

S - 698

**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2016**

**VOL. 59
PART 8
2400 – 2750**

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May 2, 2016

THE CHAIR:

Mr. Clerk.

THE CLERK:

On page 30, Calendar 547, Substitute for House Bill Number 5150, AN ACT CONCERNING THE WARDEN'S NOTICES ON TREES AND SHRUBS PRIOR TO REMOVAL, TREE REMOVAL ALONG STATE HIGHWAYS, AND CLEANUP BY PUBLIC UTILITY CORPORATIONS FOLLOWING CERTAIN TREE REMOVAL.

THE CHAIR:

After that long, long title, Senator Kennedy, I'll call you now.

SENATOR KENNEDY (12TH):

Good morning, Madam President.

THE CHAIR:

Good morning.

SENATOR KENNEDY (12TH):

I move acceptance of the Joint Committee's favorable report and passage of the bill.

THE CHAIR:

The motion is on acceptance and passage. Will you remark, sir?

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SENATOR KENNEDY (12TH):

Yes, Madam President. This bill clarifies and updates the public notice and posting policies for tree cutting in our state. There is an amendment, LCO Number 5828. May the Clerk please call the amendment and may I be allowed to summarize.

THE CHAIR:

Mr. Clerk. Good morning, sir.

THE CLERK:

LCO Number 5828, Senate A, offered by Senators Kennedy and Chapin.

THE CHAIR:

Senator Kennedy.

SENATOR KENNEDY (12TH):

Yes, briefly, this amendment simply changes two words in the underlying bill, which I'll just briefly describe in a moment. Under the proposed law, when utilities, meaning electric or telephone utilities, cut down a tree, they are financially responsible for pruning and removing that tree. This amendment simply allows for the property owner to take the wood if he or she so desires, and that saves the utility for having to haul the wood away, and it also allows property owner use of the wood. So I urge, I support this amendment together with my colleague, Senator Chapin, and I urge my colleagues to support this amendment.

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THE CHAIR:

Will you remark further on Senate A. Senator Chapin, good morning. It's not afternoon yet, good morning, sir.

SENATOR CHAPIN (30TH):

Good morning. Good morning, Madam President. Madam President, I rise in support of the amendment, and I'd like to thank the good Chairman for bringing it out and addressing a concern that has been raised over the course of this session. As he said, the utility company, under the bill, has a requirement to provide for the removal, and just in the last few years with a lot of utility tree trimming, I've personally witnessed property owners who would prefer to either have the wood or the chips from the brush, so it all goes back to the rate payer. If the tree company who is doing the work can save some money in allowing the property owner to take custody of the debris, then hopefully that drives the cost of the contract down, and everybody should be happy. So I appreciate the good Chairman's efforts on the bill and encourage my colleagues to support the amendment. Thank you.

THE CHAIR:

Thank you. Will you remark on Senate A? Will you remark on Senate A? If not, I will try your minds. All those in favor of Senate A, please say Aye.

SENATORS:

Aye.

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THE CHAIR:

Opposed. Senate A passes. On the bill, Senator Kennedy.

SENATOR KENNEDY (12TH):

Thank you, Madam President. I'll try to be brief. I know the hour is late, but the bill was brought to us in the Environment Committee in response to widespread complaints from across the state about the dramatic increase in trees being unnecessarily cut down, particularly along our state highways. So this bill is a dramatically scaled back version of the bill that we did here at the hearing. It strengthens the public posting and notification requirements of utilities, requires utilities to submit plans to municipalities on a yearly basis, and lets municipalities know what their plans are, what trees they would like to trim or remove so the chief elected official can be notified. So, I think it's a common sense reform, and I urge my colleagues to support this measure.

THE CHAIR:

Will you remark? Will you remark? Senator Kane, good morning, sir.

SENATOR KANE (32ND):

Good morning, Connecticut. Never mind.

THE CHAIR:

Got it.

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SENATOR KANE (32ND):

Thank you, Madam President. I rise for a few questions to the proponent of the bill.

THE CHAIR:

Please proceed, sir.

SENATOR KANE (32ND):

Thank you, Madam President. I want to thank Senator Kennedy for his brief synopsis of the legislation, and I tend to agree with him when he says that there have been widespread complaints in this area. I've gotten numerous emails about the number of trees and the amount of trees that were taken down along the highway on interstate 84, most particularly in the Southbury, Middlebury, that area, in my district, but certainly every day when I drive up to Hartford I recognize it. When we talk about those areas though, my understanding would be they would fall under the state right-of-way. You talked about the first selectman and/or mayors of communities. How would this affect those properties?

Through you, Madam President.

THE CHAIR:

Senator Kennedy.

SENATOR KENNEDY (12TH):

Yes, well in the first section of the bill it talks about the duties of the tree wardens, and the tree wardens, the town has jurisdiction over the trees

and parks and trees along the sidewalk, etc., in a town. Along the highway, it would be the Commissioner of Transportation, and so it really does depend on where those trees are located. But the idea would be the same. The notice requirement would be the same. To enhance what we found, and the reason why this bill was brought up is because we found that many people were writing and calling the committee just very upset that they were not given any notice whatsoever of cutting down, I'm talking about healthy trees. We're not talking about diseased trees. In many cases we're not talking about trees that are necessary to be pruned for utility work. It seemed like we over-reacted in many ways, and what we're trying to do now is to provide citizens with notice so that if they do object there's a method and a process to prevent these overcutting situations, so to speak.

Through you, Madam President.

THE CHAIR:

Senator Kane.

SENATOR KANE (32ND):

Thank you, Madam President. Yeah, I had an occasion this year about a tree in my very front yard that it was a subcontractor of Eversource, I would imagine, that came by and put a notice on our front door and said that they were looking to trim the tree. But they were pretty good actually. They just came by and said look, we're just getting it away from those power lines. We're not taking anything down. We're just trimming it back, and you know, we were none the worse the wear for that, but it was at least

some type of notice. So, is that not taking place in all situations. Is that why we have this legislation. I mean, it seemed pretty good that they were able to seek me out and give me an idea that this was taking place, and they seemed very helpful. Is that not taking place and that's why we need laws for this? Through you, Madam President.

THE CHAIR:

Senator Kennedy.

SENATOR KENNEDY (12TH):

Yes, my colleague, Senator Kane, is correct that this bill is supported by the utility companies, who we've have discussions with them, sought their input and advice, and it's not just, it's not just their activities. They will be required in another section of the bill to simply provide municipalities with an annual plan of what trees they'd like to trim or remove in a particular municipality. That's new. That hadn't really been done before where electric companies, telephone companies would just lay out as best they could what their plans were for that particular municipality in order to give the chief elected officials notice about, you know, what their tree trimming plans would be over the next year. That kind of seemed like a common sense reform, and if there were any questions or any particular trees or historic trees and the like, trees considered valuable in one way or another that people, the citizens of that town would have an opportunity to respond to those plans.

Through you, Madam President.

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THE CHAIR:

Senator Kane.

SENATOR KANE (32ND):

Thank you, Madam President. When you say that the citizens of that municipality would be able to respond, does the legislation include a public hearing process of some kind?

Through you, Madam President.

THE CHAIR:

Senator Kennedy.

SENATOR KENNEDY (12TH):

Well, there is a process currently, and I will say that, you know, a process can vary from municipality to municipality. Okay. So many of the tree wardens get their authority through the local municipality, but generally speaking, and through this legislation, there is a process. The tree warden, the municipal tree warden, would be required to post the tree that they wanted to remove and give a 10-day notice, during which time a citizen, any person, could put into writing, there is a written letter requirement, saying that they object to the tree being cut, at which point the tree warden would schedule a hearing. It doesn't really get into the type of hearing. It just says in a public hearing at a suitable time and place. That's what it says in the legislation. After that hearing, the tree warden would make a determination within three days about what to do with that tree.

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So that is generally the way that this process has mapped out, and again this has been discussed with both the tree warden community, the utility companies, and others who are concerned about the overcutting of trees.

Through you, Madam President.

THE CHAIR:

Senator Kane.

SENATOR KANE (32ND):

Thank you, Madam President, and I thank Senator Kennedy for that answer. Just talk about these tree wardens for a minute. Who are these people? I mean do all 169 municipalities have tree wardens? I'm not family with the tree warden in my district, so I'm curious who these people are and who they're hired by and who they work for.

Through you, Madam President.

THE CHAIR:

Sorry, Senator Kennedy.

SENATOR KENNEDY (12TH):

It's a good question, you know, I didn't really, even though I am a graduate of the Yale School of Forestry and Environmental Studies, I have learned a lot, even in my brief time on the Environment Committee here in the General Assembly. The tree warden, not every municipality, has a tree warden,

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but you can go and you can Google Connecticut tree warden, and they actually have their own, you know, professional association here in the state. So I think my general feeling is that, you know, most of the larger municipalities will have a full-time person acting as a tree warden. In other smaller towns it may be a part-time job or even a volunteer job where somebody actually may not get paid but is deputized so to speak by the chief elected officials to perform the duty of managing the public assets of the town on the public lands, and the trees of course are on public lands and the property of the people of that town.

Through you, Madam President.

THE CHAIR:

Senator Kane.

SENATOR KANE (32ND):

Thank you, Madam President. This tree warden, do they have to be an arborist of any kind?

Through you, Madam President.

THE CHAIR:

Senator Kennedy.

SENATOR KENNEDY (12TH):

Well I hope that they do have some background and experience in managing trees and knowledge in tree/forest ecology and certainly, you know, maintaining the health and safety of trees, but

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whether or not you actually have to be certified or there's some sort of an exam or even there's some sort of professional degree that would qualify somebody as a tree warden in Connecticut, I can't say. Through you, Madam President.

THE CHAIR:

Senator Kane.

SENATOR KANE (32ND):

Thank you, Madam President. I notice that the bill speaks about vegetation management. Is there a botanist required in the underlying legislation?

Through you, Madam President.

THE CHAIR:

Senator Kennedy.

SENATOR KENNEDY (12TH):

Is there a botanist? Oh that's a good one.
[laughter]

THE CHAIR:

Not at this hour, sir.

SENATOR KENNEDY (12TH):

You know, again, vegetation management is a term that we have in our statutes. I know, you know, recently through the studying and developing the pollinator law, we talked about vegetation

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management along roadsides, along utility rights of way, etc. I think that that term is kind of like a broad term, if you ask me. It's managing vegetation. So, I don't think you probably need a specific degree in botany to do that, but I'm sure a degree in botany would help.

Through you, Madam President.

THE CHAIR:

Senator Kane.

SENATOR KANE (32ND):

Thank you, Madam President. I'm learning a great deal, and I want to thank Senator Kennedy for his answers. You have been quite a gentleman in regards to my questions.

One last question, if I may, it talks about the tree wardens that we've defined already to post notices, and I know there's been many bills in this building in regards to the posting of legal notices, so does that mean on the website? Does that mean the current local newspaper that has a subscription of any certain kind? How is that notice posted, and how will our residents, our constituents get notice or see these notices and be willing, or be able to participate in that hearing process that you mentioned earlier?

Through you, Madam President, if I may.

THE CHAIR:

Senator Kennedy.

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SENATOR KENNEDY (12TH):

Thank you. Thank you, Madam President. Actually that's a great question because the issue that my colleague was speaking about a short while ago about however citizens did not have any notice of dramatic cuttings along our state highways, etc., that got them very upset, and it became clear that we didn't really do a very good job in our state at notifying ordinary citizens about, you know, prospective actions that we were going to take, so in two ways we need the notice requirement through this legislation. Number one, as I mentioned a few minutes ago, utility companies will be required to issue or to just lay out a yearly plan and time and proposed schedule, etc., for their tree cutting and pruning to the chief elected official of the town. So there would not be a newspaper notice requirement or anything like that. The second obvious way that notice is given is by markings on trees. Actually, this bill, believe it or not, seeks to clarify and update and streamline the current tree warden notification process. It does so by, although we do make some requirements enhancing the notification requirement, we also provide some regulatory relief, so to speak of the tree wardens, and we don't require them to actually notice every single tree. We allow them to just notice clumps of trees and then the larger trees that they anticipate. So, the way that a citizen gets notice is through they drive by or they see a tree that has an obvious piece of yellow tape or whatever around the trunk, which is an indication that that tree is probably going to get cut down in the next 10 days if nobody from the community objects.

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THE CHAIR:

Senator Kane.

SENATOR KANE (32ND):

Thank you, Madam President. I want to thank Senator Kennedy for answering my questions. I do see that there is no fiscal note, so there's no impact on our municipalities. I wasn't sure if this would be some type of mandate for our municipalities. I certainly know that I don't believe my town has a tree warden, so I wanted to make sure that was the case and answered my question about the notices and that requirement. So I want to thank Senator Kennedy for answering my questions. I appreciate it, Madam President. I look forward to passage of the bill.

THE CHAIR:

All right. Will you remark further on Senate A. Will you remark further on Senate A. If not, I will try your minds. Will all those in favor of Senate A, please say Aye.

SENATORS:

Aye.

THE CHAIR:

I'm so sorry, Senate A was adopted. This is on the bill. I apologize, and I will ask for a roll call vote.

Mr. Clerk, will you please open the rolls, and I open the machine, you open the rolls

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THE CLERK:

Immediate roll call has been ordered in the Senate.
Immediate roll call has been ordered in the Senate.

THE CHAIR:

If all members have voted? All members have voted?
The machine will be closed. Mr. Clerk, will you
please call the tally.

THE CLERK:

House Bill 5150,

Total Number Voting	35
Those voting Yea	35
Those voting Nay	0
Absent and not voting	0

THE CHAIR:

The bill is passed. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. If the Clerk can now
call Calendar page 3, Calendar 224, Senate Bill 308.

THE CHAIR:

Mr. Clerk.

THE CLERK:

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On page 3, Calendar 224, Senate Bill Number 308, AN ACT CONCERNING MANUFACTURING RELATED ISSUES IN THE STATE. There's an amendment.

THE CHAIR:

Good morning, Senator Hartley.

SENATOR HARTLEY (15TH):

Good morning to you, Madam President. I move acceptance of the Joint Committee's favorable report, Madam, and passage of the bill.

THE CHAIR:

The motion is on acceptance and passage. Will you remark, madam?

SEN. HARTLEY (15TH):

Yes, indeed. Thank you, Madam President. Madam President, the Clerk is in possession of LCO 5648. I ask that the Clerk please call and I be granted leave to summarize please, Madam.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO Number 5648, Senate A, offered by Senators Hartley, Frantz, et al.

THE CHAIR:

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Senator Hartley.

SENATOR HARTLEY (15TH):

Thank you, Madam President. I move adoption, Madam.

THE CHAIR:

The motion is on adoption. Will you remark?

SENATOR HARTLEY (15TH):

Yes, indeed. Thank you, Madam President. This is a strike-all amendment, and it simply requires the Department of Economic and Community Development to develop recommendations regarding a program, which would allow for the exchange of unused R and D tax credits for capital projects. The capital project should, at a minimum, expand a scope or scale of a business, create or retain jobs, and generate a substantial return to the state's economy. In so doing, the Commissioner may consult with the Commissioner of Department of Revenue Services. I move adoption, Madam.

THE CHAIR:

The motion is on adoption. Will you remark further on the bill? Will you remark further on the amendment rather, I'm sorry. Senator Frantz.

SENATOR FRANTZ (36TH):

Yes, thank you, Madam President. I would like to stand in favor of the amendment, thank you very much.

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THE CHAIR:

Thank you. Will you remark further on the amendment? Will you remark further on the amendment? Senator McLachlan.

SENATOR MCLACHLAN (24TH):

Thank you, Madam President. I stand for the purpose of a question to the proponent of the amendment.

THE CHAIR:

Please proceed, sir.

SENATOR MCLACHLAN (24TH):

Thank you, Madam President. Senator Hartley, can you give us an idea how many or the value of the unused R and D tax credits in Connecticut?

Through you, Madam President.

THE CHAIR:

Senator Hartley.

SENATOR HARTLEY (15TH):

Thank you, Madam President, and through you to Senator McLachlan. I am told that there are significant stranded, unused tax credits, and I do not have a specific number for you, sir. In practice, this assessment would undoubtedly perhaps also outline those that have not been able to be used.

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Through you, Madam President.

THE CHAIR:

Senator McLachlan.

SENATOR MCLACHLAN (24TH):

Thank you, Madam President. Senator Hartley, there are a number of unused R and D tax credits in my district. I think that the ability to use those for capital projects would be a way to encourage those companies to grow in Connecticut, and I encourage that we study it very carefully. Thank you, Madam President.

THE CHAIR:

Thank you very much, sir. Will you remark further?
Senator Kane.

SENATOR KANE (32ND):

Thank you, Madam President. Just a quick question to the proponent of the bill.

