative record, it's my understanding that some towns based on local conditions have banned all pursuits by officers in their towns.

Is it your intention that the statewide policy will allow municipalities some flexibility in the implementation of the policy in their towns based on local traffic conditions, type of roads, time of day and so forth.

THE CHAIR:

Senator Penn.

SEN. PENN:

Thank you, Madam President. There's a lot I could say about the development of the prior bill than what the task force would do, but it would be up to the task force based upon its recommendations.

My prior statements held on the prior bill, but that would be up to the task force now to come back with those recommendations and hopefully that it stays within those parameters.

THE CHAIR:

Senator Prague.

SEN. PRAGUE:

Thank you, Madam President. Clearly the task force is going to develop a uniform statewide policy. It must be absolutely stated for the record that the municipalities must have some flexibility in the implementation of the policy in their towns based on local traffic conditions, type of roads, time of day and so forth.

What a statewide policy must include the local issues. Currently there are some municipalities that have banned these pursuits altogether and I think this is an important consideration that this task force must abide by.

THE CHAIR:

Thank you, Senator Prague.

SEN. PRAGUE:

Thank you.

THE CHAIR:

Will you remark further on Senate Amendment "F"?

Senator Sullivan.

SEN. SULLIVAN:

Thank you, Madam President. Again, just to be clear for the record what this does, there is action that has already been taken by the Senate and House to establish the task force that this amendment changes the composition of and the language that causes the development of a uniform procedure should be understood as in the nature of all task force reports, a recommendation and a proposal since task forces clearly do not have the ability to take action, but only to bring recommendations forward for the Legislature and the administration.

THE CHAIR:

Thank you, Senator Sullivan. Will you remark further? Will you remark further? If not, I will try your minds. All those in favor indicate by saying "aye".

ASSEMBLY:

Aye.

THE CHAIR:

Opposed, "nay". Ayes have it. Senate "F" is adopted. Will you remark further on the bill as amended? Senator Looney.

SEN. LOONEY:

Thank you, Madam President. Madam President, the Clerk has an amendment, LCO10166. If the Clerk may please call that amendment.

THE CLERK:

LCO10166 which will be designated Senate Amendment Schedule "G". It is offered by Senator Looney of the 11th District et al.

THE CHAIR:

Senator Looney.

SEN. LOONEY:

Thank you, Madam President. I move adoption of the amendment and waive the reading and ask leave to summarize.

THE CHAIR:

The question is on adoption. Please proceed.

SEN. LOONEY:

Yes, thank you, Madam President. This amendment will exempt policies for state employees or their dependents from the 1.75% of the total net direct subscriber charge which is currently charged for other health plans and the tax under this amendment would not apply to any new or renewal contract or policy entered into with the state on or after July 1, 1997 providing health care coverage to state employees, retirees, their dependents and the tax would also not apply to

subscriber charges received from the federal government to provide coverage for Medicare patients.

THE CHAIR:

The question is on adoption of Senate Amendment "G". Will you remark further? Will you remark further? If not, all those in favor indicate by saying "aye".

ASSEMBLY:

Aye.

THE CHAIR:

Opposed, "nay". Ayes have it. Motion carries. Senate "G" is adopted. Will you remark further on the bill as amended? Senator Crisco.

SEN. CRISCO:

Thank you, Madam President. Madam President, I request that the Clerk call LCO10360.

THE CLERK:

LCO10360 which will be designated Senate Amendment Schedule "H". It is offered by Senator Crisco of the 17th District et al.

THE CHAIR:

Senator Crisco.

SEN. CRISCO:

Thank you, Madam President. Madam President, I move adoption of the amendment, that the reading be

waived and I be given permission to summarize.

THE CHAIR:

The question is on adoption of the amendment.

Will you remark?

SEN. CRISCO:

Yes, Madam President. Madam President, this particular amendment enables the full allocation of pilot dollars in the budget to be distributed to each and every town and would benefit all the towns in the state and it's a corrective one and it's one that we should all support.

THE CHAIR:

The question is on adoption of Senate Amendment "H". Will you remark further? Will you remark further? If not, all those in favor indicate by saying "aye".

ASSEMBLY:

Aye.

THE CHAIR:

Opposed, "nay". Ayes have it. Motion carries. The amendment is adopted. Will you remark further on the bill as amended? Senator Sullivan.

SEN. SULLIVAN:

Thank you, Madam President. I believe the Clerk is in possession of LC010415. I'd ask the Clerk to

call the amendment.

THE CLERK:

LCO10415 which will be designated Senate Amendment Schedule "I". It is offered by Senator Sullivan of the 5th District.

THE CHAIR:

Senator Sullivan.

SEN. SULLIVAN:

Madam President, I move adoption of the amendment and request permission to summarize.

THE CHAIR:

The question is on adoption. Please proceed.

SEN. SULLIVAN:

Thank you, Madam President. As in a prior amendment, this amendment changes the composition of a task force recently adopted by the Legislature this session. It is a task force which will study the needs of the deaf and hearing impaired in the State of Connecticut.

In the original task force there was no representation of the bipartisan leadership of the General Assembly. This will create six leadership appointments.

THE CHAIR:

The question is on adoption of the amendment.

Will you remark further? Will you remark further? If not, all those in favor indicate by saying "aye".

ASSEMBLY:

Aye.

THE CHAIR:

Opposed, "nay". Ayes have it. Motion carries. Senate "I" is adopted. Will you remark further on the bill as amended? Senator Williams.

SEN. WILLIAMS:

Thank you, Madam President. Would the Clerk please call LCO10416.

THE CLERK:

LCO10416 which will be designated Senate Amendment Schedule "J". It is offered by Senator Williams of the 29th District.

