

Legislative History for Connecticut Act

HB 7263 PA 378 1989

House 3561-3562, 7535-7541, (19)
13861-13870

Senate 3582-3584, 3622, 4607-4609 (7)

Labor and Public Employees 644, 646 (2)

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CONNECTICUT
GEN. ASSEMBLY
HOUSE

PROCEEDINGS
1989

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3503-3878

abs

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House of Representatives

Tuesday, April 18, 1989

The House of Representatives is voting by roll.

Members return to the Chamber. The House is taking a roll call vote. Members to the Chamber, please.

SPEAKER BALDUCCI:

Have all the members voted? Have all the members voted and is their vote properly recorded? If so, the machine will be locked. The Clerk please take a tally.

The Clerk please announce the tally.

CLERK:

Motion to Reject HB5681.

Total number voting 145

Necessary for rejection 73

Those voting yea 114

Those voting nay 30

Those absent and not voting 6

SPEAKER BALDUCCI:

The motion to overturn is passed.

CLERK:

Page 4, Calendar 231, Substitute for HB7263, AN ACT
CONCERNING PROTECTION OF CERTAIN PUBLIC EMPLOYEES.

Favorable Report of the Committee on Labor and Public
Employees.

REP. FRANKEL: (121st)

Mr. Speaker.

SPEAKER BALDUCCI:

abs

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House of Representatives

Tuesday, April 18, 1989

Representative Frankel.

REP. FRANKEL: (121st)

May this item be referred to the Committee on the
Judiciary.

SPEAKER BALDUCCI:

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

CLERK:

Page 13, Calendar 308, Substitute for SB549, AN ACT
PROHIBITING REIMBURSEMENT BY EMPLOYEES FOR CERTAIN
LOSSES. Favorable Report of the Committee on Labor and
Public Employees.

REP. ADAMO: (116th)

Mr. Speaker.

SPEAKER BALDUCCI:

Representative Adamo.

REP. ADAMO: (116th)

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

SPEAKER BALDUCCI:

The question is on passage. Will you remark?

REP. ADAMO: (116th)

Yes, Mr. Speaker. The bill is a very simple bill.

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GEN. ASSEMBLY
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House of Representatives

Thursday, May 18, 1989

It is also my pleasure today to introduce a gentleman who has come all the way from Santiago, Chile, making his first visit to the United States and has come to watch us deliberate this afternoon. He is to the left of the dais, and his name is Guerillmo Orsis, and he is joined by two lovely escorts, Peggy Laishach from the Aetna Life and Casualty Company, and my wife, Debbie Palermino. And if the Chamber would stand and give them a warm welcome, I would be appreciative.

APPLAUSE

SPEAKER BALDUCCI:

Are there any other announcements or points?
If not, we will return to the Call of the Calendar.

CLERK:

Calendar 231, on page 15, Substitute HB7263. AN
ACT CONCERNING PROTECTION OF CERTAIN PUBLIC EMPLOYEES.

Favorable Report of the Committee on
APPROPRIATIONS.

SPEAKER BALDUCCI:

Representative Adamo of the 116th.

REP. ADAMO: (116th)

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

abs

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Thursday, May 18, 1989

SPEAKER BALDUCCI:

The question is on passage. Will you remark?

REP. ADAMO: (116th)

Yes, Mr. Speaker. Mr. Speaker, this is a bill that was worked out through the three principle components, that being the Council of Governments, the Council of Small Governments, and CCM and an AFSCME Council for the AFL-CIO. There was a need to make come changes in this particular statute, regarding indemnification, and they have gone forward with this particular piece of legislation.

Let me just briefly indicate to the body exactly what the bill does, Mr. Speaker. Mr. Speaker, first it extends the current indemnification protections to part-time employees. Two, it protects all the municipal officers, employees from personal liability for ultravires acts done without being malicious, wanton and wilful. And, three, it expands the definition of a municipality to provide greater personal protection for the municipal officers and the employees.