THE CHAIR:

Please proceed, sir.

SENATOR KANE (32ND):

This, through you, to Senator Hartley, is a strike-all amendment, as you mentioned, so this strike-all, did it have a public hearing?

Through you.

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THE CHAIR:

Senator Hartley.

SENATOR HARTLEY (15TH):

Through you, Madam President, to Senator Kane. This particular discussion or description did not. While there were numerous public hearings on the issue of stranded tax credits in several committees, Senator Kane, it was then the industry who asked, since we were not in the position to go further with those proposals, having been heard on at least two committees that I'm aware of, that perhaps we would be able to put something together that the Commissioner would give us a profile, if you would, of this particular, these credits, because they are, as we all recognize, incredible economic incentives, and in fact our neighboring states are very competitive with regard to these. Through you, Madam President, to Senator Kane.

THE CHAIR:

Senator Kane.

SENATOR KANE (32ND):

Thank you, Madam President. Did the Finance Committee have a public hearing on this?

Through you.

THE CHAIR:

Senator Hartley.

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SENATOR HARTLEY (15TH):

Through you, Madam President, to Senator Kane. I am not sure if they actually had a hearing on this particular subject although this issue is certainly one that has been discussed thoroughly in that committee, sir.

Through you, Madam President.

THE CHAIR:

Senator Kane.

SENATOR KANE (32ND):

Thank you, Madam President. Just one last question, I read some articles after the majority party came out with their budget about a week ago or so and there was talk about businesses volunteering their tax credits in order to fund the fiscal year 17 budget. Does this have to do with that?

Through you, Madam President.

THE CHAIR:

Senator Hartley.

SENATOR HARTLEY (15TH):

Thank you, Madam President, and through you to Senator Kane. No, sir, it does not.

THE CHAIR:

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Senator Kane.

SENATOR KANE (32ND):

Thank you, Madam President. I just wanted that clarification because it seemed very similar to what was being proposed in the budget conversations. Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark further? Will you remark further? If not, I'll try your minds. All of those in favor of Senate A, please say Aye.

SENATORS:

Aye.

THE CHAIR:

Opposed? Senate A is adopted. Will you remark further on the bill? Senator Hartley.

SENATOR HARTLEY (15TH):

Madam President, I'm not sure we have a Consent Calendar? If we do, I would ask if there is no objection that this might go on the Consent Calendar.

THE CHAIR:

Oh, there's an objection. Mr. Clerk, will you please call for a roll call vote, and the machine will be open.

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THE CLERK:

Immediate roll call has been ordered in the Senate.
Immediate roll call has been ordered in the Senate.

THE CHAIR:

If all members have voted? All members have voted?
The machine will be closed. Mr. Clerk, will you
please call the tally.

THE CLERK:

On Senate Bill Number 308,

Total Number Voting	35
Those voting Yea	35
Those voting Nay	0
Absent and not voting	0

THE CHAIR:

The bill is passed. Senator Duff. Good morning,
sir.

SENATOR DUFF (25TH):

Good morning, Madam President, I'd like for a couple
markings please.

THE CHAIR:

Please proceed, sir.

SENATOR DUFF (25TH):

Thank you.

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On Calendar Page 42, Calendar 275, Senate bill 19,
I'd like to mark that PT.

On Calendar page 27, Calendar 534, House Bill 5621,
I'd like to mark that PT.

On Calendar page 9, Calendar 399, Senate Bill 18,
I'd like to mark that PT.

On Calendar page 38, Calendar 125, Senate Bill 21,
I'd like to mark that item on our Consent Calendar,
please. Place that item on our Consent Calendar
please.

THE CHAIR:

No objections, so ordered sir.

SENATOR DUFF (25TH):

Thank you, Madam President.

THE CHAIR:

Mr. Clerk.

On page 41, it is Calendar 269, Substitute for
Senate Bill Number 371, AN ACT CONCERNING THE USE OF
EXPERIMENTAL DRUGS.

THE CHAIR:

Senator Crisco. Good morning, sir.

SENATOR CRISCO (17TH):

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Good morning, Madam President. Madam President, I move for acceptance of the Joint Committee's favorable report and passage of the bill.

THE CHAIR:

The motion is on acceptance and passage. Will you remark, sir?

SENATOR CRISCO (17TH):

Yes, Madam President. Madam President, the Clerk has an amendment, LCO 5155. I ask that it called and I be given permission to summarize.

THE CHAIR:

Mr. Clerk, 5755.

THE CLERK:

LCO Number 5155, Senate A, offered by Senator Crisco.

THE CHAIR:

Senator Crisco.

SENATOR CRISCO (17TH):

Thank you, Madam President. I move its adoption.

THE CHAIR:

The motion is on adoption. Will you remark, sir?

SENATOR CRISCO (17TH):

Yes, Madam President. This amendment enhances the clarification of the language in the bill to point out that this is the practice of medicine and not the clinical trials.

THE CHAIR:

Will you remark further on Senate A? Will you remark further on Senate A? If not, I will try your minds. All those in favor please say Aye.

SENATORS:

Aye.

THE CHAIR:

Those opposed? Senate A passes. Senator Crisco.

SENATOR CRISCO (17TH):

Thank you, Madam President. Remarking on the bill, I think the best way to quickly summarize this, but I will go into additional facts of the bill, is the testimony of President Looney at the public hearing. He stated that this would offer hope, H, O, P, E, to terminally ill patients who suffer from diseases for which there is no effective, approved treatment. This is extraordinary, Madam President, in regards to giving people a chance on life. The bill allows for certain terminally ill patients on their specified conditions to access medications and devices not approved for general use by the Federal Food and Drug Administration. The bill applies to investigational drugs, biological products and devices that have completed phase one of an FDA-

approved clinical trial and are still part of the trial. To qualify for the program, patients must meet certain eligibility criteria and complete a detailed informed consent document.

Madam President, I could go on and on and on, but as Senator Looney stated, this provides hope that did not exist for some terminally ill people.

THE CHAIR:

Will you remark further on the bill? Will you remark further on the bill? Senator Kelly, good morning sir.

SENATOR KELLY (21ST):

Good morning, Madam President. I rise also in support of the bill, which did pass insurance unanimously and concur with Senator Crisco's comments regarding what the bill does with regards to offering terminally patients hope and the ability for drugs to help with their treatment. So I fully support the bill.

THE CHAIR:

Thank you, will you remark further? Will you remark further? If not, Senator Crisco.

SENATOR CRISCO (17TH):

Thank you, Madam President. If there is no objection, I request that it be placed on the Consent Calendar.

THE CHAIR:

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Seeing no objection, so ordered, sir. Mr. Clerk.

THE CLERK:

On page 12, Calendar 426, Substitute for Senate Bill
Number 453, AN ACT CONCERNING REMITTANCE OF REVENUE
FORM CERTAIN TRAFFIC FINES TO MUNICIPALITIES.

THE CHAIR:

Good morning, Senator Fonfara.

SENATOR FONFARA (1ST):

We've made it all the way to the morning, Madam
President.

THE CHAIR:

We sure have. Let's not try for the afternoon, sir.

SENATOR FONFARA (1ST):

I will do my best.

THE CHAIR:

I bet you will. I know that.

SENATOR FONFARA (1ST):

Madam President, I move for acceptance of the Joint
Committee's favorable report and passage of the
bill.

THE CHAIR:

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The motion is on acceptance and passage. Will you remark, sir?

SENATOR FONFARA (1ST):

I will, Madam President, thank you. The Clerk is in possession of an amendment, LCO 5896. Would you please call and I be permitted to summarize.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO Number 4, I'm sorry, 5896, Senate A, offered by Senator Fonfara.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Thank you, Madam President. I move for adoption.

THE CHAIR:

The motion is on adoption. Will you remark, sir?

SENATOR FONFARA (1ST):

Madam President, this amendment simply changes the number of eligible municipalities that can participate in the provision of the underlying bill. I move adoption.

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THE CHAIR:

Will you remark further on --

SENATOR FONFARA (1ST):

I urge passage.

THE CHAIR:

I'm sorry. Will you remark further on Senate A?
Senator Frantz.

SENATOR FRANTZ (36TH):

Thank you, Madam President. Through you, Madam
President, to Senator Fonfara, a quick question
about the amendment. Does the amendment give 50
percent, 100 percent of the fine revenue back to the
municipality, or how does that work.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Through you, Madam President. The amendment simply
changes the number of eligible towns. The
underlying bill addresses the distribution of the
fine.

THE CHAIR:

Senator, I'm sorry, Senator Frantz.

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SENATOR FRANTZ (36TH):

Thank you, and through you, Madam President, okay, so, all right so you answered that question on the underlying bill. So it goes up by a number of towns that are qualified to take advantage of this. Does the amendment or maybe actually the underlying bill, if it is, I apologize, but is it just blocking the box, or is it parking fines?

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Through you, Madam President. Again, that would be under the underlying bill. I think we should address the amendment and then we can get to that.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ (36TH):

Yes, thank you, Madam President, and through you. I'm totally fine with the amendment, and thank you.

THE CHAIR:

Thank you. Excuse me. Are there any further comments on Senate A? If not, oops, I'm sorry. Senator Kelly.

SENATOR KELLY (21ST):

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Thank you, Madam President. With regards to the Excel Center, or not the Excel Center, the Webster Bank Arena in Bridgeport, would that be inclusive or exclusive of the [inaudible]. I withdraw my question, Madam President.

THE CHAIR:

Thank you very much, sir. Will you remark further on Senate A? If not, I will try your minds. All those in favor of Senate A, please say Aye.

SENATORS:

Aye.

THE CHAIR:

Opposed. Senate A is adopted. Will you remark further on the bill? Will you remark further on the bill? If not, Senator Fonfara.

SENATOR FONFARA (1ST):

Thank you, Madam President. Madam President, if there is no objection, I would move this to the Consent Calendar.

THE CHAIR:

Thank you very much, sir. Mr. Clerk.

THE CLERK:

On page 10, Calendar 409, Substitute for Senate Bill Number 458, AN ACT CONCERNING THE OFFICE OF THE CLAIMS COMMISSIONER. There are amendments.

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THE CHAIR:

Good morning, Senator Coleman.

SENATOR COLEMAN (2ND):

Good morning, Madam President. Madam President, I move acceptance of the Joint Committee's favorable report and passage of the bill.

THE CHAIR:

The motion is on acceptance and passage. Will you remark, sir?

SENATOR COLEMAN (2ND):

Madam President, the Clerk is in possession of LCO 5789 and asks that the Clerk please call that amendment.

THE CLERK:

LCO Number 5789, Senate A, offered by Senator Coleman, et al.

THE CHAIR:

Senator Coleman.

SENATOR COLEMAN (2ND):

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

THE CHAIR:

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The motion is on adoption. Will you remark, sir?

SENATOR COLEMAN (2ND):

Madam President, this is a strike-all amendment so that the amendment becomes the bill, and it seeks to address some of the issues that we become aware of with respect to the Claims Commissioner's office. Without assigning fault for some of the challenges and some of the situations that have occurred in the Claims Commissioner's office, the amendment seeks to do at least three things. The first is to provide for some restructuring of the Claims Commissioner's office. Secondly to put in place a method for calculating compensation for wrongful incarceration and the role of the Claims Commissioner's office in that kind of a situation. Finally, to validate some of the claims that have not been decided, as required, within two years from the filing that validation to occur by stipulation of the parties, written stipulation of the parties. So first, with respect to the reconstruction [phonetic] of the Claims Commission office, the most important or major feature in that is the chief court administrator being authorized to appoint a judge trial referee to provide assistance to the Claims Commissioner in hearing some of the claims that are filed with that office. In doing so, the judge trial referee assisting the Claims Commissioner would have the same authorities that the Claims Commissioner possesses with respect to hearing claims.

Secondary, we have over the years experienced a number of people who have been exonerated after having been sentenced and convicted to relatively lengthy prison terms, and in connection with that,

there have been some awards in compensation for those individuals having been wrongly convicted. One of the criticisms of those awards is that there seem to be some arbitrariness in the making of the awards, and so what provisions of this amendment do is to put in place not a formula but a method of calculating what amounts should be awarded in the event of wrongful incarceration and compensation for that wrongful incarceration. The center piece of that is to rely upon the median household income and to authorize the Commissioner to make an award up to twice the amount of the median household income times the number of years served that turned out to be a result of wrongful incarceration.

Finally, as I indicated, there are some claims that have not been acted upon by the Claims Commissioner's office as required to have been within two years of the filing of the claim so that the parties can, and in some instances, have already entered into written stipulations seeking to extend the time for the Claims Commissioner to make a decision. The provision in this amendment, which becomes the bill, serves to validate those claims.

Madam President, I ask for the support of my colleagues for this amendment. Thank you.

THE CHAIR:

Thank you. Will you remark? Senator Kissel, good morning, sir.

SENATOR KISSEL (7TH):

Good morning, Madam President. I rise in support of the amendment, which becomes the bill. Again, to

the Chairman's great credit, he is combining three separate bills into one bill so it can be more expeditiously moved through the process in these waning days of this legislative session. The last thing without getting into too much detail, the extensions of time, stipulations thereof, there are some very serious claims out there. Death and serious bodily and personal property interest at stake. That's a good things as far as allowing greater resources to the Claims Commissioner with the allocation of state trial referee. That's a good thing. Again, with a determination rather than haphazard methodology of awarding people that are exonerated after being incarcerated, that's a good thing. If there's any kind of substantial award determined, it would have to come before the legislature for our approval. So for those very reasons, I stand in strong support of the amendment that becomes the bill and urge my colleagues to support it as well. Thank you.

THE CHAIR:

Thank you. Will you remark? Will you remark?
Senator Kane.

SENATOR KANE (32ND):

How did you know I was getting up, Madam President.
Thank you, Madam President. I rise for a few
questions to the proponent of the bill.

THE CHAIR:

Please proceed, sir.

SENATOR KANE (32ND):

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Thank you, Madam President. Through you to Senator Coleman. As you know, I don't serve on the Judiciary Committee, but I do serve as the ranking Republican member of the Executive Nominations and Legislative Committee. Recently, as you also know, we have approved a new Claims Commissioner, and I think part of the reason for that was the great deal of controversy with the previous Claims Commissioner. And I think, if I may, assume that part of the reasoning for this bill is because of the problems with the previous Claims Commissioner and his office. When you stated earlier about some claims not being acted upon within the time period necessary, I think in my reading it's like 80 claims. Through you, Madam President, is that your understanding as well?

Through you.

THE CHAIR:

Senator Coleman.

SENATOR COLEMAN (2ND):

Through you, Madam President. It's a good number of claims. Eighty might be the number. Through you.

THE CHAIR:

Senator Kane.

SENATOR KANE (32ND):

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Thank you, Madam President. Along those lines, is it also true that the Attorney General has gone to court in reference to these claims? Through you.

THE CHAIR:

Senator Coleman.

SENATOR COLEMAN (2ND):

The Attorney General has gone to court in connection with a number of things, probably most frequently representing the state or state agencies in connection with claims made against those state agencies.

Through you, Madam President.

THE CHAIR:

Senator Kane.

SENATOR KANE (32ND):

Thank you, Madam President. One of the things that came up during my process of learning about this position and of course in hiring of the new Claims Commissioner, there was articles, Hartford Current and other publications, and I had spoken to the new Claims Commissioner about the language that is being used in between the Claims Commissioners office and claimants and that it was very confusing and a bit intimidating I dare say, so do you know if that's being worked on as well? That new language in regards to the claimant's responsibilities and timeliness and that type of thing. Is that part of this?

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Through you, Madam President.

THE CHAIR:

Senator Coleman.

SENATOR COLEMAN (2ND):

Through you, Madam President, I'd have to answer yes, it is.

THE CHAIR:

Senator Kane.

SENATOR KANE (32ND):

Good, thank you. Thank you very much. One last question. Also, looking at the analysis for this bill, it says that the Claims Commissioner to report to the Judiciary Committee. Is that something new in this bill based on what we believe is taking place over the last few years in this office? Through you, Madam President.

THE CHAIR:

Senator Coleman.

SENATOR COLEMAN (2ND):

Thank you, Madam President. That is not new. The Claims Commissioner is required to make a number of, well at least a couple of reports to the Joint Committee, most notably reporting on any claims that

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have not been disposed of within a period of two years from the date that they were filed.

Through you, Madam President.

THE CHAIR:

Senator Kane.

SENATOR KANE (32ND):

Thank you, Madam President. I thank Senator Coleman for answering my questions, and I too look forward to passage of the bill. As I stated, I learned a lot during the exec noms process, and there seemed to be a lot of problems with this office considering the amount of claims that were still outstanding, and I think that these kind of clarifications and these fixes to that I think will go a long way for the citizens of our state. Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark further on the amendment? Will you remark further on the amendment? Seeing not, I will try your minds. All those in favor, please say Aye.