THE CHAIR:

Senator Williams.

SEN. WILLIAMS:

Madam President, I move adoption of the amendment and seek leave to summarize.

THE CHAIR:

The question is on adoption. Please proceed.

SEN. WILLIAMS:

Madam President, this addresses a bill which we passed pertaining to salary increases or increases in

equity payments to prosecutors to assistant states attorneys and assistant public defenders. In the bill that we did pass during the regular session, it was HB7000, some of the dollar figures were somewhat open ended. This provides specific dollar figures of \$175,000 for the Division of Criminal Justice for these equity purposes, \$101,000 for the Division of Public Defender Services.

In addition, it affects the sheriff's department and provides a mileage increase from 21 cents to 31 cents.

THE CHAIR:

The question is on adoption of Senate Amendment "J". Will you remark further? Senator Fleming.

SEN. FLEMING:

Thank you, Madam President. Madam President, just a question through you to the proponent.

THE CHAIR:

Please proceed.

SEN. FLEMING:

Thank you, Madam President. Is there money in the budget to pay for these costs? I note that the fiscal note indicates that additional costs cannot be absorbed by the affected state agencies? Through you, Madam President?

THE CHAIR:

Senator Williams.

SEN. WILLIAMS:

Yes, Madam President. As to the salaries, I believe that that's not the case. I believe that the cost pertains specifically to the mileage.

However, I was just speaking with the person who drafted the note at the Office of Fiscal Management and obviously we don't have time for a revised fiscal note but my point to him was that on the exact same bill that was before us during the regular session, under the exact same provision for the increase in mileage, the fiscal note that came back projected a minimal cost and I do have that from the original file copy. So there's a discrepancy there and I am not in agreement with the cost figures that are represented for this, for which I have a fiscal note for the exact same provision in the previous bill during this session where a minimal cost was projected.

THE CHAIR:

Thank you, Sir. Senator Fleming.

SEN. FLEMING:

I would yield to the President Pro Tem.

THE CHAIR:

Senator Sullivan.

SEN. SULLIVAN:

Thank you, Madam President. Thank you, Senator Fleming. Could we stand at ease for a moment, please.

THE CHAIR:

The Chamber will stand at ease.

The Senate please come to order. Senator Williams.

SEN. WILLIAMS:

Madam President, thank you, Madam President. I think I had explained the substance of the amendment.

THE CHAIR:

Senator Fleming.

SEN. FLEMING:

Sounds like a fine idea to me, Madam President.

THE CHAIR:

Thank you, Sir. Will you remark further on the amendment? If not, I'll try your minds. All those in favor indicate by saying "aye".

ASSEMBLY:

Aye.

THE CHAIR:

Opposed, "nay"? Ayes have it. Motion carries. The amendment is adopted. Will you remark further on the bill as amended? Will you remark further? Senator Peters.

SEN. PETERS:

Thank you, Madam President. I would ask the Clerk to call LC08947.

THE CLERK:

LC08947 which will be designated Senate Amendment Schedule "K". It is offered by Senator Peters of the 20th District.

THE CHAIR:

Senator Peters.

SEN. PETERS:

Thank you, Madam President. I move its adoption.

THE CHAIR:

The question is on adoption. Will you remark?

SEN. PETERS:

Thank you, Madam President. What this amendment does is make certain changes to the statute governing assessments of applications at the Connecticut Siting Council.

It changes the basis for assessments to more accurately reflect the workload and frequency of appearance of each applicant.

The bill also eliminates the requirement that applicants that have \$100,000 or more in gross revenue before they are assessed. And I moved it already.

THE CHAIR:

The question is on adoption of Senate Amendment "K". Will you remark further? Will you remark further? If not, I'll try your minds. All those in favor indicate by saying "aye".

ASSEMBLY:

Aye.

THE CHAIR:

Opposed, "nay". Ayes have it. Motion carries. Senate "K" is adopted. Will you remark further on the bill as amended? Senator Crisco.

SEN. CRISCO:

Yes, Madam President. Madam President, may I request a roll call vote on the bill.

THE CHAIR:

I would certainly hope that we would have one, Senator Crisco. Will you remark further on the bill as amended? Will you remark further? If not, would the Clerk please announce a roll call vote. The machine will be opened.

THE CLERK:

An immediate roll call has been ordered in the Senate. Will 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:

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

THE CLERK:

The motion is on passage of Emergency Certified  
SB3004 as amended. Total number voting, 34; necessary  
for passage 18. Those voting "yea", 34; those voting  
"nay", 0. Those absent and not voting, 2.

THE CHAIR:

The bill as amended is passed. Senator Jepsen.

SEN. JEPSEN:

Thank you, Madam President. I move that the  
Chamber stand in recess at this time subject to the  
Call of the Chair. We expect coming back in for one  
more bill sometime between now and 7:00 a.m.

THE CHAIR:

Do we have an objection to that motion? Without  
objection, the Senate will stand in recess subject to  
the Call of the Chair.

On motion of Senator Jepsen of the 27th, the  
Senate at 10:16 p.m. recessed.

H-779

CONNECTICUT  
GEN. ASSEMBLY  
HOUSE

PROCEEDINGS  
1997

VOL. 40

PART 21

VETO SESSION

JUNE 5, JUNE 18,

JULY 21

SPECIAL SESSIONS

7616-7977

House of Representatives

Wednesday, June 25, 1997

Then what we'll do is we'll stand in recess. We're just waiting for the Senate to go back in to do the OPM implementing bill, once that's done that will be the last piece that we need to do. Our guess is around 4:30 just to give you some kind of estimates, because they're calling in amendments that they need to do.