And I would urge passage of the bill, Mr. Speaker.

SPEAKER BALDUCCI:

Will you remark further on the bill?

Representative Radcliffe of the 123rd.

abs

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House of Representatives

Thursday, May 18, 1989

REP. RADCLIFFE: (123rd)

Thank you. Mr. Speaker, if I may, through you, to the proponent of the bill. I understand what the bill does, and certainly I think all of us are in sympathy with that. However, I have one question concerning the existing language and the way that it would apply if this bill were adopted. Through you, Mr. Speaker, on lines 24 and 25, we speak of any claim, demand or suit. And then later on, on line 32, we speak about indemnification for a judgement entered in a court of law.

Through you, Mr. Speaker, is there any reason for the difference in language in those two lines, setting aside a judgement in a court of law as distinct from, say, a ruling by an Administrative Tribunal, the Freedom of Information Commission, the Stat Labor Board, etc? Through you, Mr. Speaker?

SPEAKER BALDUCCI:

Representative Adamo.

REP. ADAMO: (116th)

Through you, Mr. Speaker, I frankly can't answer that. That is something that we did not deal with in the changing of the law. Both of those particular references are existing statute, and how they came about, I am not sure of, sir.

abs

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Thursday, May 18, 1989

REP. RADCLIFFE: (123rd)

They are? Through you, Mr. Speaker, I just wonder if the proponent of the bill can tell me why, in terms of defending the action, we must defend an action, or the municipality is required to defend any claim or demand. That would presumably include an administrative proceeding before the Labor Board, a Freedom of Information complaint, something to that effect, where they would have to defend.

However, the indemnification of the employee is only out of a judgement in a court of law. I mean, what is the reason for not indemnifying for an administrative proceeding? Through you, Mr. Speaker?

REP. ADAMO: (116th)

Mr. Speaker?

SPEAKER BALDUCCI:

Representative Adamo.

REP. ADAMO: (116th)

Mr. Speaker, I can't respond to that. I have no idea.

REP. RADCLIFFE: (123rd)

Mr. Speaker, I certainly wouldn't oppose the bill and don't. It is a very valuable piece of legislation, particularly for part-time employees, for volunteers in our municipalities who had previously not been covered

abs

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House of Representatives

Thursday, May 18, 1989

because they were not full-time employees. But I would only suggest that in many instances today, particularly with municipal law evolving in the administrative procedure area, such actions tend to take on greater importance. And I would hope that something of this nature would be corrected at a later time. Thank you.

SPEAKER BALDUCCI:

Will you remark further on the bill?

Representative Farr of the 19th.

REP. FARR: (19th)

Yes. Through you, Mr. Speaker, a question to Representative Adamo.

SPEAKER BALDUCCI:

Please proceed, Representative Farr.

REP. FARR: (19th)

Representative Adamo, in line 23 where it currently says a municipal employee, from financial loss and expenses including legal fees and costs-- My understanding of the intent of this language is that it is supposed to be the defense cost. Is that correct in that language there? What we are talking about is reimbursing an employee for the defense costs, if it's alleged that the action is outside of the scope of employment?

SPEAKER BALDUCCI:

abs

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House of Representatives

Thursday, May 18, 1989

Representative Adamo.

REP. ADAMO: (116th)

Through you, Mr. Speaker, my understanding of the statute, and again, that is existing language and not something we just changed. It is my understanding that it takes care of all and any financial losses that might be incurred by the employee, including for example, any judgement that came from a suit, the costs of being, the legal fees of going to court and handling the case as well.

REP. FARR: (19th)

Thank you.

SPEAKER BALDUCCI:

Will you remark further on the bill? Will you remark? If not, staff and guests, to the Well.

Members, please be seated. The machine will be opened.

CLERK:

The House of Representatives is now voting by roll.

Members, please report to the Chamber. The House is voting by roll call. Members, to the Chamber please.