SENATORS:

Aye.

THE CHAIR:

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Opposed? The amendment passes. Will you remark further on the bill? Will you remark further on the bill? If not, Senator Coleman.

SENATOR COLEMAN (2ND):

Very simply, the amendment becomes the bill, Madam President. There are no further remarks to be made regarding the amendment, which becomes the bill, and if there is no objection, I'd ask that this matter go on our Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered, sir. The Senate will stand at ease for a second please.

(Chamber at ease.)

Senator Duff.

The Senate will come back to order. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, we have a few other items. If the Clerk, well let me just make one more marking, Madam President. On Calendar page 26, Calendar 526, House Bill 5543, if we can take that item off the foot of the Calendar and mark that PR.

THE CHAIR:

So ordered, sir.

SENATOR DUFF (25TH):

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If the Clerk can now call the items on the Consent Calendar and then followed by a vote, please.

THE CHAIR:

Mr. Clerk.

THE CLERK:

On page 10, 10 409, Senate Bill 458; page 12, Calendar 426, Senate Bill 453; page 23, Calendar 508, Senate Bill 461; page 38, Calendar 125, Senate Bill 21; on page 41, Calendar 269, Senate Bill 371.

THE CHAIR:

Mr. Clerk, will you please call for a roll call vote, and the machine will be open.

THE CLERK:

Immediate roll call has been ordered in the Senate.
Immediate roll call on today's Consent Calendar has been ordered in the Senate.

THE CHAIR:

All members have voted? All members have voted?
The machine will be closed. Mr. Clerk, will you please call the tally.

THE CLERK:

On today's Consent Calendar,

Total Number Voting

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Those voting Yea	36
Those voting Nay	0
Absent and not voting	0

THE CHAIR:

The Consent Calendar passes. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. I move that all items that need action by the House be immediately transmitted.

THE CHAIR:

So ordered, sir.

SENATOR DUFF (25TH):

Thank you, Madam President. Is Senate Agenda Number 2 on the Clerk's desk?

THE CHAIR:

Mr. Clerk.

THE CLERK:

The Clerk is in possession of Senate Agenda Number 2. It's dated Monday, May 2, 2016.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

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Thank you, Madam President. I move all items on Senate Agenda Number 2 dated Monday, May 2, 2016, be acted upon as indicated and that the Agenda be incorporated by reference into the Senate Journal and transcript.

THE CHAIR:

So ordered, sir.

SENATOR DUFF (25TH):

Thank you, Madam President. That concludes our business for --

THE CHAIR:

Are there any announcements or personal privileges? Seeing none, Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. It is our intention for this Senate Democratic side to caucus at 11 o'clock and for the Senate to meet at noon. So I hope everybody has a safe drive home or to your destination this early morning. Thank you, and --

THE CHAIR:

Please drive safely.

SENATOR DUFF (25TH):

I move that we adjourn subject to the call of the Chair.

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THE CHAIR:

We shall.

CONNECTICUT GENERAL ASSEMBLY

SENATE

Tuesday, May 3, 2016

The Senate was called to order at 2:35 o'clock p.m.,
the President in the Chair.

THE CHAIR:

Good afternoon. The Senate will please come to
order. Members and guests, please rise. Direct
your attention to yesterday's birthday girl and our
acting Reverend, Noele.

NOELE R. KIDNEY:

Please bless us with an inner strength so that our
lives and our work may be a blessing on others.
Amen.

THE CHAIR:

Senator Gerratana, would you join us up here to lead
us in the Pledge of Allegiance, please?

SENATOR GERRATANA (6TH):

I pledge allegiance to the Flag of the United States
of America, and to the Republic for which it stands,
one Nation under God, indivisible, with liberty and
justice for all.

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THE CHAIR:

Thank you. At this time, I'd ask if there's any personal -- points of personal privilege or announcements. Seeing none.

Mr. Clerk, do you have anything on your desk?

CLERK:

Today's calendar.

THE CHAIR:

Thank you. Good. Then I'll call -- ask Senator Duff, what would you like to do with the Calendar?
[laughter]

SENATOR DUFF (25TH):

Is this a multiple choice question, Madam President?

THE CHAIR:

No sir, I think it -- you had the answers, sir.

SENATOR DUFF (25TH):

Thank you, Madam President. Good afternoon.

THE CHAIR:

Good afternoon, sir.

SENATOR DUFF (25TH):

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Have I told you how much I enjoy seeing you every day? How wonderful you look today?

THE CHAIR:

This is gonna' be one heck of a day, I'll tell ya'. Thank you, Senator.

SENATOR DUFF (25TH):

Thank you, Madam President. I have three items to mark as go.

THE CHAIR:

Please proceed, sir.

SENATOR DUFF (25TH):

Thank you, Madam President. On calendar page 38, Calendar 275, Senate Bill 19, go. Followed by calendar page 4, Calendar 341, Senate Bill 328, go. Followed by calendar page 22, Calendar 521, House Bill 5378, go.

THE CHAIR:

Thank you, sir. Mr. Clerk.

THE CLERK:

On page 38, Calendar 275, Substitute for Senate Bill Number 19, AN ACT ESTABLISHING THE TRANSIT CORRIDOR DEVELOPMENT ASSISTANCE AUTHORITY. There are amendments.

THE CHAIR:

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Senator Osten. Good afternoon, ma'am.

SENATOR OSTEN (19TH):

Good afternoon, Madam President. Madam President, I move acceptance of the Joint Committee's favorable report and passage of the bill.

THE CHAIR:

Motion is on acceptance and passage. Will you remark, ma'am?

SENATOR OSTEN (19TH):

Thank you very much, Madam President. Madam President, I would first like to talk about possibility of passing a small amendment on this piece of legislation and if the clerk is in possession of LCO Amendment Number 5598, I move the amendment and seek leave to summarize and move adoption.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO Number 5598, Senate "A" offered by Senator Osten, et al.

THE CHAIR:

Senator Osten. Motion is on adoption. Will you remark?

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SENATOR OSTEN (19TH):

Thank you very much, Madam President. Madam President, in this piece of legislation, there was a reference to a minority member that was a non-voting member of the Transit Corridor Development System Assistant -- Assistance Authority and we are changing this to -- to be a voting member, is the essence of the amendment. I move adoption.

THE CHAIR:

Will you remark further on the Amendment? Senator Linares.

SENATOR LINARES (33RD):

Thank you Madam President --

THE CHAIR:

Good afternoon, sir.

SENATOR LINARES (33RD):

Good afternoon, Madam President. I rise for a question to the proponent of the Amendment and Bill.

THE CHAIR:

Please proceed on the Amendment, sir.

SENATOR LINARES (33RD):

Thank you, Madam President.

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Senator Osten, under this proposed amendment, how would, and who would, be added to the Board of the TCDA?

Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. Through you, after Line 14, where the references to a minority member of the TCDA -- the transit, sort of more formally known as the Transit Corridor Development Assistance Authority, we are just further defining minority. That -- that was already listed in there and we are making that person a voting member versus a non-voting member. Thank you very much, Madam President.

THE CHAIR:

Senator Linares.

SENATOR LINARES (33RD):

Thank you, Madam President and thank you to the good Senator Osten for her answer. Another question to the good Senator about --

THE CHAIR:

Please proceed, sir.

SENATOR LINARES (33RD):

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Thank you, Madam President. Regarding the TCDA, forgive me for having to look at the amendment to pronounce the acronym. There are -- there are so many in the State Capitol. How many different boards will there be across the state? Will there be one board that oversees the entire Transit Assistance Authority or will each new project have its own TCDA?

Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. As we're still on the Amendment, I'd be happy to answer the question, once we finish with the Amendment because that's more germane to the underlying bill.

Through you, Madam President.

THE CHAIR:

Senator -- Senator Linares, do you have anything regarding the Senate -- Senate "A"? That really is for the bottom of the bill. We haven't voted on Senate "A" yet.

SENATOR LINARES (33RD):

I understand. Thank you, Madam President. I do not have any further questions regarding the Amendment, but I do look forward to discussing the underlying

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Bill with the proponent. Thank you, Madam President.

THE CHAIR:

We'll be right to you. Will you remark further on Senate "A"? Senator Kissel. Good afternoon, sir.

SENATOR KISSEL (7TH):

Good afternoon, Madam President. Great to see you on this beautiful Tuesday, here in New England.

THE CHAIR:

Yes. Yeah.

SENATOR KISSEL (7TH):

Just a couple questions through you, to the proponent of the Amendment.

THE CHAIR:

Please proceed, sir.

SENATOR KISSEL (7TH):

Thank you. Regarding the Amendment, it's changing the -- essentially changing part of the status of one of the members. How many members are anticipated to be on this board?

Through you, Madam President.

THE CHAIR:

Senator Osten.

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SENATOR OSTEN (19TH):

Thank you very much. It's a 15 member board, but again, that's more germane to the underlying bill and this Amendment just deals with changing that one person.

Through you, Madam President.

THE CHAIR:

Senator -- I'm sorry, Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, and through you, Madam President. If the good senator knows, why was it originally drafted or proposed or passed out of committee with this one minority member not being a voting member?

Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. Madam President, I believe it was an error in judgement.

Through you, Madam President.

THE CHAIR:

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Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, and through you, Madam President, are there any other members that are -- have been in -- in the underlying bill -- non-voting or was this just a straggler?

Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. Madam President, that would be more -- a question more germane to once this amendment is adopted and I'd be happy to answer such, once we get to the underlying bill.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, and through you, Madam President, what's the definition of a minority member?

THE CHAIR:

Senator Osten.

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SENATOR OSTEN (19TH):

In Section 5, it lists a minority member means an individual whose race is defined as other than white or whose ethnicity is defined as Hispanic or Latino by the Federal Office of Management and Budget or used by the Bureau of Census of the United States Department of Commerce.

Through you, Madam President.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, and so the portion of the definition then, has to do with race other than white, would that embrace an individual who would be considered Asian and/or Pacific Rim?

Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. Through you, I believe so.

THE CHAIR:

Senator Kissel.

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SENATOR KISSEL (7TH):

Thank you very much, and my last question on the Amendment. I believe in minority set-aside programs. Women are considered minority, and for purposes of this Amendment, would a woman be considered a -- a minority?

Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Through you, Madam President, I do not believe so.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. Thank you, Senator.

THE CHAIR:

Thank you. Will you remark further on the Amendment? Will you remark further on the Amendment? If not, I'll try your minds. All in favor of Senate "A"?

SENATORS:

Aye.

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THE CHAIR:

Opposed? Senate "A" is adopted. Now we're on to the Amendment.

SENATOR OSTEN (19TH):

Thank you very much. We're on --

THE CHAIR:

I mean, the -- sorry.

SENATOR OSTEN (19TH):

We're on to the Bill as -- as amended. The Bill as amended creates a Transit Corridor Development Assistance Authority as a quasi-public agency. This from my perspective is a companion bill to a piece of legislation that has received a lot of attention around the state in economic development. It is -- that was the tax increment financing bill that we passed last year.

This Bill -- it creates a quasi-public agency to stimulate new investment in economic and transit oriented development near transit stations.

It authorizes TCDA after entering into a memorandum of agreement with an affected municipality to develop property and manage facilities in development districts, encompassing the areas around existing and planned transit -- excuse me, transit stations.

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The Bill establishes a 15 member board to governor -
- govern TCDA and gives it general powers to
operate as a quasi-public agency and development
specific powers for projects within development
districts.

It authorizes the TCDA to enter into an MOA with
the Capital Region Development Authority for
administrative support and services and it subjects
TCDA to specific auditing and reporting
requirements.

The Bill makes TCDA a public instrument and
political sub-division of the state, created to
perform an essential public and government function.
It is a quasi-public agency, not a state department
institution or agency, thus is subject to statutory
procedural operating and reporting requirements for
quasi-public agencies, including lobbying
restrictions and an ethics code.

It has perpetual succession as long as any of its
obligations are outstanding. Termination does not
affect outstanding contractual obligations. Its
rights and properties vest in the state when it
lawfully terminates.

Under the Bill, TCDA must stimulate new investment
in economic and transit oriented development in
development districts through cooperation and
coordination with the municipality in which a
district is located.

This, I think is one of the most important parts, as
this Bill came up last year and was more of a
mandate. This is a totally voluntary aspect of the
development process. I've had over 40

municipalities contact the Planning and Development Committee and speak for this piece of legislation, looking to actively use it as an economic driver in their area. [long pause]

Pardon me. My computer doesn't like to run sometimes.

This stimulates tourism, art, culture, history, education, and entertainment in development districts by cooperating with regional organizations, DECD and the municipality in which the district is located.

It helps manage facilities through contractual agreements, assists municipalities in which a district is located at the request of their legislative bodies in development and re-development efforts to stimulate the region's economy, enter into agreements to facilitate development or re-development within the development district at the Office and Policy Management Secretary's request.

The Bill gives TCDAAs general powers to function as a quasi-public agency. The general powers allow it to -- [long pause]

-- adopt and alter a corporate seal, adopt procedures for regulating, conducting its affairs, maintain offices, sue and be sued, purchase insurance for its properties, other assets, and employees, enter into contracts and memorandum of understanding, acquire, lease, manage, and dispose of personal property and enter into agreements with respect to such property, enter into agreements to facilitate development or re-development of state property or facilities, use consultants, attorneys,

and appraisers, invest funds that are not immediately needed in a US or state-issued or general or guaranteed obligations including the short-term investment fund and tax exempt proceeds funds, legal investments for savings banks in Connecticut and time deposit, certificates of deposits, or similar arrangements, do all things necessary and convenient to carry out these -- these powers.

The Bill also authorizes TCDAAs to employ staff as necessary and specifies that they are not state employees and TCDAAs are not an employer under the state's collective bargaining law; however, TCDAAs officers and employees are state employees for purposes of group welfare and retirement benefits very similar to other quasi-public agencies.

TCDAAs may establish and modify personnel policies including those related to employee hiring, compensation, promotion, retirement and collective bargaining.

TCDAAs must delineate development district boundaries through an MOA with the municipality in which the Transit Station is located. The municipality's legislative body must approve the MOA.

The development district must not extend beyond a half a mile beyond a transit station. Transit stations are: passenger, railroad or Hartford-New Britain busway project stations that are operational.

The Department of Transportation is planning or included in DOT statewide transportation investment program, a document updated every four years listing

transportation projects expected to receive federal funds, however the Bill exempts from the definition of transit stations, Hartford-New Britain busway project stations located wholly in municipalities that are contiguous to Hartford, including East Hartford and had an operational Hartford-New Britain busway project station on January 1, 2016.

With respect to projects occurring in a development district's boundaries, TCDA may acquire and dispose of property, plan for, acquire, finance, construct, develop, operate, market, and maintain facilities, promote and market development projects, collect fees and rents from the facilities it develops and adopts, procedures for operating them, enter into contracts, and borrow money, engage independent professionals such as lawyers, engineers, accountants, and architects, adopt and amend procurement procedures and receive money, property, and labor from any source, including government sources.

The Bill authorizes TCDA to enter into a MOA with CRDA, under which CRDA provides administrative support and services including staff support and coordinates and manage -- management and operational activities, including joint procurement and contracting sharing services and resources, coordinating promotional activities and arrangements, enhancing revenue, reducing operating costs or achieving operating efficiencies. The MOA can specify the terms and conditions for these relationships, including reimbursement.

In addition to establishing development district boundaries through an MOA with the affected municipality, the Bill requires TCDA before taking

any action in development district to enter into an MOA with the municipality in which the district is -
- is located.

The MOA must define each party's responsibilities for the district; identify the properties in the district that are controlled or owned by TCDA, the state -- the municipality or a private entity --
[pause]

-- specify long and short range plans for the district, including foreseeable changes to the use or ownership of district properties, identify and allocate revenue for district projects, including taxes, fees, rental income or parking, specify the types of activities and requests, which may include a neighborhood revitalization committee's request for the area, including or proximate to the district requiring a public hearing, include an agreement as to additional methods of soliciting community involvement and specify how the MOA may be terminated.

The Bill specifies that the municipal plans of conservation and development, local ordinances, and land use regulations apply to projects on private and municipally-owned property in a development district.

The Bill requires TCDA to coordinate all state municipal and quasi-public agencies planning and financial resources allocated for a development district project in which it is involved and all state and quasi-public agencies to cooperate with it.

Applicants requesting state funds for a development district project must submit a copy of their

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application along with supporting documents to OPM and TCDA. TCDA has 90 days to give the funding agencies its written recommendations called an Economic Development statement which must include provisions on performance standards, including project timelines.

TCDA must consider in formulating its economic development statement, written statements by the regional council of governments for the planning region in which the project is planned and neighborhood revitalization zone committee for the area that includes or is proximate to the plan project.