But what we'll do is we'll give fifteen minutes notice, so if people could just be in contact with someone in the building, we will give a fifteen minute announcement before we go back into session. And let's hope the Senate works expeditiously so we can get on with our day. The House will stand at recess.

The House reconvened at 10:45 o'clock p.m.,  
Speaker Ritter in the Chair.

SPEAKER RITTER:

It's always hard waiting for the work of others, but we think that we have a product that we now can finish our special session with. Clerk please call the Emergency Certified Bill SB3004.

CLERK:

Emergency Certified Bill SB3004. AN ACT  
CONCERNING COMPUTERIZED INFORMATION SHARING, THE  
MASHANTUCKET PEQUOT AND MOHEGAN FUND, EARLY RETIREMENT,  
SCHOOL CONSTRUCTION, STATE BUILDINGS, NURSING HOME  
LOANS, EXECUTIVE AND LEGISLATIVE COUNCILS AND

House of Representatives

Wednesday, June 25, 1997

COMMISSIONS, AND APPROPRIATIONS FOR THE FISCAL YEARS  
ENDING JUNE 30, 1997, 1998, AND 1999. Introduced by  
Senator Sullivan and Representative Ritter.

SPEAKER RITTER:

The honorable chair of the Appropriations  
Committee, Representative Dyson.

REP. DYSON: (94th)

Thank you Mr. Speaker. Mr. Speaker move  
acceptance of the Emergency Certified Bill and I move  
it's adoption.

SPEAKER RITTER:

Motion is on acceptance and passage, please  
proceed sir.

REP. DYSON: (94th)

Thank you Mr. Speaker. Mr. Speaker, the Clerk has  
LCO 8943, Senate amendment "A".

SPEAKER RITTER:

Senate amendment "A" is LCO 8943, if you may call  
and Representative Dyson would like to summarize.

CLERK:

LCO 8943, Senate "A" offered by Senator Eads, et  
al.

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

House of Representatives

Wednesday, June 25, 1997

Thank you Mr. Speaker. Mr. Speaker this amendment simply removes the language pertaining to the distribution of funds regarding the nursing homes. And Mr. Speaker, I move the adoption of the amendment.

SPEAKER RITTER:

Questions on adoption, will you remark further sir?

REP. DYSON: (94th)

Yes, thank you Mr. Speaker. Mr. Speaker, this amendment is one in which there's been a lot of discussion around the Chamber pertaining to this amendment and I want to go on record as saying to the members of this Chamber and to the broader public that there was a keen interest on the part of the members of this Chamber to try to rectify a problem they thought existed in terms of distributions of monies as it relates to those who provide this services for our senior citizens who work in the nursing homes.

And I just wanted to go on record as to making that clearly understood by all and that unfortunately we weren't able to work it out but nevertheless a valiant effort was put forward. I move adoption of the amendment.

SPEAKER RITTER:

Thank you sir, will you remark further? If not,

kmr

House of Representatives

Wednesday, June 25, 1997

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

REPRESENTATIVES:

Aye.

SPEAKER RITTER:

Opposed no. Amendment is adopted, will you remark  
further on this bill? Representative Dyson.

REP. DYSON: (94th)

Thank you Mr. Speaker. The Clerk has LCO 7386  
will he please call and I be allowed to summarize?

SPEAKER RITTER:

Clerk has LCO 7386 designated Senate "B" if he may  
call Representative Dyson would like to summarize.

CLERK:

LCO 7386, Senate "B" offered by Senator Sullivan,  
et al.

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Thank you Mr. Speaker. Mr. Speaker, this  
amendment simply strikes out the references made in  
line 1649, strikes out the reference to 10278g and  
inserts in lieu there of 10, it's a technical amendment  
and I move its adoption.

SPEAKER RITTER:

House of Representatives

Wednesday, June 25, 1997

Question on adoption, will you remark further? If  
not I'll try your minds. All in favor signify by  
saying aye.

REPRESENTATIVES:

Aye.

SPEAKER RITTER:

Opposed no. The amendment is adopted.

Representative Dyson.

REP. DYSON: (94th)

Mr. Speaker the Clerk has LCO 8945, will he please  
call and I be allowed to summarize.

SPEAKER RITTER:

Clerk has LCO 8945, previously designated Senate  
"C" if he may call and Representative Dyson would like  
to summarize.

CLERK:

LCO 8945, Senate "C" offered by Senator Bozek, et  
al.

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Thank you Mr. Speaker. Mr. Speaker, this  
amendment simply deals with the issue pertaining to  
spring and well water, and I move its adoption Mr.  
Speaker.

kmr

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House of Representatives

Wednesday, June 25, 1997

SPEAKER RITTER:

Question on adoption, will you remark further? If not I'll try your minds. All in favor signify by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER RITTER:

Opposed no. The amendment is adopted, will you remark further? Representative Dyson.

REP. DYSON: (94th)

Thank you Mr. Speaker. Mr. Speaker, the Clerk has LCO 9813, will he please call and I be allowed to summarize?

SPEAKER RITTER:

Clerk has LCO 9813, previously designated Senate "D" if you may call and Representative Dyson would like to summarize.

CLERK:

LCO 9813, Senate "D" offered by Senator Gaffey, et al.

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Thank you Mr. Speaker. Mr. Speaker, this amendment simply provides money for the Project Concern

kmr

House of Representatives

Wednesday, June 25, 1997

and I move its adoption.

SPEAKER RITTER:

Questions on adoption, will you remark further?

If not I'll try your minds. All in favor signify by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER RITTER:

Opposed no, the amendment is adopted.

Representative Dyson.

REP. DYSON: (94th)

Thank you Mr. Speaker. Mr. Speaker the Clerk has LCO 9822, will he please call and I be allowed to summarize?