SPEAKER BALDUCCI:

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

CLERK:

abs

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House of Representatives

Thursday, May 18, 1989

HB7263:

Total Number Voting	144
Necessary for Passage	73
Those Voting Yea	144
Those Voting Nay	0
Those absent and not Voting	7

SPEAKER BALDUCCI:

The bill is passed.

CLERK:

Page 3, Calendar 451, SB534. AN ACT CONCERNING
THE UTILIZATION OF RAILROAD RIGHTS-OF-WAY AND
ABANDONED RAILROAD SPURS FOR COMMUNITY DEVELOPMENT.
Favorable Report of the Committee on
TRANSPORTATION.

House designated House "A" on May 17th.

REP. LYONS: (146th)

Mr. Speaker?

SPEAKER BALDUCCI:

Representative Lyons of the 146th.

REP. LYONS: (146th)

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

SPEAKER BALDUCCI:

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GEN. ASSEMBLY
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House of Representatives

Wednesday, June 7, 1989

HB7302 as amended by House Amendments "A",
"B", and "C" and Senate "A" in concurrence.

Total number voting	107
Necessary for passage	54
Those voting yea	107
Those voting nay	0
Those absent and not voting	44

SPEAKER BALDUCCI:

The bill as amended is passed.

CLERK:

Calendar 231, Page 5, Substitute for HB7263, AN ACT
CONCERNING PROTECTION OF CERTAIN PUBLIC EMPLOYEES, as
amended by Senate "A". Favorable Report of the
Committee on Appropriations.

REP. ADAMO: (116th)

Mr. Speaker.

SPEAKER BALDUCCI:

Representative Adamo of the 116th.

REP. ADAMO: (116th)

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

SPEAKER BALDUCCI:

The question is on passage. Will you remark?

REP. ADAMO: (116th)

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Wednesday, June 7, 1989

Yes, Mr. Speaker. This bill was voted by this House some time ago. I think it almost had a unanimous vote. The Senate in its wisdom or otherwise, has adopted an amendment, Senate "A", LCO7537. Will the Clerk please call and read.

SPEAKER BALDUCCI:

The Clerk please call LCO7537 previously designated Senate "A".

CLERK:

LCO7537, Senate "A" offered by Senator Maloney.

SPEAKER BALDUCCI:

The question is on summarization. Representative Adamo.

REP. ADAMO: (116th)

Mr. Speaker, this amendment, I would move rejection of the amendment, Mr.

SPEAKER BALDUCCI:

The question is on rejection of Senate "A". Will you remark? Will you remark? If not, all those in favor -- Representative O'Neill of the 69th.

REP. O'NEILL: (69th)

Yes, Mr, Speaker. This amendment is a piece that I would oppose rejection of the Senate "A". This particular amendment which was put on in the Senate was parallel to an amendment that I would have added to the

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bill here in the House if we had not moved quite so quickly on the Calendar.

The context this arises in is that in the particular communities that I represent, members of the Planning and Zoning Commission had their houses attached by a developer who was suing them, claiming that they had somehow conspired to deprive him of his civil rights because they denied a plan of development that he applied for.

And what he then did, he went to a judge of the superior court and obtained an attachment on all of their houses. Now, a number of these individuals were in the process of doing mortgages, or in the process of selling their homes and buying new ones. It took six months for a judge to dissolve the attachments, which were signed into law, or put on the land records, by a judge who simply had an affidavit from the developer.

What the amendment does, Senate "A", is simply to say that you have to have a hearing before a judge can attach a piece of realty owned by a member of a Planning or Zoning or Inland Wetlands, or other land use commission, so at least somebody hears both sides of the case.

The normal purpose for an ex parte attachment, the normal purpose for an ex parte attachment is to secure

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the judgment. The reason for it is, you want to make sure that if you win your lawsuit, you're going to be in a position of collecting your money damages. When we're suing people in their official capacities as public officials, it is almost invariable that they are being sued along with the city. These are people of substantial commitment to the community. They are not people who are about to take off and disappear and the need for an ex parte attachment is questionable at best.