The agency cannot spend funds on such a project until it receives TCDA's recommendations or after 90 days, whichever is sooner. If it expends funds in a manner not consistent with the statements, recommendation -- must explain the decision in writing.

Instead of the annual report, quasi-public agencies must submit to the Governor's state auditors and the program review and investigations' committee the board must annually report within 90 days after TCDA's fiscal year, to the Governor's state auditors and planning and development committee on TCDA's finances, procurement, and employment.

The report must include a description of each project, it's location, and the amount the authority spent on its construction, a comprehensive financial report prepared according to generally accepted governmental accounting principles, a list of individuals and firms including principal and other major stockholders who receive more than \$5,000 for

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service, a statement of the authority's affirmative action plan policy, a description of its workforce by race, sex, and occupation, and a description of its affirmative action efforts and a description of the activities planned for the current fiscal year.
[long pause]

If the Senate could stand at ease.

THE CHAIR:

Senate will stand at ease.

SENATOR OSTEN (19TH):

And --

THE CHAIR:

Senate will come back to order. Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much. Under the Bill, the TCDAAs' 15 member board consists of 11 appointed Directors and 4 ex-officio voting Directors. The OPM Secretary in DC -- DCD Housing and Transportation or their designees.

In addition, the chief elected official of each municipality in which a TCDAAs project is planned, serves as an ad hoc voting member for matters directly affecting the municipality, the Executive Director for each regional council of government in which a project is planned, serves as an ad hoc non-voting member and the legislative body of the municipality in which a project is planned, must

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appoint a minority committee, a member to serve as an ad hoc non-voting member for matters affecting the municipality's minority committee, and I stand ready to answer any questions.

Through you, Madam President.

THE CHAIR:

Will you remark? Will you remark? Senator Linares.

SENATOR LINARES (33RD):

Thank you, Madam President. I rise to make some comments and to ask the proponent of the Bill a few questions, but first, I'd like to say that I think everyone in this state understands and knows that we have to do more for economic development. That -- that is, I think a goal of -- I -- I would hope -- a goal of every person in this legislature and clearly, we can tell from our constituents, all of whom support economic development and growth.

The demand for jobs has never been more important, especially in our cities. We, in Bridgeport, I think we have 19 percent unemployment, a similar percentage in Hartford, and New Haven. 50 percent of folks in our inner cities say that there is no opportunity for them to get a job that they feel would allow them to live the quality of life they'd like to have in this state.

And so, while I commend the good Senator for her work, certainly, ultimately here, the goal is economic development. Not certain that this is the right approach. Seems to me, that there might -- there could be simple ways for us to make the

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overall climate here in Connecticut more attractive for naturally occurring organic development on our transit corridors. I'm not sure that a new level of bureaucracy will accelerate that development. And so, with that said, this is a large bill, and it's an important bill, and I have to -- I would like to ask some questions to the proponent --

THE CHAIR:

Please proceed, sir.

SENATOR LINARES (33RD):

-- for legislative intent. Thank you, Madam President.

To the good Senator Osten. First and foremost, I think when we -- when we look at any new quasi-public agency, we have to first understand, you know, what it might cost the state as you fully -- are fully aware, we have -- we are in dire fiscal straits. We are currently looking at a \$230 Million deficit for this year, a billion dollar deficit for the next. Bills need to be paid, and in the out years, the fiscal cliff will drop precipitously.

We are in need of large structural changes. Certainly. And with that said, any more liability, any more increase in the liability to our unfunded debt is a concern to me, concern not only for our fiscal issues today, but also for the fiscal issues that we see tomorrow. And so, my question to the proponent of the bill is, where are the funds going to come for this program to operate to get started?

Through you, Madam President.

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THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much. Through you, Madam President. The bill may result in cost to the state for fringe benefits, including but not limited to health insurance, life insurance and retirement benefits, through the state employees retirement system for new employees, currently estimated to be at 39.94 percent of the salary.

The Bill classifies the employees with the authority as state employees for the purpose of fringe benefits only. This Bill does not specify how the authority will be funded. To the extent the authority is not funded by non-state resources, the cost of fringe benefits may be reimbursed to the state, much akin to what happens with resident trooper programs around for many small towns.

Lastly, to the extent existing Department of Transportation employee staff, the authority of the state may continue to support the fringe benefits for these -- for these employees or a portion thereof as the state does for the Connecticut Airport Authority. Therefore, the fringe benefits for existing employees would not represent a new cost to the transportation fund. Other expenses will come through the transportation fund.

Through you, Madam President.

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Senator Linares.

SENATOR LINARES (33RD):

Thank you, good Senator Osten and Madam President. A follow up question to that. You had mentioned that other expenses would come through the transportation fund. Could you comment as to what other expenses those -- that -- those may be?

Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

They would include the startup costs of developing TCDA. Then there would be, as this would be a quasi-public agency, they would work with private developers throughout the region to develop projects that impact those -- those districts that we're trying to enhance. In addition to that, TCDA and the capitol region development authority, or more formally known -- more -- the acronym being CRDA -- would enter into a memorandum of understanding that would allow CRDA to provide administrative support. So the administrative support would come through the CRDA.

Through you, Madam President.

THE CHAIR:

Senator Linares.

SENATOR LINARES (33RD):

Thank you. Thank you, Senator Osten. As far as administrative support goes, and startup costs, I don't see a fiscal note on this bill, but clearly, after enacted, startup costs have to happen quickly after this bill is enacted after the TCDA starts and so, how is it that startup costs are not factored into the fiscal note of this policy?

Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Through you, Madam President. The -- the fiscal note here indicates that there would be a potential cost to the transportation fund with the potential cost in both fiscal year 17 and 18 and the idea of the TCDA is to provide a mechanism for allowing both public and private agencies to work together to minimize the cost and provide expertise that some municipalities do not have at their fingertip.

Through you, Madam President.

THE CHAIR:

Senator Linares.

SENATOR LINARES (33RD):

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Thank you, Madam President. Thank you, Senator Osten. So, it doesn't -- the -- the startup costs appear to be a bit vague. We know that there might be some fringe benefits but we are assuming it sounds like that the municipalities will take the burden of the initial investment. If that is correct, how will the fringe benefits be split with the municipality -- how do we factor that -- are we also taking into consideration in these municipalities, their current unfunded liability status, 'cause as we know, several municipalities in this state, especially the ones -- especially larger municipalities are facing similar unfunded liability issues as the state of Connecticut. So, really, two questions -- the long of the short is, what would the -- the share percentage of cost be with municipality and state, and secondly, are we factoring the ability of the municipality to pay their bills?

Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you, Madam President. I'm -- I'm unsure where the -- Senator Linares heard that a municipality was going to take on the additional costs. I'm saying the projects would be done in conjunction with the municipality, a private developer, and through this public agency. According the Office of Fiscal Analysis, there is no municipal impact and any impact that would be had on a municipality would be done with the Memorandum of Agreement that you would

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have which will clearly detail if there would be any cost, but the -- according to OFA, there is no municipal impact, currently designated.

Through you, Madam President.

THE CHAIR:

Senator Linares.

SENATOR LINARES (33RD):

Thank you, Senator Osten. Madam President, we -- another follow up question to the good senator. We have heard from our constituents from business and industry across the state that we have to get together in this chamber and in the legislature to improve our infrastructure and I -- I see that that is part of this. The concern I have, though, in this piece of legislation is that money that goes to our transportation fund and sits in that fund, may be diverted from the basic fundamental issues we're facing with our infrastructure -- pot holes, basic road repairs, basic issues with our bridges, our rail -- can that funding -- can those resources now be spent on say, an affordable housing development in one of our cities? Is that a possibility for how our transportation funds may be spent?

Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President, and I'm not certain I got the intent of Senator Linares' comments, but I will start with his concerns vis-à-vis looking at our infrastructure. Connecticut Conference and Municipalities supports SB-19 as a way to support infrastructure and -- and augment our state and local transportation infrastructure for continued development through the transit oriented development projects. Municipal officials from Connecticut are the innovators in the effort to improve communities developed with a focus on all modes of transportation from ports and airports to rail and bus to automobiles and pedestrians. The idea of this as quoted from the CCM testimony, as first proposed during the 2015 legislative session raised numerous questions and significant concerns. Those questions and concerns were addressed in this piece of legislation by having the applications of local zoning and land use regulations apply.

Senate Bill 19 is the result of collaboration. It is an example of state and local leaders working together as partners in governing to find a way forward rather than we know what's best for you approach. I believe that this piece of legislation augments all of the things that we're trying to do in our cities and towns and provides a mechanism to work together with state, local, and private sector companies to augment each other.

Through you, Madam President.

THE CHAIR:

Senator Linares.

SENATOR LINARES (33RD):

So, for the legislative intent, thank you, Senator, I appreciate that and it's good to know that our conference municipalities is working on this piece of legislation. So, really, Senator Osten, what I was trying to understand is, if this group comes together or this quasi-public agency, comes together, and we're gonna' talk just a little bit about how this agency operates, how -- how large it is, who sits on the board in a minute, but I'm trying to understand, if they come together in a round a transit corridor or a train station or a bus stop or transit route, like the busway from New Britain to Hartford, they can choose then to develop some kind of -- some kind of private facility, whether it be local -- whether it be retail, housing, office real estate, any of the sort, that can be completed through plans done by the TCDA.

Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. If the good Senator could repeat the last section of that question, please?

Through you.

THE CHAIR:

Senator Linares.

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SENATOR LINARES (33RD):

So, I'm trying to understand exactly what kind of development we're going to have at these transit-oriented locations. So, hypothetically, a transit that the TCDA comes together and they say, we are going to have a MOU with the City of New Britain around the busway from New Britain to Hartford, and they say, in this -- in this area, we are going to facilitate the growth of a commercial zone around this transit stop. And so within that commercial zone or within that stop, they can have, I'm assuming that the goal here is some kind of economic development, so they can have a retail facility where they welcome private investment. They can have a commercial facility. They can have housing. They can have office space. That's the question. Can -- is that allowed in the area for which the transit -- Transit Corridor Development Assistance Authority -- it's a mouthful -- is that allowed? Is that -- isn't that the goal?

Through you, Madam President.

THE CHAIR:

Senator ~~Osten~~.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. That is a piece of the goal. The goal is to work with local municipality and private developers to develop developmental districts that incorporate all of what the good Senator talked about. In addition, it talks about many of the other things that we have going for us in the State of Connecticut revolving

around tourism, art, and culture. It looks at entertainment sectors. It could be what that municipality is looking forward to having in that development district.

Through you, Madam President.

THE CHAIR:

Senator Linares.

SENATOR LINARES (33RD):

Thank you, Senator Osten. Thank you, Madam President. That's good to know. It's important to understand what kind of advantages these municipalities might have by entering in this memorandum of understanding. Clearly, we have to make them want to do it and so, certainly, economic development is a possibility. My question would be, why -- why not simply work to reform our zoning laws so that we can welcome the private industry to make those investments themselves without needing to focus and -- and spend our state resources on this new quasi-public agency? What -- what is lacking currently in our natural economic environment to facilitate that growth?

Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

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Thank you very much. It -- first, many of the comments from last year said that local municipalities did not have an opportunity to have their zoning laws which are done by local municipalities honored and so this legislation honors that local municipality zoning and that's what we want. We're not trying to dictate from the state government to our local municipalities what happens vis-à-vis zoning in each of our -- you know -- we're a home rules state. We like to have opportunities to say what happens in our communities and this still honors those local communities. So, we are trying -- you know, we could come up with state mandates and tell the City of Hartford and the City of Bridgeport and the City of New Haven what they have to do, but we're not trying to do that. We're trying to provide a mechanism that would allow for collaboration between local, state, and private sector developers to develop areas in cooperation with each other. It's a voluntary mechanism and we intend for it to be voluntary and I wanted to address one of your issues vis-à-vis funding and say that the TCDA is intended to become self-supporting within one year from being enacted. It will use the expertise of the CRDA to create development deals that will provide revenue from things like leases, rents, and fees.

Through you, Madam President.

THE CHAIR:

Senator Linares.

SENATOR LINARES (33RD):

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Thank you, Senator Osten. I appreciate you answering my questions about this. It's important to fully understand the possibilities with this Transit Corridor Development Assistance Authority and I do appreciate the -- the point that you've made regarding it being a home rule state and I do understand the importance of making sure our municipalities have a say in the kind of development that occurs in our towns and their cities. So, I'm trying to understand how -- who makes up this board of the TC -- TC -- what do we got here -- TCDA. It says -- hold on, one -- was it 15 members of the board -- five appointed by the governor, one appointed by the speaker of the house, one appointed by the president pro tempore of the senate, one appointed by the majority leader of the House of Representatives, one appointed by the majority leader, one by the minority leader in the House, and the Senate, the Secretary of the Office and Policy Management, and who shall serve as an ex officio member. They all have the right to vote on this board. Will there only be one board?

Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Through you, Madam President, yes.

THE CHAIR:

Senator Linares.

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SENATOR LINARES (33RD):

And that board -- thank you, Senator and thank you, Madam President -- and when that board meets, they are the ones that sign off on the MO -- the memorandum of understanding with the municipality who in turn gets approval from their -- from -- from their first selectman and/or mayor? Or is it through their town council?

Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. Actually, none of the above, although, it would be whoever has the authority in that particular municipality to sign the document, but it is approved through the legislative body.

Through you, Madam President.

THE CHAIR:

Senator Linares.

SENATOR LINARES (33RD):

How -- thank you, Senator Osten. Thank you, Madam President. If changes to the memorandum of understanding need to take place, will the process simply be that the board will have to circumvent any changes to the contract through the town's

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legislative body or will that simply be able to be done through the chief executive officer of the town with the board?

Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

All such items would be included in the memorandum which would outline the direction that would handle either termination or changes of the MOA and would be well delineated before contract is ever signed.

Through you, Madam President.

THE CHAIR:

Senator Linares.

SENATOR LINARES (33RD):

Thank you, Madam President. Thank you, Senator Osten. I do not have any further questions. I do have some comments and would like to bring an amendment shortly.

We are all certainly very concerned about our economy, about job growth in this state, about the attractiveness of our state for new ventures for -- and for keeping our businesses that are here that have dedicated themselves to the State of Connecticut, keeping them here, and certainly, that

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is a priority for us. Certainly, that is a huge concern.

I would imagine that by simply shifting and changing regulation, that can be seen as outdated and not flexible and understanding of the modern economy, technology, and changes in globalization, I can imagine that as a legislative body, we would like to welcome any company that wants to enter Connecticut on their own dime, on their own investment, with open arms. I'd imagine that. And it's because of that, because we do have a business that is interested in entering Connecticut under those parameters, I imagine that my colleagues in the Senate would welcome that opportunity.

With that said, Madam President, the clerk has an amendment LCO 5938. Will the clerk please call the Amendment?

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO Number 5938, Senate "B" offered by Senator Linares.

THE CHAIR:

Senator Linares.

SENATOR LINARES (33RD):

Madam President, I move adoption of the Amendment.

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THE CHAIR:

Motion on adoption, sir. Will you remark?

SENATOR LINARES (33RD):

And I move to waive the reading. I would like to seek leave to -- leave of the chamber to summarize.

THE CHAIR:

So ordered, sir.

SENATOR LINARES (33RD):
Thank you, Madam President.

I would -- may the Senate stand at ease for a moment, Madam President.

THE CHAIR:

Senate will stand at ease.

SENATOR LINARES (33RD):

Madam President, I yield the floor to Senator Duff.

THE CHAIR:

Senator Duff, will you accept the yield, sir?

SENATOR DUFF (25TH):

I do. Madam President, thank you. Thank you to the good Senator. I move that we PT this bill, please.

THE CHAIR:

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So ordered. Mr. Clerk.

THE CLERK:

On Page 4 --

SENATOR DUFF (25TH):

Madam?

THE CHAIR:

I'm sorry. Senator Duff.

SENATOR DUFF (25TH):

Can we stand at ease for one moment?

THE CHAIR:

Sure. Senate will stand at ease.

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. For a few markings.

THE CHAIR:

Please proceed, sir.

SENATOR DUFF (25TH):

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Thank you, Madam President. On calendar page 45, Calendar 178, Senate Bill 142, I'd like to take that off the foot of the calendar.

THE CHAIR:

So ordered, sir.

SENATOR DUFF (25TH):

On calendar page 52, Calendar 422, Senate Bill 13, I'd like to take that off the foot of the calendar.

THE CHAIR:

So ordered, sir.

SENATOR DUFF (25TH):

On calendar page 52, Calendar 423, Senate Bill 149, I'd like to take that off the foot of the calendar, please.

THE CHAIR:

So ordered, sir.

SENATOR DUFF (25TH):

Thank you, Madam President, and could we stand at ease?