SPEAKER RITTER:

Clerk has LCO 9822, previously designated Senate "E" if you may call and Representative Dyson would like to summarize.

CLERK:

LCO 9822, Senate "E" offered by Senator Harp.

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Mr. Speaker, this amendment simply inserts in the usage of three business days, and I move its adoption.

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SPEAKER RITTER:

Questions on adoption, will you remark further?  
If not I'll try your minds. All in favor signify by  
saying aye.

REPRESENTATIVES:

Aye.

SPEAKER RITTER:

Opposed no. The amendment is adopted.  
Representative Dyson.

REP. DYSON: (94th)

Thank you Mr. Speaker. Mr. Speaker the Clerk has LCO 9827, will he please call and I be allowed to summarize?

SPEAKER RITTER:

Clerk has LCO 9827, previously designated Senate amendment "F" if you may call and Representative Dyson would like to summarize.

CLERK:

LCO 9827, Senate "F" offered by Senator Penn, et  
al.

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Thank you Mr. Speaker. Mr. Speaker, this bill turns an issue into a study, and I move its adoption.

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SPEAKER RITTER:

Questions on adoption, will you remark further?  
If not I'll try your minds. All in favor signify by  
saying aye.

REPRESENTATIVES:

Aye.

SPEAKER RITTER:

Opposed no. The amendment is adopted.  
Representative Dyson.

REP. DYSON: (94th)

Thank you Mr. Speaker. Mr. Speaker, the Clerk has LCO 10166, will he please call and I be allowed to summarize?

SPEAKER RITTER:

Clerk does have LCO 10166, previously designated Senate amendment "G" if you may call and Representative Dyson would like to summarize.

CLERK:

LCO 10166, Senate "G" offered by Senator Sullivan,  
et al.

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Thank you Mr. Speaker. Mr. Speaker, this takes the M detail plan--the payment of \$11.00 I mean \$11

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million and changes it into \$9 and provides that a tax shall be employed and that it shall not exceed a particular amount that is to be entered into with the state on or after July 1, 1997.

SPEAKER RITTER:

Will you remark further? Representative Belden.

REP. BELDEN: (113th)

Yes, thank you Mr. Speaker. Mr. Speaker, this has a \$2 million price tag both on the revenue and expenditure side. So it may require the Finance Committee revenue estimates to be readjusted again. So I just mention that for the record.

My esteemed co-chairman of the Finance Committee is not here. So it may very well be that the Finance Committee may have to have a very quick meeting at some point in time before the end of the month, to readopt the revised revenue estimates. Thank you.

SPEAKER RITTER:

I hope they do. Will you remark further? If not I'll try your minds. All those in favor signify by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER RITTER:

Opposed no. The amendment is adopted.

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Representative Dyson.

REP. DYSON: (94th)

Thank you Mr. Speaker. Mr. Speaker, the Clerk has LCO 10360, will he please call and I be allowed to summarize?

SPEAKER RITTER:

Clerk has LCO 10360, if you may call and Representative Dyson would like to summarize.

CLERK:

LCO 10360, Senate "H" offered by Senator Sullivan, et al.

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Thank you Mr. Speaker. Mr. Speaker, this amendment simply provides for the distribution of funds that we provided in the budget on a proportional basis. I move its adoption.

SPEAKER RITTER:

Question on adoption, will you remark further? If not I'll try your minds. All in favor signify by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER RITTER:

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Opposed no, the amendment is adopted.

Representative Dyson.

REP. DYSON: (94th)

Mr. Speaker, the Clerk has LCO 10415, will he please call and I be allowed to summarize?

SPEAKER RITTER:

Clerk has LCO 10415, if you may call and Representative Dyson would like to summarize.

CLERK:

LCO 10415, Senate "I" offered by Senator Sullivan, et al.

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Thank you Mr. Speaker. Mr. Speaker, this bill simply provides for the appointment of members to a task force, I move its adoption.

SPEAKER RITTER:

Questions on adoption, will you remark further?  
If not I'll try your minds. All in favor signify by  
saying aye.

REPRESENTATIVES:

Aye.

SPEAKER RITTER:

Opposed no. The amendment is adopted.

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Representative Dyson.

REP. DYSON: (94th)

Mr. Speaker, the amendments I think are there, and the bill is before us as amended and I move the passage of the bill.

SPEAKER RITTER:

The Chamber will stand at ease for one moment please. Representative Dyson.

REP. DYSON: (94th)

Mr. Speaker, the Clerk has LCO 10416, may he please call and I be allowed to summarize?

SPEAKER RITTER:

The Clerk has LCO 10416 if you may call and Representative Dyson would like to summarize.

CLERK:

LCO 10416, Senate "J" offered by Senator Williams.

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Thank you Mr. Speaker. Mr. Speaker, this amendment deals with the school provisions that this Chamber passed before and it also deals with the division of public defenders and the criminal justice prosecutors. And I move the adoption.

SPEAKER RITTER:

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Question on adoption, will you remark further? If not I'll try your minds, all in favor signify by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER RITTER:

Opposed no. The amendment is adopted.

Representative Dyson.

REP. DYSON: (94th)

Thank you Mr. Speaker. Mr. Speaker, the Clerk has LCO 8947 will he please call and I be allowed to summarize?

SPEAKER RITTER:

The Clerk has LCO 8947 if you may call Representative Dyson would like to summarize.

CLERK:

LCO 8947, Senate "K" offered by Senator Peters, et al.

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Thank you Mr. Speaker. Mr. Speaker, this amendment allows the citing council to apportion expenses among applicants that come before the citing council. I move its adoption.

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SPEAKER RITTER:

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

REPRESENTATIVES:

Aye.