But the point is, it has been utilized, at least in one case, with the situation that I described in Bridgewater for harassment purposes as part of a long series of lawsuits by one developer against the town and every public official within that town. And the idea here is to not discourage people from being volunteer members of boards and commissions.

This is an extra cost, something that's above and beyond anything that anybody really should be expected to have to endure if they are going to be a volunteer, unpaid member, of a planning commission, zoning commission, inland/wetland commission or other board or commission.

I certainly think that if members of the General Assembly were having their properties attached every

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time they passed a law somebody didn't like and they wanted to invalidate it constitutionally, that this piece of legislation would go on the books very fast. But the volunteers that are members of municipalities and working in municipalities for the benefit of the people in those communities, should not be subjected to this kind of harassment.

So I would urge everybody to reject to vote no on rejecting it and to accept the Senate amendment. We would be in concurrence with the Senate and the bill would pass and I think not delay this piece of legislation which I think the basic legislation is very good. Thank you, Mr. Speaker.

SPEAKER BALDUCCI:

Will you remark further on rejection of Senate "A". Representative Young.

REP. YOUNG: (143rd)

Speaking in favor of the motion to not reject. We're having enough trouble in our towns, getting people to volunteer to work on boards and commissions. The work on the inland/wetlands commission, the work on the planning and zoning boards, the work on the boards of zoning appeals, is getting harder and harder. It's getting more and more contentious, and people on those suits are getting attacked, those boards, are getting

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attacked.

If this amendment will help them, the Senate Amendment will help them to be relieved from lawsuits and relieved from injunctive action by people who they've allegedly offended, let's keep it where it is.

SPEAKER BALDUCCI:

Will you remark further? Will you remark? If not - Representative O'Neill, of the 69th.

REP. O'NEILL: (69th)

Thank you, Mr. Speaker. Just one last point. What this prohibits is not lawsuits against public officials. It's not even prohibiting attachments of property of public officials who are being sued in their public capacity.

It prohibits a judge from signing an attachment which will then be recorded by a sheriff on the land records without at least having a hearing first. We only allow ex parte attachments as a general rule on real estate, and we usually allow them without hearings.

All this does is say that if you're a member of a zoning commission and someone is suing you, claiming that you violated his civil rights in your official capacity, that you as a zoning commission or planning commission member, have a right to be heard so that you

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can present your case to the judge.

In the case in Bridgewater, the judge dissolved the attachments once he heard the arguments from the defendants in the lawsuit. I just think that it's an imposition and it cost a lot of money and took a lot of time for these members of these commissions and many of them are at a point where they would like to just resign rather than have to endure this sort of nonsense. Thank you.

REP. FRANKEL: (121st)

Mr. Speaker.

SPEAKER BALDUCCI:

Representative Frankel.

REP. FRANKEL: (121st)

Mr. Speaker, I understand some of the points that were raised, but let me bring to the attention of the membership. This basically, the rejection of this amendment would return the law to the way it is, it would provide people with the same rights and remedies they have and any concern about an attachment of real estate. There would be no change here. You would still have a right to a hearing.

Granted, under our current laws, under special circumstances, a so-called ex parte hurry up attachment can be made to your property or mine in our individual

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capacities or otherwise. You're still guaranteed a hearing. That wouldn't change this, but it would not also carve out a special exception either, and I think it would be wise to reject the Senate amendment to leave the law the way it has been. I believe it works fairly well right now.

SPEAKER BALDUCCI:

Will you remark further on the amendment? If not, we'll try your minds. All those in favor of rejection of Senate "A" please signify by saying aye.

REPRESENTATIVES:

Aye.

SPEAKER BALDUCCI:

Opposed, nay.

REPRESENTATIVES:

No.