THE CHAIR:

Senate will stand --

SENATOR DUFF (25TH):

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We all set? Never mind. If the clerk --

THE CHAIR:

Not stand at ease.

SENATOR DUFF (25TH):

-- can now call calendar page 4, Calendar 341,
Senate Bill 328.

THE CHAIR:

Mr. Clerk.

THE CLERK:

On Page 4, Calendar 341, Substitute for Senate Bill
Number 328, AN ACT CONCERNING MUNICIPAL APPLICATIONS
FOR LAND USE PERMITS AND TAX ABATEMENTS. There are
amendments.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. Madam
President, I move acceptance of the Joint
Committee's favorable report and passage of the
bill.

THE CHAIR:

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Motion is on acceptance and passage. Will you remark, ma'am?

SENATOR OSTEN (19TH):

Thank you very much, Madam President. I would first like to address an amendment. The clerk is in possession of LCO Amendment Number 5356. I move the amendment and seek leave to summarize and move adoption of the amendment.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO Number 5356, Senate "A" offered by Senators
Osten, Bye, et al.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much. Madam President, this is a minor amendment which makes minor technical changes. In Line 10 after "application" inserts "an" and Line 14 strike and add "any contractual" and insert a period and strikes line 15 to 18 inclusive in their entirety and -- and I move adoption.

THE CHAIR:

Will you remark on Senate "A"? Senate -- Senate "A"? Senator Linares.

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SENATOR LINARES (33RD):

Thank you, Madam President. I rise again to ask a question to the proponent of the amendment. Through you, Madam President. I didn't have a chance --

THE CHAIR:

Please.

SENATOR LINARES (33RD):

Thank you, Madam President. Did not have a chance to pull up the amendment on the computer at the moment through Senator Osten, but I would just like to ask, how does this -- how does this change the underlying bill and does it make the underlying bill less intrusive to the permit and application process?

Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

The -- this -- thank you very much, Madam President. This does just exactly that. Makes it less intrusive and also has two very minor changes that are more technical in nature.

Through you, Madam President.

THE CHAIR:

Senator Linares.

SENATOR LINARES (33RD):

Thank you, Madam President. I appreciate the good Senator's answer. That was the original concern of mine with this bill. I was concerned that ultimately, in an environment where we're doing our best CEO's of towns are doing our best, representatives in the legislature are trying to attract businesses to the state, my concern was that this -- the unintended consequence of this legislation may be that it would actually slow down the ability to attract businesses through the tax abatement process, but it seems that through this amendment, this concern has been solved. Thank you, Madam President. I -- I support the amendment.

THE CHAIR:

Thank you. Will you remark further on the Amendment? Will you remark further? If not, I'll try your minds. All those in favor of the Amendment, please say aye.

SENATORS:

Aye.

THE CHAIR:

Opposed? The Amendment passes. Senator Osten.

SENATOR OSTEN (19TH):

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Thank you very much, Madam President. Now, to the underlying bill as amended. Just to reiterate, the amendment removed a reporting requirement for applicants from municipal tax abatements and land-use permits. It had no fiscal impact. This bill has no fiscal impact. It just provides transparency for applications on land use and tax abatements that are presented by municipality -- to municipalities and their respective committees.

Through you, Madam President.

THE CHAIR:

Senator Linares.

SENATOR LINARES (33RD):

Thank you, Madam President. Just a few questions to the proponent of the bill.

Through you --

THE CHAIR:

Please proceed, sir.

SENATOR LINARES (33RD):

Through you. Currently, we do not ask -- municipalities do not ask for the name, address, internet website, telephone number of a developer of a property that is submitting for a tax abatement application?

Through you, Madam President.

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THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

In some cases, through you, Madam President, this is requested and this just makes a clear requirement so that there is transparency when a -- a subject property is being developed.

Through you, Madam President.

THE CHAIR:

Senator Linares.

SENATOR LINARES (33RD):

Thank you, Senator Osten. Senator Osten, is there an example of -- of a situation or an issue in Connecticut where someone had been seeking tax abatement and not receive -- and received it without properly identifying themselves with their name, address, website -- has this occurred and has -- have any of these issues presented a challenge for local communities?

Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

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Through you, Madam President. To my knowledge, it -
- and my knowledge would be anecdotal -- residents
felt that they were not informed in the town of
Bloomfield, most recently, and that's where this
piece of legislation came from, in order to have a
clear understanding of what's going on in each town.
This would provide the residents and our
constituents with an ability to look developments
and make sure that it fits in with the character.
Again, we are a home rule state and we want to
provide our residents with enough information to
both support or oppose a development, should it be
necessary.

Through you, Madam President.

THE CHAIR:

Senator Linares.

SENATOR LINARES (33RD):

Thank you, Madam President. Thank you, Senator
Osten, for answering all of my questions today, and
I appreciate working with you on the Planning and
Development Committee.

I do appreciate this bill. Originally, I was
concerned that this might slow down the tax
abatement process in a time when we certainly should
be doing everything we can to welcome businesses
here, but I do see the importance here in
transportation -- in transparency.

I think more transparency within our government's
state and municipal with their conversations, plans,
with developers and private entities -- should be

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transparent. I think, ultimately that's a good a habit for our government to practice. That ultimately, every conversation they have needs to be a conversation that can be heard by all of the constituents that they represent.

I think that this can allow us to avoid some significant issues and so, because of the change in the amendment to make this bill less onerous to businesses, and because of the importance of transparency, I will support this bill and legislation moving forward. Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark? Will you remark?
Senator Markley.

SENATOR MARKLEY (16TH):

Thank you, Madam President. Just had a couple of questions for the proponent of the Amendment, if I may?

THE CHAIR:

Please proceed, sir.

SENATOR MARKLEY (16TH):

Through you, Madam President. First --

SENATOR OSTEN (19TH):

Just for clarity, we're on the bill, not the Amendment.

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SENATOR MARKLEY (16TH):

Very good. Thank you.

SENATOR OSTEN (19TH):

Thank you.

SENATOR MARKLEY (16TH):

Sometimes, Madam President. I'll ask about the amendment -- about the bill then.

Through you, Madam President.

THE CHAIR:

Thank you.

SENATOR MARKLEY (16TH):

Just for clarification, because I received communication about this, this bill as amended before us has no impact on local council, the government, the cogs, or the makeups of their board? There was -- there was some concern that that might be a subject of this bill, but I don't see it in the amendment or the bill. I just wanted to ask the Chairwoman if that's correct..

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

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Thank you very much, Madam President. That's correct.

THE CHAIR:

Senator Markley.

SENATOR MARKLEY (16TH):

And continuing on the bill, I understand the impetus behind this and in fact, support the idea of -- of transparency, and I know that there was a recent in which there was some question about what was actually going on in the case of an application.

I guess the question I would ask is, we're talking about applicants for tax abatements and permits filed with a series of different kinds of local boards of the sort of -- with which we're all familiar and the applicant needs to provide in writing among other things, a description of the applicant's relationship to the property owner and developer, if he or she is not the owner and developer -- or developer, and my question would be, under what right or under what pretense would someone be able to make an application like this if they were neither the owner or the developer?

Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Through you, Madam President, and I'm just going to revert to the town of Sprague where an applicant might put in for a home occupation business and they may not own that property, but they have the right to put in for a home occupation business. You would write down that you are the tenant of that home -- of that home and then you would say what your relationship is with that particular home owner. In addition, we would require the home owner to sign on that application.

Through you, Madam President.

THE CHAIR:

Senator Markley, please.

SENATOR MARKLEY (16TH):

Thank you, Madam President. And that certainly is a clarification to me of that -- of that aspect of it. That is -- that -- that is the -- that is the -- the one thing that I saw as a sticking point and that I did not understand and I thank Senator Osten for that clarification, and I will support the bill.

THE CHAIR:

Thank you. Will you remark further? Will you remark further? Senator Kelly.

SENATOR KELLY (21ST):

Thank you, Madam President. I have a couple of questions through you, to the proponent of the bill.

THE CHAIR:

Please proceed, sir.

SENATOR KELLY (21ST):

Thank you very much, Madam President. In reading the language of the bill, it doesn't really address what happens should an applicant for a land use permit fail to provide any of this information. Could you explain what happens? Would the Land Use commission or agency deem the application incomplete? Would it become denied? What would happen for failure to adhere to these elements?

Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. Through you. Like anything else that's required by any of the particular land use boards and commissions, any application that is incomplete is generally denied or the applicant is given another opportunity to provide the necessary information, but there are many other pieces of information that are required in applications and not having a clear understanding of a project would require that land use committee to ask additional questions, perhaps deny it, or perhaps give the applicant time to provide the information.

Through you, Madam President.

THE CHAIR:

Senator Markley -- I'm sorry -- Senator Kelly.

SENATOR KELLY (21ST):

Thank you, Madam President. So in essence, this is going to be treated the same way as all other land use applications and should an applicant not provide any of this information, they do so at their peril.

The other point I wanted to ask a question on deals with the effective date of October 1, 2016, and is that going to be effective for all new applications on that date or subsequent, or would this requirement also be applicable to current applications that are pending in any of the municipalities on that date?

Through you, Madam President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Through you, Madam President. It -- it would not be retroactive, it would be prospective after the October first date.

Through you.

THE CHAIR:

Senator Kelly.

SENATOR KELLY (21ST):

Thank you, Madam President, and just to be clear, so then it's only applicable to applications filed on or after October 1, 2016?

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Through you, Madam President. Correct.

THE CHAIR:

Senator Kelly.

SENATOR KELLY (21ST):

Thank you, Madam President, and thank you, Senator Osten for your answers. I appreciate it. Thank you.

THE CHAIR:

Thank you. Will you remark further? Will you remark further? If not, Senator Osten.

SENATOR OSTEN (19TH):

If there's no objections, I would move this to our Consent Calendar.

THE CHAIR:

Seeing no objections, so ordered.

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Mr. Clerk.

THE CLERK:

On Page 22, Calendar 521, House Bill Number 5378, AN ACT CONCERNING THE STANDARD RATE OF WAGES. It's amended by Senate "A" -- I'm sorry, by House "A" -- and there are amendments.

THE CHAIR:

Good afternoon, Senator Gomes.

SENATOR GOMES (23RD):

Good afternoon, Madam President. Madam President, I move acceptance of the Joint Committee's favorable report and passage -- passage of the bill in concurrence with the House of Representatives.

THE CHAIR:

The motion is on acceptance and passage, will -- in concurrence. Will you remark, sir?

SENATOR GOMES (23RD):

Yes, ma'am.

H.B. 5378 would clarify and codify current policies so that security workers and other employees under state contracts continue to follow under the standard wage law. The bill reclassifies the housekeeping aids at UConn's health center as light duty cleaners.

It would also clarify bit processes and require monthly submission of certified payroll per the request of the Department of Labor.

What some of the bill does -- this will help ensure -- specify that Bradley Airport is covered by standard wage. This will help ensure clarity of expectations that prevent unnecessary confusion and interpretation of the law as happened in 2013 in confusion over the Connecticut Airport Authority -- CAA. The current practice of the CAA and the Department of Labor is to consider CAA covered by the law.

It will also specify that security services are included in building property or equipment service, a notice posted on the DOL website, in the case that as of July 1, 2013, Security Services will be covered under 31-57F (1). The proposed amendment will also help ensure clarity.

Number three, classified housekeeping aids as light cleaners. Housekeeping aids at locations like the University of Connecticut health center who are almost -- who are mostly female and mostly immigrants are performing similar work as light cleaners.

There is no fiscal note as -- no -- there is no fiscal note associated with this bill as was reported earlier. A \$600,000 fiscal note, which was clarified by -- hold on a minute. [long pause] Which was clarified by the lobbyists from UConn. The fiscal note does not exist.

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Sir, will you remark further on the bill? Will you remark further on the bill? Senator Hwang. Good afternoon, sir.

SENATOR HWANG (28TH):

Thank you, Madam President. Through you, some questions to the proponent of the bill.

Through you.

THE CHAIR:

Please proceed, sir.

SENATOR HWANG (28TH):

Thank you very, very much. In regards to the standard wage, is it -- who does it apply to? What particular agencies -- are there unique agencies in its application?

Through you, Madam President.

THE CHAIR:

Senator Gomes.

SENATOR GOMES (23RD):

As per this bill here, I would say that it applies to Capitol Cleaning, LLC, who are the persons that they have a contract with CAA, which is a Connecticut Airport Authority, and UConn.

THE CHAIR:

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Senator Hwang.

SENATOR HWANG (28TH):

Through you, Madam President. So it would be fair to say that they're quasi-public agencies?

Through you, Madam President.

THE CHAIR:

Senator Gomes.

SENATOR GOMES (23RD):

No, I wouldn't say they were quasi-public agencies. They're an addition to this Capitol Cleaning Corporation. Quasi agencies were mentioned but it does not apply to them as -- as for their contract.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Through you, Madam President. The reason I asked that question is in the legislative summary, the -- the bill in its clarification says it does indeed apply to quasi-public agencies. Through you, Madam President. If I could get a clarification on that. Whether it's applicable or not.

THE CHAIR:

Senator -- Senator Gomes.

SENATOR GOMES (23RD):

Thank you, Madam -- Madam President. Upon further investigation of this clarification, this summary, we found that it is not quite true. What -- what is in the summary. The quasi-public agencies should not be in this because of the simple fact that the security guards are under current law at the standard wage -- governs wages and benefit for employees as private contractors who do building and property maintenance, property management, and food service work in this state.

But the standard wage law currently applies to approximately 50 job classifications including first serve workers, cashiers, janitors, carpenters, window cleaners, and truck drivers, while the statute does not specify most job titles, the bill adds employees providing security services and specifies that after July 1, 2016, employee working as a housekeeper must be classified as a light cleaner. The language in this summary is not correct. To you.

Through you, Madam President.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President. And -- and -- that -- that's interesting. I understand the good Senator had addressed the issues in regards to the -- the coverage of those classification of employees, but I -- I had thought that this bill was the focus of

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expanding the -- the coverage of standard wage laws and it was to expand in the coverage of quasi-public agencies such as Connecticut Innovations, the Connecticut Hospital and Education Facilities Authority and Connecticut Airport Authority. If the good proponent of the bill indeed says that they are not quasi-public agencies, I -- I -- I would value legislative clarification and -- and truly understand what the purpose of this bill is.

Through you, Madam President.

THE CHAIR:

Senator Gomes.

SENATOR GOMES (23RD):

Through you, Madam President. To the good Senator, I've just received some information that House Amendment eliminated all quasi-agencies. It does not exist.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Through you, Madam President. I -- I don't believe we are talking about any amendments. Is that correct?

Through you, Madam President.

THE CHAIR:

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Senator Gomes.

SENATOR GOMES (23RD):

Maybe I've made a mistake and didn't call an Amendment. I -- I understand there was an amendment in the house.

THE CHAIR:

For clarification from the chair, I can tell you that the House Bill came down amended by the House, so there's a House Amendment "A" on the bill, already incorporated in the -- in the bill that's in front of you.

SENATOR HWANG (28TH):

Through you, Madam President. Then -- and I -- I didn't know as we announced the bill -- that -- it did not share that it was amended, so that -- that -- may be a clerical error but the reality is, I did not reflect that amendment and -- and if indeed that amendment is covered, I would actually like the proponent of this bill to give me a better clarification of really what that House Amendment did in changing the underlying bill.

Through you, Madam President.

THE CHAIR:

Senator Gomes.

SENATOR GOMES (23RD):

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Through you, Madam President. Could I get a clarification on what the Bill number is? Is it 3647?

THE CHAIR:

No -- the bill that was called, is --

SENATOR GOMES (23RD):

No, I mean amendment.

THE CHAIR:

The amendment was 3647.

SENATOR GOMES (23RD):

But it was dealt with in the House?

THE CHAIR:

That's right. It's a House Amendment, sir, that was incorporated into the Bill and sent up to the Senate. It is a House Amendment in the -- in the bill already.

SENATOR GOMES (23RD):

Through you, Miss -- through you, Madam President. Is -- is that a proper clarification to the good Senator?

THE CHAIR:

Senator Hwang.

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SENATOR HWANG (28TH):

Thank you, Madam President. That is truly great teamwork. With that said, it gives a point of clarification. I may reserve the opportunity to maybe talk some more afterwards.

Through you.

THE CHAIR:

Absolutely. Will you remark further on the bill?
Senator Frantz. Good afternoon, sir.

SENATOR FRANTZ (36TH):

Good afternoon, Madam President, and thank you very much for the time here this afternoon. Thank you Senator Gomes, for your work on this bill. I will have a few questions, not -- not for a little bit.