SPEAKER RITTER:

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

REP. DYSON: (94th)

Mr. Speaker, it's a bill that I think we've worked  
on for long and hard, and I hope the members of the  
Chamber will vote for it.

SPEAKER RITTER:

Thank you sir. Representative Maddox.

REP. MADDOX: (66th)

Thank you Mr. Speaker. Through you question to  
the proponent please.

SPEAKER RITTER:

Please proceed sir.

REP. MADDOX: (66th)

Yes, Mr. Speaker, would the proponent please  
explain the reason for section 35 of the bill beginning  
on line 771.

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Representative Dyson

REP. DYSON: (94th)

I think the question pertains to line 771 and what does that section refer to.

SPEAKER RITTER:

Yes, sir.

REP. DYSON: (94th)

I have been informed that, that section pertains to energy, high energy users and trying to establish priorities as to how it that you're going to deal with the issue of conservation.

SPEAKER RITTER:

Representative Maddox.

REP. MADDOX: (66th)

Thank you Mr. Speaker. Ladies and gentleman of the Chamber, I understand that the hour is late, it's five minutes of eleven, we've been waiting around for six hours. Let me tell you what I believe section 35 does.

It absolutely guts energy conservation in state buildings. This legislature a previous legislature sought to say if we're going to have state buildings we want to be energy conservation minded. And in fact what we specifically wrote into that is that there shall be a standard for energy conservation.

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And for some reason, unbeknownst to me and many members of this General Assembly section 35 appears in this ominous bill implementing many parts of the budget. To my knowledge, this never had a public hearing, it never came before the Environment Committee for which I am a member of. It never came before any committee.

And what it simply does is it absolutely guts the state's efforts to have energy efficient buildings. And for that reason Mr. Speaker, the Clerk has an amendment LCO 10162, I would ask that he call and please read, since it's short.

SPEAKER RITTER:

Clerk has LCO 10162, to be designated House "A" if he may call it, we don't have the amendment sir. The Chamber can stand at ease for a moment. The Clerk now has LCO 10162, if he may call it an Representative Maddox would like to summarize, read.

CLERK:

LCO 10162, House "A" offered by Representative Maddox.

SPEAKER RITTER:

Representative Maddox.

REP. MADDOX: (66th)

Yes, Mr. Speaker, if he would please read since

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it's short.

SPEAKER RITTER:

He'll be happy to read it, I think.

CLERK:

Strike out section 35 in its entirety and renumber the remaining sections and internal references accordingly.

SPEAKER RITTER:

Representative Maddox.

REP. MADDOX: (66th)

Thank you Mr. Speaker. I'd move adoption.

SPEAKER RITTER:

Motion is on adoption.

REP. MADDOX: (66th)

If I may remark Mr. Speaker.

SPEAKER RITTER:

You may remark.

REP. MADDOX: (66th)

Thank you Mr. Speaker. Ladies and gentlemen, as we meet here this evening the United Nations is currently conducting a conference on environmental awareness worldwide. And last evening on the evening news a statistic came out that I found extremely interesting. The United States of America represents 4% of the world's population, yet it consumes 25% of

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the world's resources and produces 25% of the world's pollution.

The underlying statute which just seeks to change, would have provided for efficiency usage beginning in 1995 and upgrading to the year 2000, in square footage for state buildings. For some reason, somebody, somewheres--and I'm not sure who--decides that we should basically allow the administration or certain individuals in the administration to determine what they ought to be and I think that, that is absolutely non-acceptable to myself and I would hope to this body.

For that reason Mr. Speaker, I strongly encourage adoption of the amendment I propose. Thank you.

SPEAKER RITTER:

Thank you sir. Representative Dyson.

REP. DYSON: (94th)

Thank you Mr. Speaker. Mr. Speaker, I think I can understand what Representative Maddox is feeling, however, I think there are a few constraints that we have to deal with here. And that is one just in terms of process. It is our intention to try and vote this bill out of here so that we can complete our business.

Two, I don't have a problem with the administration trying to set some standards as to how it is that they intend to go about the business of

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trying to conserve energy in dealing with the big energy consumption users. I think it's a question of providing them, given them the benefit of the doubt. I think I'm prepared to do that, I think the members of the Chamber are prepared to do that.

And Mr. Speaker, I would hope that we would do that and it would manifest itself by an affirmative vote on this bill as amended and voting against the amendment offered by Representative Maddox.

SPEAKER RITTER:

Thank you sir. Representative Backer.

REP. BACKER: (121st)

Thank you Mr. Speaker. I don't often find myself in opposition to Representative Dyson's observations, however, I do so tonight. I think Representative Maddox had an astute observation, we've gone through great pains to establish energy conservation and guidelines in this state.

I think Representative Maddox has nailed it right on the head. We went through a large effort this year on electrical deregulation to reduce cost of electricity. And I remind you that the cheapest electricity is that, that you never use. And conservation on energy is probably one of the single most important contributions that we can do and I urge

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support of Representative Maddox's amendment thank you.

SPEAKER RITTER:

Representative O'Rourke.

REP. O'ROURKE: 32nd)

Thank you Mr. Speaker. I too rise in support of this amendment. I'll be brief, ladies and gentlemen, the hour is late, but I think this is a true last minute late session, special session spit ball, so to speak. That has never seen a public hearing this year, I've never seen it in legislation before this Chamber before.

I think the state Senate has kept us here long enough and I think we should pass this amendment and send it back up to them so they can do some work later this evening. Thank you Mr. Speaker.

SPEAKER RITTER:

Will you remark further? Representative Ward.

REP. WARD: (86th)

Mr. Speaker, I rise to oppose the amendment. I think the bill before us, I'm sure anybody in any part of a budget can find a piece or two that they would have written differently. This completes our budget process in concurrence with the Senate and I would urge rejection of the amendment.