SPEAKER BALDUCCI:

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

CLERK:

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

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House of Representatives

Wednesday, June 7, 1989

SPEAKER BALDUCCI:

Have all the members voted and is their vote properly recorded? If so, the machine will be locked and the Clerk will take a tally.

REP. ROGG: (67th)

Mr. Speaker.

SPEAKER BALDUCCI:

Representative Rogg of the 67th.

REP. ROGG: (67th)

Mr. Speaker, in the affirmative, please.

SPEAKER BALDUCCI:

Representative Rogg in the affirmative.

REP. DYSON: (94th)

Mr. Speaker.

SPEAKER BALDUCCI:

Representative Dyson of the 94th.

REP. DYSON: (94th)

Mr. Speaker, in the affirmative, please.

SPEAKER BALDUCCI:

In the affirmative. Representative Cocco of the 127th.

REP. COCCO: (127th)

Good morning, Mr. Speaker, thank you. In the affirmative, please.

SPEAKER BALDUCCI:

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House of Representatives

Wednesday, June 7, 1989

Representative Cocco in the affirmative.

The Clerk please announce the tally.

CLERK:

HB7263

Total number voting	126
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Necessary for passage	64
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Those voting yea	126
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Those voting nay	0
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Those absent and not voting	25
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SPEAKER BALDUCCI:

The bill is passed.

Are there any announcements or points of personal privilege? Representative Collins of the 117th.

REP. COLLINS: (117th)

Thank you, Mr. Speaker. Joining us today in the Gallery is the fourth grade class from Peck Place School in Orange with their teachers, Mrs. Cohen, Mrs. Arkos, Mrs. Slowman. They're coming here on our final day of regular session to observe government in action. If they would please stand, I would ask the House to give them their usual warm welcome. (Applause)

Are there any other announcements or points? If not, we'll return to the Call of the Calendar.

CLERK:

Page 7, Calendar 504, Substitute for HB7479, AN ACT

S-297

CONNECTICUT
GEN. ASSEMBLY
SENATE

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FRIDAY
June 2, 1989

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Mr. President, we're ready with a few more.
Calendar #541 on Page 6. Calendar #561 on Page 9.
Calendar #540 on Page 11. Calendar #162 on Page 12.

THE CHAIR:

Are you ready to proceed?

THE CLERK:

Calendar Page 6, Calendar #541, File #269 and 632.
Substitute HB7263, AN ACT CONCERNING PROTECTION OF
CERTAIN PUBLIC EMPLOYEES. Favorable Report of the
Committee on APPROPRIATIONS. Clerk is in possession of
one amendment.

THE CHAIR:

Senator Maloney.

SENATOR MALONEY:

Yes. Thank you, Mr. President. I would move for
approval of the Joint Committee's Favorable Report and
passage of the bill.

THE CHAIR:

Clerk, please call the amendment.

THE CLERK:

LC07537, designated Senate Amendment Schedule "A"
offered by Senator Maloney of the 24th district.

THE CHAIR:

Senator Maloney.

SENATOR MALONEY

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June 2, 1989

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aak

Yes. Thank you, Mr. President. I would move approval of the amendment and ask leave to summarize and waive the reading.

THE CHAIR:

Without objection, you may proceed.

SENATOR MALONEY:

Thank you, Mr. President. What the amendment does is indicate that in circumstances where public employees are sued, that for matters arising from their duties, that any attachments against their personal real property should not be ex parte, requiring then, if someone wants to proceed in such a manner, that they give the person notice and allow them to come into court.

THE CHAIR:

Further remarks on the amendment. All those in favor, signify by saying aye.

SENATORS:

Aye.

THE CHAIR:

Opposed. The amendment is adopted.

Now on the bill as amended.

SENATOR MALONEY:

Thank you, Mr. President. The bill broadens the protection we give to public employees, municipal

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employees. Current legislation protects full-time employees. This bill will also protect part-time employees and also indicates that for ultra vires acts, which are acts that are technically beyond the power of the employee to perform, they still are going to be compensated for the defense, for the defense of such matters will be taken care of by the municipality.