Clearly, this bill is directed -- if I read it correctly -- directly at the CAA. The Connecticut Airport Authority, which is a relatively new institution in the State of Connecticut, established about three years ago and it's up and running. The whole idea of the CAA was to take a state asset, namely Bradley International and a few other GA or General Aviation airports out from underneath the umbrella of the Department of Transportation.

Now we all appreciate the Department of Transportation. They do a great job of maintaining our roads and building bridges and building -- and - - and maintaining railroads and so on and so forth. But the one thing that we came to the conclusion about, many years ago, was that the Department of

Transportation had a very difficult time running what was essentially a commercial enterprise and -- and a booming one at that. A thriving one. They produce great cash flow for not only the airport itself so that it could grow and accommodate more and more passengers over the course of time, but also some of that money could come back to the state.

And Bradley Airport, we all know, has a wonderful and rich history. Going back to the beginning of World War II, when it was built, essentially as a grass field initially, and when you look at the aerial photographs, you couldn't even see it from the air, but it ultimately received a tarmac runway and then multiple runways after that. It became a very active training center for budding pilots and unfortunately, Second Lieutenant Eugene Bradley lost his life in a training accident there, hence the name of the airport.

We won't go down that history road too much here. We may get back into it later, if there is time to do that, but basically, what we're doing here, is we're re-imposing one of the conditions on Bradley International Airport and the other -- general aviation airports that this whole CAA establish -- CAA structure was set up to combat.

We want Bradley International Airport to fly with free wings without the burdens of many of these conditions that come along with being associated with the State of Connecticut. And I can tell you, I -- going back now, I think it's 11 years or 12 years, when I was up at the airport as the Chairman of the Board up there, I came to you all and asked you to somehow figure out a way through my bill proposal to make the airport independent. Set it up

with an independent Board of Directors, and cut off the ties with the State of Connecticut, with a little bit of capital to get it through the transition years, and I tried, I think, five times over the course of seven years to get that passed, got absolutely nowhere at the very end of session.

Ironically, but also suitably, when the bill was taken up -- the idea was taken up by Governor Malloy, it sailed through the legislature and became law and I believe his intent was through -- to do exactly what I had wanted to do over those years, although, in a slightly different way. But the idea was to make it an independent place that could keep its cost structure under control, because as we all know, the airline industry is one of the most competitive in the world, and in fact, if you add up all of the money made since the Wright Brothers flew in the airline industry, and how much they've lost over the same amount of hundred and -- I think it's 113 years now, there's zero margin. Zero margin in the business.

So, for all the good news that you've seen in the last couple of years in the airline industry, it has gone to three and four, and in some cases, billion dollars in the industry, in the red during some of those dismal and dear [phonetic 6:58.27] years when things really fell apart and oil costs Jet A fuel went through the roof and cracking spreads and everything else were unaffordable.

So, it is one of the most competitive businesses in the world. We absolutely -- at the airport at Bradley in particular -- we need to keep our eye on the pennies -- literally, the pennies there. Everything makes a difference, whether the airport

turns a profit or -- or I should say, a surplus or turns in a deficit and most of the time it barely breaks even because the FAA mandates that you put whatever surplus there is, back into airport investments so that the airport can continue to grow and handle the additional capacity that you would expect down the road.

And it really is a gem for the State of Connecticut, for the entire -- this part of New England is -- is the gateway we always used to call it to New England, and it's a wonderful, wonderful airport. People love going there because it's so easy to negotiate, so easy to park, and in the indoor parking garage, and just go across the bridge to the airport check in and get through what are typically much shorter lines than you would see at JFK or in Boston or -- or Providence.

We have to ask ourselves, if this is passed into law, how extensive does it apply to all of the different vendors, other employees at the airport, does it apply to the airlines? I will ask that question in a -- in a couple of minutes, but essentially what we're doing is we're putting right back onto the airport, if this bill passes, the onerous conditions that cause the airport to not come anywhere near meeting it's potential in the past. It was just another government agency. It was an institution. It wasn't a thriving wonderful, commercial airport that people talked about with a great marketing campaign and a great amount of goodwill in -- in the marketplace, so to speak.

What we're doing here is looking at putting some of those conditions back onto the airport and perhaps doing it all the way vertically through the

different operations there and if in fact this does apply to concessionaires, it's already a difficult enough place to make any kind of money for Dunkin' Donuts and for the Bear and Bull Restaurant and -- and Einstein's Bagels and all of the other places up there.

If you do this -- if we do this to them, you'll see them droppin' like flies and you'll see people who might ordinarily be interested in coming and you know, going to some of the new space that we're going to be building up there -- that they're gonna' be building up there -- they are no longer part of the State of Connecticut -- they'll lose interest in it and you know, who wants an airport that's second rate? Who wants an airport that isn't what it could be as far as its potential goes? So does it -- and I'll come back to that in a second, Senator. Does it, in fact, apply to concessionaires?

At the worst extreme -- at the worst extreme, could this filter down into airlines as well? And even if it does -- and I think the airlines watch this like a hawk -- they don't like anything like this at all -- I've been in negotiations for six or seven years in a row, usually negotiate twice a year for contracts with them and -- and rates and I know exactly what they're looking for. It's the bottom line, ladies and gentleman. The bottom line is everything.

So when they start seeing these costs increase, incrementally in this case, but could be significant over the -- over the course of time and it could apply to them -- guess what? They're not interested. They don't have to be at Bradley Airport. They've got a huge country and a huge

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world that they could continue to serve and make just as much money. I think they do it in many cases because they like the operational efficiency and the lack of traffic at the airport and it's -- it's geographical location with respect to airways and jetways that -- that are above us, right now as we speak.

Inserting an aircraft 750-74 for example, which is a fast climber -- it's that is incredibly efficient for the airlines, so I think they like that. But if the money's not there for them, and the profit potential's not there for them, guess what? We all end up losing because they move on.

So, through you, Madam President, I do have a couple of questions for the proponent.

THE CHAIR:

Please proceed, sir.

SENATOR FRANTZ (36TH):

Thank you, Madam President. Senator Gomes, why don't I start with the first question of the intent of the bill, the language of the bill. Does that in fact filter its way down to the concessionaires who operate at the airport? The restaurants and the bookstores?

THE CHAIR:

Senator Gomes.

SENATOR GOMES (23RD):

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To the best of knowledge, through you, Madam
President, no.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ (36TH):

Thank you, and is there anything -- any line in the
language that you can point to that -- so that I --
I would feel assured that it does not apply to
someone who's in a contract with the CAA?

THE CHAIR:

Senator Gomes.

SENATOR GOMES (23RD):

Well I had to go back to the clarification -- try to
go back to the clarification through the bill. We
are looking to clarify and codify current policies
so that security workers and -- and -- and cleaners
-- cleaner -- security workers -- under the state
contract continue to fall under the standard wage
law. It would also clarify big profits -- processes
and require monthly submission of certified payroll
per the request of the Department of Labor.

We are only looking to codify and have recognize and
clarify the contract that 32BJ has with CAA and
that's Connecticut Airport Authority, and UConn to
be -- they have a contract with UConn too.

THE CHAIR:

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Senator Frantz.

SENATOR FRANTZ (36TH):

Thank you. Through you, Madam President. Thank you for that answer. Can you -- Senator Gomes -- confirm with the circle here today, that this does not apply to the airlines -- I assume you're going to be pointing to the same lines of language -- but that it does not in fact hurt the airlines?

THE CHAIR:

Senator Gomes.

SENATOR GOMES (23RD):

Through you, Madam. Could you repeat that question?

SENATOR FRANTZ (36TH):

Absolutely. Through you, Madam President. The question is, does this bill affect any airline employees or any contract with the airlines through the CAA?

THE CHAIR:

Senator Gomes.

SENATOR GOMES (23RD):

I only know that it -- through you -- through you, Madam President -- I only know that it -- it -- it -- it -- I'll give you the contract right here -- who the contract is with. Could you hold on a minute?

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THE CHAIR:

Senate will stand at ease.

Senate will come back. Senator Gomes.

SENATOR GOMES (23RD):

Thank you. Thank you, Madam President. Through you to the good Senator. I'm gonna' read you a -- questions that were asked of CAA and -- and it comes from this. Who's occurring -- a current vendor for this contract? It's Capitol Cleaning Contractors Incorporated. Other contracts we are not cognizant of and have -- have no authority under this -- have no reason for us to -- to mention them.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ (36TH):

Thank you, and through you, Madam President. I appreciate that -- that's what the language clearly states here. Can you give us, for legislative intent purposes -- through you, Madam President, assurances that it will never affect the airlines or the concessionaires, going forward?

THE CHAIR:

Senator Gomes.

SENATOR GOMES (23RD):

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Through you, Madam President, to the good Senator. Only thing we are clarifying is contract -- employees that are under the -- under the -- under the contract of -- of the state -- that work through the state. This -- go ahead, I'm sorry -- would you like --

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ (36TH):

Yes, thank you. Thank you for that answer. Through you, Madam President. The CAA is in charge of numerous general aviation airports. Six others. They are under their budgetary control, under their operational control and management in any sense of the word. Was there any consideration, through you, Madam President, to what the effects might be on some of the smaller airports that do not have the buy-in that Bradley International Airport has, but may have a flight -- you know, seven, eight flights a day, and they're probably not even breaking even, they're barely breaking even with subsidies from the CAA. Was there any consideration given to those six airports and the cost structure that it might affect adversely?

THE CHAIR:

Senator Gomes.

SENATOR GOMES (23RD):

Through -- through you, Madam President. I would not have any knowledge of that.

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THE CHAIR:

Senator Frantz.

SENATOR FRANTZ (36TH):

Thank you. That's -- that's very helpful. In trying to better understand why we're doing this at the CAA, are there -- you -- you mentioned UConn before, but are there other quasi-publics that are subject to this and -- and if not, why are we singling out CAA and I guess, UConn?

Through you, Madam President.

THE CHAIR:

Senator Gomes.

SENATOR GOMES (23RD):

Through you, Madam President. To the good Senator, that's where our contract is. That's -- that's who they have the contract with.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ (36TH):

Right. And so you -- through you, Madam President. In other words, it is only UConn and CAA -- no other quasi-publics are subject to this requirement?

THE CHAIR:

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Senator Gomes.

SENATOR GOMES (23RD):

We have no knowledge of that. We're here to codify and clarify what 32BJ is acquainted with.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ (36TH):

Thank you, Madam President, for that answer. Does this Bill -- through you, Madam President -- does it cover landscapers? We have quite a few of them who work at the airport, either sub-contracted or permanent employees of CAA. Does it apply to them as well?

THE CHAIR:

Senator Gomes.

SENATOR GOMES (23RD):

To you, Madam President, to the Senator. No.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ (36TH):

Thank you. I appreciate the conciseness with which you give that answer. With respect to security

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guards which is a huge consideration up there and it's a very, very expensive proposition, but you do have to have a 100 percent secure situation at any commercial airport or any airport for that matter. I think that the security guards are paramount to Bradley being a very secure airport. Does this apply to them?

Through you, Madam President.

THE CHAIR:

Senator Gomes.

SENATOR GOMES (23RD):

The answer is yes. Under the contract, have a Security Guard 1 and Security Guard 2 and they are paid two different salaries.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ (36TH):

Thank you, Madam President. And through you, Madam President. Do we know what those salaries are -- the two different tiers?

THE CHAIR:

Senator Gomes.

SENATOR GOMES (23RD):

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Security guard -- you mean -- through you Madam --
Madam President -- are you talking about how much
they're paid?

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ (36TH):

Yes. I -- I am and if you don't have that number,
that's okay, I'm just curious more than anything
else.

THE CHAIR:

Senator Gomes.

SENATOR GOMES (23RD):

Did you say I don't have to supply that?

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ (36TH):

No, you don't. Through you, Madam President. If
you don't have it. I'm just curious more than
anything else.

SENATOR GOMES (23RD):

Security Guard 2 is paid \$19.25 an hour with -- with
benefits attached, \$5.78.

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THE CHAIR:

Senator Frantz.

SENATOR FRANTZ (36TH):

Thank you and through you, Madam President, thank you for that answer. What -- I'm done with my questions, Senator Gomes, so you may relax if you'd like to. I'm done.

What worries me about this in particular -- with respect in particular to the security forces that we have up in Bradley and -- and either their GA airports is that the companies that provide these security guards look at our cost structure and they -- and they -- they're expects in what the market is and they know exactly what they can pay and make a small margin or maybe a slightly healthier margin than a small margin, and they look at a situation like Bradley Airport in particular, which is a pretty big deal and it's a long-term commitment, and you're dealing with essentially something that is not as nimble as a completely independent airport because it's still severing that umbilical cord with the State of Connecticut, and so there's a lot of legacy regulations and requirements and they look at that and they say, wow, they're now upping the requirement to standard wage rates at Bradley, we don't -- we're not interested.

So, I'm very concerned that the airport will be looking at a dearth of security providers going forward, if we continue to do things like this. This might even do it, itself. I don't know how many security companies are out there who might be interested in the first place, in coming to Bradley

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Airport and -- and having their teams work up there, but I do worry about it, especially -- especially going forward.

So, with that in -- with that out of the way, Madam President, I do have an amendment and it's LCO 5837 and Madam President, I move adoption of the amendment and move to waive the reading and seek leave.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO Number 5837, Senate "B". It's offered by --
[pause]

THE CHAIR:

Senator Frantz.

THE CLERK:

No. I take that back. It's Senate "A" offered by Senators Fasano and Frantz.

THE CHAIR:

Thank you. The motion is on adoption. Will you remark, sir?

SENATOR FRANTZ (36TH):

Thank you. I want to add [phonetic - a word over there - 6:44.52] Madam President. I move adoption

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of the Amendment and move to waive the reading and seek leave to summarize.

THE CHAIR:

So offered.

SENATOR FRANTZ (36TH):

Thank you. So LCO 5837 is an Amendment to this bill, AN ACT CONCERNING THE STANDARD RATE OF WAGES that requires the general assembly to vote on union contracts. Not a new issue around this circle, but I can tell you that because the legislature has not been involved except for once, certainly in my seven plus years here, I think we voted on --

THE CHAIR:

Excuse me, Senator Frantz. Senator Duff, why do you stand, sir?

SENATOR DUFF (25TH):

Thank you, Madam President. I'd like to mark this item PT.

THE CHAIR:

Marked PT. Mr. -- Senator Duff.

THE CHAIR:

Thank you, Madam President. Madam President, if the clerk can now call calendar page 4, Calendar -- Calendar 30 -- I'm sorry, calendar page 31, Calendar 567, House Bill 5537.

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THE CHAIR:

Mr. Clerk.

THE CLERK:

On Page 31, Calendar 567, Substitute for House Bill Number 5537, AN ACT CONCERNING VARIOUS REVISIONS TO THE PUBLIC HEALTH STATUTES. It's amended by House "A".

THE CHAIR:

Senator Gerratana. Good afternoon, ma'am. And Happy Polish Day.

SENATOR GERRATANA (6TH):

Dziękuję, [phonetic] Madam President.

THE CHAIR:

Dziękuję [phonetic]

SENATOR GERRATANA (6TH):

Madam President, I move acceptance of the Joint Committee's favorable report and passage of the bill.

THE CHAIR:

Motion is on acceptance and passage. Will you remark, ma'am?

SENATOR GERRATANA (6TH):

Yes, Madam President. This bill is AN ACT CONCERNING VARIOUS REVISIONS TO THE PUBLIC HEALTH STATUTES. Every year, the Department of Public Health comes to our committee and offers, usually some very minor and technical changes in the public health statutes to streamline the way systems go and work in that department.

But we also, here in the legislatures, with all four caucuses work to also put some adjustments in there that everyone has to agree on. I will just briefly go through some of those changes. There are a number of them, very minor in some cases, and major in some cases and I'll point out some of the areas where I think they're a little more major.

We have a number of technical changes in Sections 1 and Section 2. Section 4 is allowing methadone for opioid addiction in nursing homes. We have changes in institutional licensing definitions in a variety of areas with nursing homes, residential care, rest homes. We also have changes in some of the practice acts in social work, first wife, midwifery.

I want to point out in Section 38, we do have some progress here. You know, for the -- actually for almost 11 years now, we've been trying to make some progress with dental assistance and also dental hygienists, and this bill does include some licensure and upgrades to the scope of practice for dental assistants. Section 38 creates an Expanded Function Dental Assistant, or EFDA, and we know that there's been a lot of talk between many of the dental practice acts including, as I said, dental hygienists.

Next year, we'd like to work with them. There's a new category, or it's being referred to as dental therapist, which is an advanced Dental Hygiene change in scope. The dental assistants who went through this, we just want to make it clear that there is no drilling that they will be doing, but they do -- will be able to do according to their scope and again, with Department of Public Health's approval, to be able to practice. That's -- you know, we have over 60 practitioners that are regulated in our DPH statutes and we work with each one of them and try to accomplish what is obviously appropriate.