Frankly as I look to the substance of it, I

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regretfully disagree with my assistant leader, I think the Governor can instruct the agencies to turn the light switches off when they need to and operate in an energy efficient manner with our without this particular language or others. And we'd be better off with the bill in concurrence with the Senate. I urge rejection of the amendment.

SPEAKER RITTER:

Thank you sir, anybody else? Representative Mushinsky.

REP. MUSHINSKY: (85th)

Thank you Mr. Speaker. I rise to support the amendment. This measure did have no public hearing it's an end run around the Energy and Environment Committees. It's anti-environment. If OPM has a problem with the energy conservation goals they should come to the legislature to the two committee of jurisdiction and request a change in the numbers.

Not simply delete the goals. The recycled content paper users came in and testified that they needed a change in the numbers and we gave it to them. And there's no reason why OPM cannot do that. Ironically on Friday some of us will be attending a workshop on energy conservation among small businesses hosted by the state of Connecticut.

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While tonight we are hypocritically exempting ourselves from energy conservation standards. There are still many reasons to do energy conservation among state buildings. One of them maybe the blackouts that we will face this summer, when the nuclear plants fail to come back on line.

So conservation must not be dropped, this is an important amendment and I would ask a roll call vote on this amendment.

SPEAKER RITTER:

All in favor of a roll call signify by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER RITTER:

There will not be a roll call, will you remark further? Will you remark further? Representative Samowitz.

REP. SAMOWITZ: (129th)

Thank you Mr. Speaker. I rise to oppose this amendment. I think that those who really care about energy the best thing we can do is turn the lights off here and go home and be in concurrence with the Senate.

SPEAKER RITTER:

Representative Bysiewicz.

REP. BYSIEWICZ: (100th)

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Thank you Mr. Speaker. Mr. Speaker, I would urge rejection of the amendment. This concept was before the Government Administration and Elections Committee, the Department of Public Works wanted to make the law with respect to energy goals more meaningful. And I think this does that so I would urge rejection of the amendment.

SPEAKER RITTER:

Thank you Madam, will you remark further?

Representative Maddox.

REP. MADDOX: (66th)

Thank you Mr. Speaker. I understand when there is an express train coming through the General Assembly, I've been here for 11 years. And I actually feel extremely concerned that I know it's about 11:00 o'clock at night and people want to go home, and I understand that, I've been wanting to go home since 3:00 o'clock this afternoon.

But I hope the people of the General Assembly exactly what this amendment will do. It absolutely will gut energy efficiency in state buildings. We occupy hundreds of thousands of square feet throughout the state of Connecticut. And then we're going to turn around to business and say: do as I say, not as I do.

What's good for the goose is good for the gander.

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It's just remarkable to me Mr. Speaker and ladies and gentlemen of the General Assembly that this section is snuck at the eleventh hour on a bill that's supposed to implement the budget.

The real long term savings of the underlying policy that a past General Assembly developed is potential savings of millions of dollars. This potential change is basically going to allow people to abandon energy conservation as we know it and proceed down the road of past business as usual, not worrying about it.

And I have a real concern for that Mr. Speaker. I have concern for that and I have a concern for the process that we are adopting this evening. Thank you.

SPEAKER RITTER:

Thank you sir, will you remark further? If not, I'll try your minds. All in favor signify by saying  
aye.

REPRESENTATIVES:

Aye.

SPEAKER RITTER:

All opposed no.

REPRESENTATIVES:

No.

SPEAKER RITTER:

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The amendment fails, will you remark further on this bill as amended, if not staff and Representative Cleary.

REP. CLEARY: (80th)

A question through you to Representative Dyson.

SPEAKER RITTER:

Please proceed sir.

REP. CLEARY: (80th)

Through you Mr. Speaker to Representative Dyson, sections 39 through 42 of the bill. I believe sets up a \$4 million appropriation, is that correct through you Mr. Speaker?

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Through you Mr. Speaker, would Mr. Cleary pose that question again?

REP. CLEARY: (80th)

Section 39 through 42, I believe spends or sets up the appropriation and spends \$4 million, through you Mr. Speaker.

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

I tend to agree with your comment, I think you

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said something about \$4 million or something? There are \$4 million in the bill, that I think pertains to a subject which we have discussed before, which I think is a little bit separate from this in some respects. But essentially is the same issue.

SPEAKER RITTER:

Representative Cleary.

REP. CLEARY: (80th)

Through you Mr. Speaker, is the \$4 million being spent in this bill in the budget that we passed?

Through you Mr. Speaker.

REP. DYSON: (94th)

Through you Mr. Speaker, there are \$4 million that are being paid, yes. And I think the subject you're making comments pertaining to, are correct, yes there are \$4 million in here to be paid toward deficient loan to a nursing home.

REP. CLEARY: (80th)

Through you Mr. Speaker, do we know how many nursing homes that \$4 million is being paid to?

REP. DYSON: (94th)

Through you Mr. Speaker, no I don't.

REP. CLEARY: (80th)

Through you Mr. Speaker, do you expect this to be an annual appropriation?

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REP. DYSON: (94th)

Through you Mr. Speaker, it could be.

REP. CLEARY: (80th)

Through you Mr. Speaker, is the system broken?

REP. DYSON: (94th)

Through you Mr. Speaker, the system is very crippled.

SPEAKER RITTER:

Would you remark further?

REP. CLEARY: (80th)

Through you Mr. Speaker, does the need for this money for deficiency CHFA loans have any relationship to the last seven years of cuts in rates?

REP. DYSON: (94th)

Through you Mr. Speaker, there could be an association drawn between the two, yes.