It is very difficult for lay municipal employees to always know exactly where the extent of their authority lies. In fact, in some cases, it would require a ruling of the Supreme Court. So the bill still will not extend full protection for willful or malicious acts, but where there is an ultra vires act, there is no reason that the defense should not be borne by the municipality. And that's what this bill does.

THE CHAIR:

Further remarks on the bill as amended. Senator Maloney.

SENATOR MALONEY:

Yes, I'd ask the matter be moved to the Consent Calendar.

THE CHAIR:

Without objection, so ordered.

THE CLERK:

Calendar Page 9, Calendar #561, File #731 and 850.

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Please give your attention to the Clerk who will read the items that have been referred to the 4th Consent Calendar.

THE CLERK:

First item appear on Senate Agenda #2, it's Calendar #23, Substitute HB5695. Returning to the Calendar, Calendar Page 6, Calendar #541, Substitute HB7263. Calendar Page 9, Calendar #561, Substitute HB5330. Calendar Page 12, Calendar #562, SB922. Calendar Page 20, Calendar #349, Substitute HB5108. Mr. President, that completes the 4th Consent Calendar.

THE CHAIR:

Are there any changes or omissions?

The machine is open, please record your vote.

Senator Casey. Has everyone voted?

The machine is closed.

Clerk, please tally the vote.

The result of the vote:

36 Yea

0 Nay

The 4th Consent Calendar is adopted.

SENATOR O'LEARY:

Mr. President.

THE CHAIR:

Senator O'Leary.

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CONNECTICUT
GEN. ASSEMBLY
SENATE

PROCEEDINGS
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4318-4658

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June 7, 1989

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aak

"B". The machine is open. Please record your vote.
Has everyone voted? The machine is closed. The Clerk
please tally the vote.

The result of the vote:

36 Yea

0 Nay

The bill is adopted.

THE CLERK:

Turning to Senate Agenda #2, Item B, Disagreeing
Actions. HB7263, AN ACT CONCERNING PROTECTION OF
CERTAIN PUBLIC EMPLOYEES, as amended by Senate
Amendment Schedule "A". The House rejected Senate
Amendment Schedule "A" on June 7. Favorable Report of
the Committee on Appropriations.

THE CHAIR:

Senator Maloney.

SENATOR MALONEY:

Thank you, Mr. President. Yes, I would move for
acceptance of the Joint Committee's Favorable Report
and passage of the bill in accordance with the House.

THE CHAIR:

Will you remark?

SENATOR MALONEY:

Yes, thank you, Sir. Just very briefly, the bill
is the same as it left this Chamber, with the exception

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June 7, 1989

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aak

of Senate "A" which was a matter regarding ex parte attachments in lawsuits against planning and zoning commissioners and the like.

The bill is a good bill without Senate "A" and should be repassed by this Chamber.

THE CHAIR:

Further remarks? The Clerk please make an announcement for an immediate roll call.

THE CLERK:

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

THE CHAIR:

The question before the Chamber is a motion to adopt Substitute HB7263, File 632. The machine is open. Please record your vote. Senator Benvenuto. Senator Thomas Sullivan. Senator Thomas Sullivan.

SENATOR SULLIVAN:

Mr. President, may I excuse myself from this bill under Rule 15.

THE CHAIR:

Senator Sullivan, you're excused. Senator Sullivan, you're required to please leave the Chamber if you're going to excuse yourself.

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aak

The machine is closed. The Clerk please tally the vote.

The result of the vote.

35 Yea

0 Nay

The bill is adopted.

SENATOR O'LEARY:

Mr. President.

THE CHAIR:

Senator O'Leary.

SENATOR O'LEARY:

Thank you, Mr. President, we have Senate Agenda #10, and I would move that Senate Agenda #10 dated Wednesday, June 7, 1989 be acted upon as indicated and that the Agenda be incorporated by reference into the Senate Journal and Senate Transcript.