There's also a change in here -- [throat clearing] excuse me -- we have added a change to our Office of Protection and Advocacy. We were not in compliance with the Federal Government. 45 states have already taken the step to do this. We have been warned that we would lose our funding, so there's changes to OPA. Everyone is aware of this and is working to achieve it.

So with that, Madam President, I urge passage of the bill.

THE CHAIR:

Will you remark further? Will you remark further?
Senator Markley. Good afternoon, again, sir.

SENATOR MARKLEY (16TH):

Good afternoon, Madam President. I rise in support of this bill. The chairs and ranking members of the committee went through the bill section by section - - was it the day before yesterday? It seems like a

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week ago -- and I think we all were comfortable with the -- what was included in it, as Senator Gerratana has said, the majority of it is very technical things. There's a few other things which I think are generally supportive like the Dental Assistants as was mentioned earlier. This changed for the Office of Protection and Advocacy and -- and some items that I think are -- have unanimous support through the legislature. So, I would urge my colleagues to support it and I appreciate the work that has been put into it by the chairs. Thank you.

THE CHAIR:

Will you remark further? Will you remark further?
Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. Just a quick question to my friend and colleague, Senator Gerratana. Prepare yourself, ma'am.

SENATOR GERRATANA (6TH):

Okay.

SENATOR KISSEL (7TH):

Not really anything to prepare herself for.

THE CHAIR:

Okay.

SENATOR KISSEL (7TH):

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I just want to let you know that I -- you know, we're in the waning days of the legislative session and -- and just going through the emails to me, a lot of folks are concerned about funding for dental initiatives in Connecticut and programs that we have, and I'm just wondering if this bill touches any of those concerns at all, or if this is -- if the bill before us is strictly procedural and doesn't address funding mechanisms?

Through you, Madam President.

THE CHAIR:

Senator Gerratana.

SENATOR GERRATANA (6TH):

Through you, Madam President. No, there's nothing in here regarding funding.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much. Thank you.

THE CHAIR:

Thank you. Will you remark further on the bill? Will you remark further on the bill? If not, Senator Gerratana. [long pause]

Senator Kissel.

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SENATOR KISSEL (7TH):

For the second time.

THE CHAIR:

Please proceed, sir.

SENATOR KISSEL (7TH):

There is something in here, apparently, that I have been speaking with my friend and colleagues. It has to do with an initiative that many people haven't expressed an interest in regarding music and art therapy, and I'm just wondering if that's in this bill and what does the future look like for that initiative?

Through you, Madam President.

THE CHAIR:

Senator Gerratana.

SENATOR GERRATANA (6TH):

Thank you, Madam President. I'm glad my colleague mentioned this toothache because we had discussed --

SENATOR KISSEL (7TH):

We need to rehearse more often.

SENATOR GERRATANA (6TH):

-- discussing it throughout session. He said I have a constituent who's very concerned. I'm pleased to say that we do have recognition in our statutes now,

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and title protection for music therapists and for art therapists. Both modalities are used particularly in situations -- well, it could be anything from behavioral health care to substance abuse and so forth. Very effective and I'm glad to say that they are both in this bill.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much and just one more question and I'm really happy and I -- I commend Senator Gerratana for moving that forward. We have been chatting over the months regarding that initiative. You know, in the final couple of days there's a lot of moving pieces to the puzzle and I didn't know this was the vehicle that it was going to be in.

One of the things that we've heard an awful lot about is mental health and -- and if one's been traumatized, getting on a path, maybe they have a little post-traumatic stress disorder. Would the -- the music therapy or the art therapy be a modality that might be effective in treating folks with mental health issues as well?

Through you, Madam President.

THE CHAIR:

Senator Gerratana.

SENATOR GERRATANA (6TH):

Yes, Madam President. Absolutely. In my discussions with both of these professions, I know that they have worked. For instance, we have testimony that they had worked with survivors of the Sandy Hook Massacre, for instance. These are very, very effective modalities that help people get well.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL (7TH):

And my last question and just to -- to -- to connect the circle on this particular issue, and you had mentioned that the horrific tragedy that occurred in Newtown at Sandy Hook and would art therapy and music therapy be effective as much for adults and also be effective with -- with children?

Through you, Madam President.

THE CHAIR:

Senator Gerratana.

SENATOR GERRATANA (6TH):

Through you, Madam President. Yes.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL (7TH):

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Thank you very much. I have no further questions for Senator Gerratana. Just to commend her, Senator Markley, and others that worked really hard cobbling this together. It's an excellent piece of legislation and has a lot of good initiatives as well as some technical changes and I strongly support it and again, say thank you to -- to the leadership of that committee for moving this bill forward. Thank you.

THE CHAIR:

Thank you. Will you remark further? Will you remark further? If not this time, Senator Gerratana.

SENATOR GERRATANA (6TH):

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

THE CHAIR:

Seeing no objections. So ordered.

SENATOR GERRATANA (6TH):

Thank you.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, may -- mark some bills for the -- the day?

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THE CHAIR:

Please, sir.

SENATOR DUFF (25TH):

Thank you. Let us stand at ease for a moment.

THE CHAIR:

Please. Senate will stand at ease.

SENATOR DUFF (25TH):

Madam President.

THE CHAIR:

Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. I'd like to -- a few markings.

THE CHAIR:

Please proceed, sir.

SENATOR DUFF (25TH):

Thank you, Madam President. On calendar page 27, Calendar 549, House Bill 5416, is a go. Followed by calendar page 8 -- I'm sorry, calendar page 30, Calendar 563, House Bill 5412. Followed by calendar page 31, Calendar 565, House Bill 5534. Followed by

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calendar page 2, Calendar 157, Senate Bill 69.
Followed by Senate Bill -- calendar page 28,
Calendar 552, House Bill 5180. Followed by calendar
page 20, Calendar 504, House Bill 5403. Followed by
calendar page 39, Calendar 361, Senate Bill 15.
Followed by Senate -- calendar page 34, Calendar
583, House Bill 5400. Followed by calendar page 31,
Calendar 569, House Bill 5620. Followed by calendar
page 24, Calendar 533, House Bill 5605. Followed by
calendar page 22, Calendar 516, House Bill 5358.

THE CHAIR:

Thank you, sir.

SENATOR DUFF (25TH):

Those are all go. Thank you, Madam President.

THE CHAIR:

Mr. Clerk.

THE CLERK:

On page 30, Calendar 563 --

THE CHAIR:

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THE CLERK:

Sorry about that.

THE CHAIR:

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No problem.

THE CLERK:

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THE CHAIR:

549.

THE CLERK:

It's Calendar 549, House Bill Number 5416, AN ACT
CONCERNING THE LABOR DEPARTMENT AND VETERANS.

THE CHAIR:

Good afternoon, Senator Flexer.

SENATOR FLEXER (29TH):

Good afternoon, Madam President. Madam President, I
move for acceptance of the Joint Committee's
favorable report and passage of the bill in
concurrence with the House.

THE CHAIR:

On -- on acceptance and passage in concurrence.
Will you remark, ma'am?

SENATOR FLEXER (29TH):

Yes. Thank you, Madam President. Madam President,
the bill before us today requires the Labor
Commissioner to work in consultation with the
Adjutant General and the Veterans Affairs

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Commissioner to establish a database to match veterans with jobs and match their skills with professional opportunities that are available.

It also requires the Department of Veterans Affairs Commissioner to require that administrators of nursing homes and assisted living facilities provide notice to the Department of Veteran's Affairs that they have a veteran or their family member in their care.

It also requires that the department's Office of Advocacy and Assistance conduct trainings for veteran's service officers, that they develop a rate and outreach plan for reaching out to veterans and that they electronically track the outreach that the department conducts.

I hope that the chamber can support this measure this afternoon.

THE CHAIR:

Thank you. Will you remark further? Will you remark further? Senator Martin.

SENATOR MARTIN (31ST):

Good afternoon, Madam President. Thank you.

THE CHAIR:

Good afternoon.

SENATOR MARTIN (31ST):

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Madam President, I rise just to make a few comments and also maybe to ask a few -- couple questions.

THE CHAIR:

Please proceed, sir.

SENATOR MARTIN (31ST):

I know that the -- the underlying bill pairs veterans and members of the Armed Forces with -- and the National Guards with specialized skills from -- from what they've learned in their military training and with the hopes of finding them a job in the private sector or perhaps even in the public sector -- you know, I -- I think this is an important thing for us to do as a -- a legislative body, here to -- to help coordinate these efforts.

It seems that this -- what we're doing here is providing a clearing house for veterans and I'd like to ask the proponent of the bill if she could explain the -- the clearing house and what that actually is.

THE CHAIR:

Senator -- Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President. Madam President, the Department of Veterans Affairs with the Labor Commissioner and the Adjutant General would develop a database that categorizes veterans and their skillsets and also categorizes professional

opportunities that may be available to veterans that match those skill sets.

Veterans would then be able to -- be able to apply to be included in the database providing as much information as they can about their own skill sets and their own professional skills and those particular skills would then be matched with opportunities that are in the database and yes, the good Senator is correct. Those opportunities would be both in the public sector and private sector and we feel this is an important measure to make sure that veterans have access to the best jobs in the state and veterans -- and make sure that the unique skill sets that veterans have are matched up with those opportunities in our economy.

Through you, Madam President.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam President. So if I understand correctly, then the -- by matching the -- their skill sets to the -- to what is available in the -- in the public, are they taking some type of tests? How do they exactly do that matching?

Through you, Madam Chair.

THE CHAIR:

Senator Flexer.

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SENATOR FLEXER (29TH):

Through you, Madam President. The -- the matching would be done through the -- the database so there wouldn't be a test, necessarily. Again, a veteran would be able to submit their own information regarding their skills and -- and the professional experience that they have and then those would be matched with jobs that are available and any -- anyone who is interested in hiring a veteran specifically would be able to reach out to the Labor Department and say, for example, this is the sort of job we have, these are the skills that are required for this job, and then the database could be used to match up a veteran that has those skill sets with that job.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam President. So it sounds like these -- when they go to this clearing house, is it an actual -- is it at the Veterans Center here in Connecticut that they'll be doing that or is it something online?

Through you, Madam Chair.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

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Through you, Madam President. That's a great question. The database will actually be developed online and maintained in the labor department's website.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam Chair. So, any veteran can actually do it from their home? Is that correct?

Madam President, through you.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President. That is the intention of this proposal.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam President. So, by them going online it actually simplifies it for everybody? We can actually -- it's a minimum amount of cost for the Veterans Affairs here in the State of Connecticut. How about their families? I know that the -- you know -- from the little that I've read

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regarding clearing houses, is there a list of resources for -- for the veterans and their families?

Through you, Madam Chair.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President. This particular database wouldn't necessarily be a list of resources that are available to the families of veterans, but if a family member were trying to assist a veteran in finding a job, this would certainly be a valuable tool for them to go online and look at this database on the Labor Department's website and be able to help their veteran family member.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam President. A question regarding someone -- a veteran that is online and he -- you know, sometimes only do -- use a website -- we sort of get stuck. Is there an opportunity for that veteran for -- to make a contact, a phone number, so that they can answer -- get an answer to their specific question?

Through you, Madam Chair.

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THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President. Yes. The -- anyone who is interested in the database, whether they're a veteran who wants to be included or someone who wants to hire a veteran has a position available, would also be able to contact the Labor Department through a dedicated phone number.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

So, an employer is -- from what I'm hearing you say, can actually make contact through the website or make a phone call to the Veterans Affairs Committee or Department and I guess, sift through the information there?

Through you, Madam Chair.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Yes. Through you, Madam President. An employer could either access the database that's maintained by the labor department or call the phone number that the labor department will have that's dedicated

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for this specific purpose and answer questions about the database and help someone upload information about a job opportunity to the database.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam President. First thing that comes to my mind when I hear that someone who may have a little difficulty in -- in navigating through the website or have a question and make that phone call is a person that's receiving the phone call. Are they a certified career counselor?

Through you, Madam Chair.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President. The proposal before us today doesn't specifically lay out what credentials the person at the Labor Department would have to have to answer that telephone number, but I'm sure the Labor Department would put the person with the appropriate skill set in the position to answer questions about this database and best assist veterans who are looking for employment or employers who are looking to hire veterans.

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Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam Chair. Another question that I have is if a -- a veteran is looking for information on -- perhaps on a federal level -- is this information going to be provided on the website?

Through you, Madam Chair.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President. This particular website that's maintained by the Labor Department wouldn't be specific to federal veterans benefits that are available, but the Department of Veterans Affairs certainly maintains a great deal of that information and through this collaboration that this database is between the Labor Department and the Department of Veterans Affairs, I'm sure the Labor Department would be able to accurately direct someone to the Department of Veterans Affairs, to get that information about federal benefits and programs that are available.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

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Madam -- Madam President, you know a lot of these veterans lack the resources or the availability of certain information and it's obvious that the -- the website will probably provide them a -- a connection -- a link so to speak, to where resources that they may be looking for -- but I'm curious to know if -- if that website or that information will help them access health care and health care providers?

Through you, Madam Chair.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President. This specific database that's going to be developed and maintained by the Labor Department wouldn't necessarily give someone information about health care benefits or other programs that are available in the health care arena, but again, I do think since there's going to be a collaborative effort to create this website between the Adjutant General, the Labor Department, and the Department of Veterans Affairs, that there will be some knowledge gained by the Labor Department on where to direct someone who's looking for information about health care --

THE CHAIR:

Excuse me, I'm gonna' ask the chamber if you can just keep your voices a little lower so that we can hear the two wonderful Senators speaking. Senator Flexer, please continue.

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SENATOR FLEXER (29TH):

Through you, Madam President, I was finished.

THE CHAIR:

Oh. I made a [inaudible 6.21.21] okay. Senator Martin.

SENATOR MARTIN (31ST):

Through you, Madam Chair, I've lost my thought here. So -- so it sounds like to -- to me, or perhaps I could ask, is -- so it's gonna' -- it's collaborative effort between the Labor Department and the Veterans Department. So is -- some of the questions that I'm asking regarding health care, do you think that's something that -- that they might consider doing, is maybe expanding this from just a jobs sort of -- attaching or -- or identifying the skillset that the veterans have locating a job for them and basically that's what I seem to understand that this is really geared to do. Do you think whatever expand to perhaps connecting or linking them to, you know, healthcare for their family and so forth.

Through you, Madam Chair.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President. I don't believe that this would be expanded in the health care arena any

more than -- has already been explained here today. Again, with some additional knowledge perhaps gained by the Labor Department about health care benefits that are available to veterans because of their collaboration with the Department of Veterans Affairs and the Adjutant General in the Military Department, but there could perhaps be opportunities for Veterans to find employment in the healthcare arena.

Through you, Madam President.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam Chair. The -- the links and the -- I'm assuming that the links will provide the phone numbers to the state -- to state employers and so forth. Has there been any consideration regarding -- or let me ask you this: if -- has there been -- when this was idea or this bill was being put together, was there information gathered from other states or from -- throughout the country perhaps about the clearing house -- other clearing houses that had these job creations or maybe put another way, that -- they had a list of resources that they had on their list.

Through you, Madam Chair.

THE CHAIR:

Senator Flexer.

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SENATOR FLEXER (29TH):

Through you, Madam President. We did hear that there was some similar efforts in other states that maintained databases to match veterans with specific jobs based on their skillset and we also heard from the Commissioner of the Department of Labor about their Connecticut Hires program and how this will fit in nicely and -- and they will have the ability to match military veterans experiences with job opportunities.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam President. And at any of those websites or clearing houses that were studied or looked at, were any of them -- did they provide assistance for their families -- for the veterans' families?

Through you, Madam Chair.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President. Not to my knowledge, but I didn't look very deeply to see if they went beyond the job search database as contemplated in this initiative and to see if they offered information on other benefits.

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THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Through you, Madam Chair, to the good Senator. It sounds like you did most of the work on this or is there a couple of people that -- no? Sorry. I'll take back that question or comment.

SENATOR FLEXER (29TH):

The whole committee did the work.

SENATOR MARTIN (31ST):

Well, it's a great idea. I really -- I really think that this is going to go a long way of connecting job -- jobs to -- or employers to veterans and -- and also veterans to jobs and I think that's a great, great bill that we have in front of us.

But I do have one other question or may it lead to some more, but nonetheless, is there been any consideration to -- you know, in regarding the technology that we have today and you know -- we began with you know, years ago, with the -- a computer and now we have access to -- you know -- the laptops and how quickly we can get onto a website and get pretty much any type of information that we are looking for regardless if it's for a veteran's job or for buying a product to you know, what college or university we'd like to send our kids to, so it's an array of information and we all know that.