REP. CLEARY: (80th)

Thank you Representative Dyson for the information. I do think it is a very slippery slope in this section of the bill by creating a deficiency loan fund. To the best of my knowledge there are a few hundred million dollars, several hundred million dollars in CHFA bonds as we continue to ratchet down over the last seven years, including some sections of this bill which ratchet the system down by another \$100

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million give or take in nursing home rates. Then we are going to jeopardize the financial viability of the industry as well as jeopardize the bonds that my understanding have the full faith and credit of the state of Connecticut behind.

I understand the emergency in these homes as they currently exist. Hopefully this will be a very temporary loan, and that those facilities who currently have a receiver will be able to be sold and CHFA bond holders will be able to be paid back. But I think we need to be aware that every time we cut the rates, we do impact the viability of the entire system.

And I think hopefully we'll maybe be able to find some money on the mid-term adjustments to be able to give some rate relief to the nursing home industry. Thank you Mr. Speaker.

SPEAKER RITTER:

Will you remark further? Representative Dyson.

REP. DYSON: (94th)

Mr. Speaker, Representative Cleary has raised a very interesting point. And I would like to bring to the attention of the Chamber for those who are not fully aware. That based upon discussions that have taken place in the last two or three weeks and discussion that took place before that, if one does not

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recognize that we need to do something about looking at how we finance and support nursing homes and consequently the people who depend upon them for their services, we do a disservice in the long run.

Because we are going to continue to have problems with the nursing homes as it relates to sufficient resources to allow them to operate and function and to provide the kind of care we expect them to provide.

We need to be looking at how we do that. And to the degree that we don't we're asking for a catastrophe in the future. So I think everybody needs to be put on notice that everything is not necessarily a bunch of roses as it relates to how we fund and support nursing homes. Thank you.

SPEAKER RITTER:

Will you remark further? Representative Mattiello.

REP. MATTIELLO: (65th)

Mr. Speaker, thank you. Mr. Speaker, I've read the bill. Being in my 5th year I'm certainly familiar with nature of the bill that's before us and I will take its provisions with a grain of salt and accept them.

But I think we all have things we like and dislike in this bill. But Mr. Speaker, there comes a point

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when too much is taken for granted and I have some concerns with the provisions in here. And I'm reminded that leadership is first and foremost about responsibilities and not about privileges. With that Mr. Speaker, I have a couple of questions through you to the proponent. Two sections that I find unsettling and as I said objectionable.

The first is section 20. Through you Mr. Speaker, I understand that section 20, if you can confirm if my understanding is correct, this section waives the requirement to have a magnet school proposal approved by the local legislative bodies, through you Mr. Speaker, is that correct?

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Through you Mr. Speaker, I would concur with the comments made by Representative Mattiello.

SPEAKER RITTER:

Representative Mattiello.

REP. MATTIELLO: (65th)

Yes, thank you Mr. Speaker, having served on the Education Committee I'm not familiar with any correspondence or any concerns that were brought to my attention verbally that the process we have in place is

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unreasonable? Has something that has come to the attention of the Appropriations Committee? Through you Mr. Speaker, that is viewed otherwise.

REP. DYSON: (94th)

Through you Mr. Speaker, would Representative Mattiello repeat the question please?

REP. MATTIELLO: (65th)

Thank you, having served on the education Committee I'm not familiar with any concerns that have been brought to my attention written or verbally with the process that we've put in place for the approval of magnet schools. I'm curious if there's been, either there's a unique concern for this particular magnet school or the policy has been questioned and viewed unreasonable and that has been brought to the attention of the Appropriations Committee is that true? Through you Mr. Speaker.

REP. DYSON: (94th)

Through you Mr. Speaker, it has now been brought to our attention by virtue of it being here prior to that, it had not been brought to our attention. But that does not mean that the problem did not exist before hand.

SPEAKER RITTER:

Representative Mattiello.

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REP. MATTIELLO: (65th)

Thank you Mr. Speaker. And that concern has general application or is it a concern that is unique to this particular magnet school? Through you Mr. Speaker.

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Through you Mr. Speaker my understanding is that it's unique to this particular situation.

REP. MATTIELLO: (65th)

Okay, and Mr. Speaker, may I have the rationale or the circumstances that make it unique? Through you Mr. Speaker.

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Through you Mr. Speaker, the information that I have gotten is that before these towns can access the bond funds, the assumption is that they would have to go back again which would cause a delay so this would negate, a short cut of that delay, that they would have to do this again.

SPEAKER RITTER:

Representative Mattiello.

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REP. MATTIELLO: (65th)

Thank you, it may be a short cut with some additional costs associated with it. I do have, certainly we have included legislative local bodies because it's broad public policy that we're making. In fact in a number of residents in the towns, and certainly there's a potential fiscal impact, I think it's very important, and not just boards making decisions about magnet schools.

That it is keeping with the integrity of the process we've put in place, we ought to, I believe this is a mistake and I want to go on record saying that. It's like having the Education Committee send it's bills directly to the Governor and bypassing the General Assembly, I do have a problem with that.

Second, Mr. Speaker, section 46. And I'm wondering through you. First of all, let me see if I have a correct understanding of this. This is taking \$150,000 from the inter-district cooperative grant program and reserving it, restricting it for a particular purpose. That purpose is an inter-district abuse, neglect, domestic violence, education program for children five to twelve. Is that correct? Through you Mr. Speaker.

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Representative Dyson.

REP. DYSON: (94th)

Through you Mr. Speaker, that is correct.

REP. MATTIELLO: (65th)

And through you Mr. Speaker, do the proponents of this particular provision have a particular program in mind? Is this specific to a particular community or a program? Through you Mr. Speaker.