THE CHAIR:

Without objection, so ordered.

SENATE AGENDA #10

1. BUSINESS FROM THE HOUSE:

DISAGREEING ACTION - to be tabled for the calendar

Emergency Certification

SB1075 An Act Increasing Certain Bond

Authorizations for Capital Improvements.

6/7 HOUSE PASSED WITH HOUSE "A"

JOINT
STANDING
COMMITTEE
HEARINGS

LABOR AND
PUBLIC EMPLOYEES
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394-802

1989

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deb

LABOR AND PUBLIC EMPLOYEES

February 23, 1989

I think the message has been sent very clear to the Board that what has happened in the past is not the proper thing.

ELAINE KRAWIEC: We would appreciate your support of HB6347, if you pursue it through the legislative process and thank you for your time and consideration.

REP. ADAMO: Thank you, Elaine. Is there anyone else wishing to address the Committee? You don't get seconds Paul. (laughter) Come on, Paul.

: You enjoyed yourself so much the first time.

REP. ADAMO: Give a different name or something.

PAUL WALLACE: Paul Wallace, AFSCME, Council Four. We'd like to be on record as supporting HB7263, HB7267 and HB7268. Thank you, Mr. Chairman.

REP. ADAMO: Okay, Paul seeing that you said that. Can you explain to the Committee for the record, what this change is in relation to the existing immunity laws and indemnification laws as well.

PAUL WALLACE: Well, it does, it expands the definition of employer and it also covers full time, excuse me, it also covers part time employees as well.

REP. ADAMO: Any other questions? If not, thank you Paul.

PAUL WALLACE: Thank you.

REP. ADAMO: Barry, are you going to speak? Or forever hold your peace.

BARRY WILLIAMS: Thank you, Chairman Adamo. My name is Barry Williams and I'm Secretary Treasurer, Connecticut State AFLCIO. I'd just like to briefly since it's the close of the hearing list those bills that we support and oppose for your information. SB549, AN ACT CONCERNING THE PAYMENT OF WAGES TO WAITRESSES, we would oppose that bill.

REP. ADAMO: You oppose it?

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deb

LABOR AND PUBLIC EMPLOYEES

February 23, 1989

RETIREMENT SYSTEM, we would support that bill.
HB7263, AN ACT CONCERNING PROTECTION OF CERTAIN
STATE EMPLOYEES, HB7267, AN ACT CONCERNING
IMMUNITY FOR STATE AND MUNICIPAL EMPLOYEES and
lastly, Senate Bill or HB7268, AN ACT CONCERNING
IMMUNITY FOR EMPLOYEES OF BOARDS OF EDUCATION.

All three of those bills are concerned with the
same items and I think Paul Wallace has probably
spoken on those and we would support those as well.
Thank you for your time and allowing me to jump
in at the last minute.

REP. ADAMO: Any questions? Representative Emmons.

REP. EMMONS: On the MURF bills, do you have any idea
what the cost of that is to the system.

BARRY WILLIAMS: No, I don't Linda. I'll try and get
that information for you though.

REP. EMMONS: And then do the municipal employees
contribute themselves or is it just the system, the
municipalities?

REP. ADAMO: Both employees and employers.

BARRY WILLIAMS: Yeah, they contribute a certain
percentage. Is it 5%, Joe?

REP. ADAMO: It's both.

REP. EMMONS: But then on the ones where you are
increasing, you are doing cost of living, you have
items that increase the benefits for those that are
already retired; it ends up that the present
members of the system then would be paying for
them.

(HB 7262)
(HB 7247)

BARRY WILLIAMS: Yes, and plus the investments that,
the investment money that you make in terms of the
money going into the system. I mean a certain
return.

REP. EMMONS: Yes, but that, but that is actually
figured into what is supposed to be the cost of the
benefits.

BARRY WILLIAMS: Yes.