REP. DYSON: (94th)

Through you Mr. Speaker, yes.

REP. MATTIELLO: (65th)

Can you share, for the edification of the Chamber, can you share which particular program that is?

REP. DYSON: (94th)

Through you Mr. Speaker, the particular programs in mind here, I think, are in the town of Plymouth, Bristol and I can't remember the other.

SPEAKER RITTER:

Representative Mattiello.

REP. MATTIELLO: (65th)

Mr. Speaker, I'm familiar with the inter-district cooperative grant program. By its design it is for ideas to come from the ground up. That districts are to generate the ideas on where dollars are to be spent, not by statute or by restricting. And I think this is

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a mistake in terms of direction. I'm wondering if through you Mr. Speaker if I can gain some insight as to who has been behind this, why are we departing from the design of the inter-district cooperative grant program by keeping it flexible, by encouraging people to come forward with their own ideas and now moving to having statutes dictate where the dollars go, through you Mr. Speaker.

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

Through you Mr. Speaker. My understanding has been, is that other programs similar to this exist. There was viewed an opportunity that there were limited resources available to provide for the particular locations for these programs to be taking place and the opportunity was taken advantage of.

In other words, the sum, the dollars were seen, the request was made and permission granted in terms of this being here to provide for that particular program.

REP. MATTIELLO: (65th)

Mr. Speaker, through you.

SPEAKER RITTER:

Representative Mattiello.

REP. MATTIELLO: (65th)

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One more question then, I'm curious as to why, I'm curious as to why this particular program viewed itself at a disadvantage or that they would be unsuccessful in going through the normal process. Nothing that I understand would prevent them from applying and being in the competitive process along with all the other ideas and applicants that are tapping these particular dollars.

Through you Mr. Speaker, is there something unique about this particular program that placed it at a disadvantage? Through you.

REP. DYSON: (94th)

Through you Mr. Speaker. I don't know if it would have been placed at a particular disadvantage, that is a question that I am not able to answer. But I do recognize, as I said before, and I repeat, an opportunity to provide something for a program to assist youngsters in the, was seen and an opportunity was taken.

Whether or not they would have been able to survive the normal applicatory process I don't know. I would suspect it probably could. But in this instance I'm not sure we were thinking in that vein. So there was a request made to provide assistance for youngsters and it was granted.

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REP. MATTIELLO: (65th)

Mr. Speaker, I will conclude. I just really needed to go on record saying that the direction set by these two sections is harmful and wrong. I'm disappointed Mr. Speaker, I'll tell you that this public process produces more public good, public benefit than I think most people are willing to acknowledge and give credit. But we do fail from time to time, Mr. Speaker. Thank you for the Chamber's time.

REP. DYSON: (94th)

Mr. Speaker.

SPEAKER RITTER:

Representative Dyson.

REP. DYSON: (94th)

If I might. I find my self concurring often with individuals who rise to raise questions about things that may appear on the floor of this Chamber. I would suggest that I agree with Representative Mattiello's comments about process. And to the degree that we may not necessarily be following process that, that his is familiar with, and all of us are familiar with.

I can take note of the fact that we are in a special session, and what may normally apply in a regular session, may not necessarily follow true form

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in a special session, this may be one of those examples, because I think the bill that you have before you is one of those bills that's an implementation for the budget, but one could probably raise some questions about some of the things that are here.

So I concur and agree with what you said, what you've said, but I think we are in a special session which allows us some liberty to be able to bend that just a little. And I think, the hope is, that we're not necessarily doing damage in the process as we do. So your point is well taken and I agree with you.

SPEAKER RITTER:

Thank you sir, will you remark further? If not, Representative Green.

REP. GREEN: (1st)

Thank you Mr. Speaker. Mr. Speaker, one question to the proponent of the bill.

SPEAKER RITTER:

Please proceed sir.

REP. GREEN: (1st)

Again, on section 20 as Representative Mattiello was talking and brought to my attention, the Hartford and East of the river magnet school. It states here that none of the boards of educations participating in the program. Can you tell me what relationship the

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board of trustees in Hartford would have because I'm not sure that they're classified as a board of education in Hartford.

REP. DYSON: (94th)

Through you Mr. Speaker. My assumption would be, that because the board of trustees now serve the role as the board of education in the city of Hartford, that I would assume the relationship would be the same.

REP. GREEN: (1st)

Thank you Mr. Speaker.

SPEAKER RITTER:

Thank you. Will you remark further? Will you remark further? If not, staff and guests come to the well of the House, the machine will be open.

CLERK:

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

SPEAKER RITTER:

Have all the members voted? Please check the roll call machine to make sure your vote is properly cast. If it has the machine will be locked. Clerk please take the tally. Clerk please announce the tally.

CLERK:

Emergency Certified Bill SB3004 as amended by

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Senate amendment schedules "A", "B", "C", "D", "E",  
"F", "G", "H", "I", "J", and "K."

Total Number Voting	113
Necessary for Passage	57
Those voting Yea	96
Those voting Nay	17
Those absent and not voting	38

SPEAKER RITTER:

Bill as amended passes. At this time the Chair would ask for points of personal privilege or announcements? Are there any? We'll find out in a second when they get off the phone with each other. Representative Fritz.

REP. FRITZ: (90th)

Thank you Mr. Speaker. I have a very lengthy list of people for transcript notations who have missed votes today. But for a journal notation I have the following: Ann McDonald, because of illness; Representative Jarmoc, because of family illness, Carter, illness; and McCavanagh because of family funeral. The rest I will give to the Clerk for notation in the journal.

SPEAKER RITTER:

I'm sorry did you mention Representative McCavanagh too? Okay. Representative Collins.