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I'm curious though, with the ability that we have with our phones today, is there a mobile -- mobile app that veterans can download? Through you, Madam Chair, to their phones in order to do this search to the clearing house?

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President. The Senator raises a -- a great question. I don't believe that there is going to be a specific app for this initiative but I do think that the Department of Labor makes every best effort to make sure that their website is accessible both in a traditional computer when someone accesses it via the internet and when they access it via a mobile device. So while there won't be a specific app for your cell phone, for example, there -- it should be a very accessible website to use on a mobile device.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

It's -- I guess it's food for thought for down the road that we might be able to consider doing that and as I thought, maybe -- that I probably would have some additional questions, the -- the clearing house.

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Through you, Madam Chair -- would they be able to -- they being the veterans -- be able to locate housing for themselves and their families?

Through you, Madam Chair.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President. I don't believe that this specific -- I know that this specific database will not be maintaining housing opportunities for veterans, but the Department of Labor, you know, does a lot of collaborative work with different organizations when they're working with folks who are trying to find employment and so while specifically the database will not maintain housing opportunities, I'm sure that the Department of Labor could help someone, especially if they needed to relocate due to a job that they found on the database.

Through you, Madam President.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam Chair. Thank you for those -- those answers. The -- so the clearing house basically will just provide the veteran the ability to look for a job. You've answered my question

regarding housing and health as well. But I do have another question, Madam President, and that's regarding education. Will the veteran be able to link to the availability of getting or looking for an education for a degree or for perhaps some funding to attending schools?

Through you, Madam Chair.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President. This specific database would not maintain educational information that a veteran might be looking for, however, making the connection to the Department of Labor through this database would allow veterans to learn about educational opportunities that the department works with specifically to help people get certain skill sets to get certain jobs and I know that the Department of Labor works closely with many of our institutions of higher education to make sure that people know how to access those programs and be able to get jobs after they've earned various credentials and degrees.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Through you, Madam Chair. It sounds like to me, that we've -- that we could probably maybe down the

road, you know, I know this is for jobs specifically, but perhaps to keep in mind that we can build on what we have today and perhaps we could think about how do we best -- how can we link our vets to housing, to education, to healthier -- to health programs -- health care programs for their families, so I guess what I'm saying is, it's a work in progress, with -- is that fair to say?

Through you, Madam Chair.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President. Well, I think this initiative before us today is a sizeable step forward in making sure that we have a Department of Labor that is focused on matching veterans with job opportunities that are available in the state, but the other issues that the -- the good senator has raised this afternoon during this debate, I think are important ones and I think, again, there'll be increased collaboration between the Department of Labor, the Department of Veterans Affairs and the Military Department to make sure that all services for our veterans are as strong as possible here in the State of Connecticut.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

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Thank you, Madam Chair. Madam Chair, I am all done with my questions and I'd like to thank the good senator for all the responses and answers that she's given us and I'd like to encourage my colleagues around the circle to support this bill 5416. Thank you, again.

THE CHAIR:

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

SENATOR HWANG (28TH):

Thank you, Madam President. I rise in full support of this bill, but through you, some questions to get better understanding of how this important programs work.

Through you, Madam President.

THE CHAIR:

Senator Flexer, prepare yourself.

SENATOR HWANG (28TH):

Thank you. Thank you. In the House, there was an amendment added to this bill. Some very good ideas that were brought forth by Senator Markley and -- and Representative Carpino. I -- I think two particular areas. One including nursing homes and I think the other one in regards to require training. Could -- could the good proponent offer some clarification of those new amendments? .

Through you.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President. Yes, the amendment that was offered in the House and is part of this overall bill that's here today requires that the Department of Veterans Affairs Commissioner notify administrators of nursing home and assisted living facilities in this state that they must notify the Department of Veterans Affairs when they have a veteran in their care or the family member of a veteran.

The amendment also mandated that the Department of Veteran Affairs office of Advocacy and Assistance conduct training for Veteran Service officers, that they develop a written outreach plan for reaching out to veterans and their relatives to help them with claims for various benefits, that they maintain an electronic record of those outreach efforts and that they share that information quarterly with the Board of Trustees for the Department of Veterans Affairs and that each municipality that has a local Veterans Service Officer Advisory Committee must notify the Commissioner about the information they're sharing with Veterans in their community.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

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Thank you, Madam President and -- and I -- I appreciate the -- the good summary and -- and the good analysis of that because I think those are two wonderful additions to this. One being that it also counts for our veterans that may be in the employment market that are in retirement homes and may want to get back into the labor force.

I think the second component you talked about is the required education. Could you elaborate a little bit more? This is not a shell, this is a requirement. Could you elaborate a little more of how that goes into effect?

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President. Yes, each municipality would have to designate their veteran service contact person which most municipalities already do and this proposal before us would require that the Commissioner send notifications reminding the towns that they have to have that veteran service officer in place and that they have to receive training.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Through you. Is that a requirement on the municipalities to have such an officer?

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Through you, Madam President.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President. There is already a requirement that these officers be in place by each municipality. Every town in the State of Connecticut must have a veteran service officer. This puts new connections in place with those veteran service officers with the Department of Veterans Affairs.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President. Now, the required training. Is it annual, bi-annual, monthly?

Through you, Madam President.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

The -- the notification of the veteran service officer being named must be submitted to the department on an annual basis but -- and that person

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must complete a training during their time of service but if a person is in place for more than one year, they don't need to have training on an annual basis. This training would only be annual if the veteran service officer were to change on an annual basis.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you, and -- and I want to thank the proponent for such clear answers. It's -- it's very helpful. As I said earlier, I am fully in support of this bill and helping any veteran that is looking for a job and a vocation that we're in a position to support.

One additional question, if I may. Through you. How does the Labor Department -- through its database -- is the database existing or do they need to recreate or they need to adapt it in conjunction with the Veterans Affairs Committee?

Through you.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President. The -- this specific database does not exist at this point, but I believe the Department of Labor would be creating this

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database as part of their Connecticut Hires initiative and the Veterans Database for the veterans that are seeking employment and for the employers that would like to hire veterans would be maintained through that.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Through you, Madam President. If -- if this possibly would be a new database, would there be a fiscal note to that?

Through you, Madam President.

THE CHAIR:

[clearing throat] Sorry.

THE CHAIR:

Senator Flexer.

SENATOR FLEXER (29TH):

Through you, Madam President. The Office of Fiscal Analysis has said there is no fiscal impact to this proposal.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

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Through you, Madam President. And I -- I believe that to be as the ranking member of Labor, I am on the understanding that there is an existing database that could be collaborated and co-opted with the Veterans Affairs system, therefore, I believe that's why there is no fiscal note.

So, with that clarification, I want to thank the proponent of this bill and -- and I want to thank all members of the Veterans Affairs Committee for their work on behalf of veterans and I want to thank -- again -- Senator Markley and Representative Carpino for the Amendment to incorporate those two new additional areas. Thank you, Ma'am.

THE CHAIR:

Thank you. Will you remark further? Will you remark further? If not, Senator Flexer.

SENATOR FLEXER (29TH):

Madam President, if there's no objection, I move that we place this item on our Consent Calendar. Seeing no objection, so ordered, ma'am.

Mr. Clerk.

THE CLERK:

Page 30, Calendar 563, Substitute for House Bill Number 5412, AN ACT CONCERNING RECOMMENDATIONS BY THE DEPARTMENT OF MOTOR VEHICLES REGARDING HAZARDOUS MATERIALS, CAR DEALERS, ELECTRONIC REGISTRATION, STUDENT TRANSPORTATION VEHICLE OPERATORS, DIVERSION PROGRAMS, MOTOR VEHICLE INSPECTORS AND MINOR

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REVISIONS TO THE MOTOR VEHICLE STATUTES. As amended
by House Amendment Schedule "A", LCO 5619.

THE CHAIR:

Senator Leone, good afternoon, sir.

SENATOR LEONE (27TH):

Good afternoon, Madam President. It's always a
pleasure to see you up there.

THE CHAIR:

Same here, sir.

SENATOR LEONE (27TH):

Thank you, Madam President. I move acceptance of
the Joint Committee's favorable report and passage
of the bill and current -- in concurrence with the
House of Representatives.

THE CHAIR:

The motion is on acceptance and passage in
concurrence. Will you remark sir?

SENATOR LEONE (27TH):

Yes, Madam President. This is the agency bill for
the Department of Motor Vehicles. It makes several
technical changes. This is a bill that the
Transportation Committee, with the chairs and
ranking members have worked on quite diligently to
put in all the proper procedures for the agencies
for this ongoing year, but also there was a -- a few

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changes through an amendment, so I'd like to articulate that as well.

So, Madam President, the clerk is in possession of LCO Amendment Number 5619, and I would ask for the clerk to call.

THE CHAIR:

Sir, excuse me, sir. That's already incorporated in 'cause it's a House Amendment, so it's already in the Bill. Thank you, sir.

SENATOR LEONE (27TH):

Thank you for that clarification. It's been a while since we've had to do this, so I appreciate that.

THE CHAIR:

No problem.

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SENATOR LEONE (27TH):

So, as amended -- thank you -- the amendment actually, what it does is it adds a provision for the DMV to contract with municipal departments as well as other automobile associations to conduct a certain motor vehicle transactions and increase the fees from \$3 to \$5 for those off-site type of transactions.

This would allow the ability for the DMV to have other types of transactions that don't have to be at a DMV office but other like-minded offices. It alleviates the pressure at the agency and would -- it actually would foster some good healthy competition as well.

It also allows for electronic registration by car rental firms and title companies and it requires a DMV to issue title certificates for vehicles 20 model years older upon request. So, along with other technical type of transactions, this is again, a Department of Motor Vehicles agencies bill.

I would ask that we have support for this moving forward, and I would urge my members -- and I just want to give a lot of credit to the chairs and the ranking members and my good colleague Senator Boucher -- she has always been a pleasure to work with as we've worked through issues to make this bill as strong and as good as possible, and I'm happy to go through the bill a little bit more if there are any other questions.

Through -- through you, Madam President.

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Thank you. Will you remark further? Senator Boucher.

SENATOR BOUCHER (26TH):

Thank you very much, Madam President. Madam President, I rise to support this bill and also to thank our very distinguished chairman from the Senate of the Transportation Committee, Senator Leone, who has been really a -- a joy and pleasure to work with. We have an excellent committee as can be seen by nearly everything that we put out has the chairman's name on it as well as the ranking members. There isn't anything that we don't sit down and we thoroughly go over together and as was just mentioned and I'll briefly also review for support the various sections -- about 10 sections of this bill.

Actually, it's probably one of the shortest DOT bills that we've probably brought out in many, many years, but very briefly, I guess the substantial part of this has to do with allowing the fee for convenience being charged by those doing some of the functions of the DMV from \$3 that it is currently, to \$5 as well as making sure that -- that there are requirements for the transport of hazardous material on state highways that have properly displaying placards announcing what they are, as well as making sure that motor vehicle dealer criminal history records checks are in there and requires that new license applicants submit to state criminal history record checks. That is very important given the work that they do, as well as making sure there is an addressing of issues with the motor vehicle dealerships and repair shops that requires dealers

and repairers proposing business locations and municipalities of any size to obtain the approval of a local building official and fire marshal.

Additionally, it seeks to make sure that the bill requires the -- the police to notify a DMV and to submit a written report to the department if they charge a driver with DUI in connection with an accident. I think there's a number of items here that go a long ways to making sure that the public is protected. There's no question.

And an interesting one here as well, it actually does reduce the amount of -- of physical exams from twice a year to once a year for student transportation drivers. If -- and only if -- they are seen by a federally certified medical examiner, which will help both the driver and the schools with regards to those individuals that transport some of our handicapped students.

Additionally, there are some very important protections in this that have to do with DUI or being charged with DUI or in the second degree assault with a motor vehicle, and finally, those that are charged with DUI that are younger than 21 years of age.

It prohibits a court from waving ineligibility for anyone charged with any of these three crimes. So -
- and particularly for those that are going to be operating a commercial motor vehicle for sure.

Additionally, it does address some of the issues that have been a concern to dealers and car rental companies when they're registering motor vehicles so that it allows them to register seven of them per

month and then use an electronic system. I think it will go a long way to helping out DMV as well as our dealerships as well.

And also allowing for older vehicles -- 20 year model vehicles or older -- to be able to get a title for their -- their vehicles and lastly, we all know the issues we've been having in the last year with the Department of Motor Vehicles and all the complaints we've been having -- all of us -- that is of a concern and that is the wait times at motor vehicles.

This at least gives us, starting in January of next year, 2017 -- a reporting requirement to our committee on the wait times and identifying specific goals that are acceptable for wait times and summarizing steps that are taken to achieve these goals and I think that's something that we are looking for and I think the department will probably be wanting to provide us, because they are going through a very major reorganization and they're really focused on improving both what is the -- that entire process for the public, as well as regaining a reputation for functioning more efficiently, and we look forward to that on our committee and I look forward to if we all do come back in the following session, working together to bring you that information, the Senate and the general assembly. For that reason, Madam President, I fully support this and I -- again -- pass this on to my good chairman of the transportation committee to conclude our presentation. Thank you.

THE CHAIR:

Thank you. Will you remark further? Will you remark further? Senator -- Senator Leone.

SENATOR LEONE (27TH):

Thank you, Madam President, and I -- I -- I do want to give a really heartfelt thanks to my ranking member, Senator Boucher, who has always been a pleasure to work with and has always brought some very on target issues and we've always worked very well as a team to come to these really thoughtful conclusions and as she so eloquently has stated, this has been a good agency bill to streamline a lot of the processes to make it easier for people to visit DMV and conduct their transactions and it has -- it's -- it's ended up with this bill that I think has good bipartisan support and I just wanted to thank her for all her efforts in helping me get to this point and help craft this bill the way it is, so I just wanted to say that as a thank you. As well as to my chair and rankings down in the House. They have been just as -- just as wonderful. So with that, I would urge support and if there is no objection, I would be happy to put this on Consent.

THE CHAIR:

Senator Linares. [inaudible crosstalk 5.56.34]

SENATOR LINARES (33RD):

Thank you, Madam President. Thank you to Senator Leone and Senator Boucher for your work on this bill. It is a very large DMV bill. I -- I've actually just had a few questions about fees as I think there was a mention of a change in fees and so

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I just wanted to be sure that we understand if there was an increase in any fees related to the DMV.

Through you, Madam President.

THE CHAIR:

Senator Leone.

SENATOR LEONE (27TH):

Through you, Madam President. There is an increase in fees for the type of transactions that would go to -- either through the municipalities or an automobile association. Right now people can go to a AAA to conduct -- say, getting a photo ID license. That transaction costs \$3 but in the willingness of that organization as well as any other that might want to participate, the fee would move up to \$5 for all the additional business that may come their way, so it would be a slight increase from \$3 to \$5.

THE CHAIR:

Senator Leone -- I'm sorry.

SENATOR LINARES (33RD):

Thank you, Madam President.

THE CHAIR:

It's not -- Senator Linares. Sorry.

SENATOR LINARES (33RD):

Thank you. Thank you, Madam President, and just to clarify. So that fee increase will be through any exterior private enterprise other than the DMV, so for example, any AAA branch that helps create a license and/or certification, we will see a \$2 increase. But will we -- could we clarify that and then also will we see an increase in -- in the fees at the DMV itself?

Through you, Madam President.

THE CHAIR:

Now Senator Leone.

SENATOR LEONE (27TH):

Thank you, Madam President. The OFA fiscal report does have a potential cost to the judicial department, but there's also a potential revenue gain to the general fund and that would only be with -- to the extent that they're offenders prosecuted under the pretrial drug and alcoholic program. There could be an increase there but other than that, the answer would be, strictly the \$3 to \$5 for the -- the private transactions.

Through you, Madam President.

THE CHAIR:

Senator Linares.

SENATOR LINARES (33RD):

Thank you, Senate -- to the good Senator Leone and just a follow up question on the drug and alcohol

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program. Is there currently -- are there currently funds that are used in helping to -- trying to prevent drug and alcohol related accidents and is that part of this bill?

Through you, Madam President.

THE CHAIR:

Senator Leone.

SENATOR LEONE (27TH):

Through you, Madam President. Participants now pay a fee of \$550 to \$700 for the pretrial drug and alcoholic education program to cover their cost, but this amendment would preclude the court from granting eligibility to that program for drivers who hold a commercial driver's license and then are charged with certain crimes. So instead, these offenders would receive a criminal fine, probation or incarceration, so to the extent those offenders are prosecuted, there could be a potential cost, so that would be how the program runs as stated in the report.

Through you, Madam President.

THE CHAIR:

Senator Linares.

SENATOR LINARES (33RD):

Thank you, Senator Leone. Thank you, Madam President. Is there anything in this bill related to texting and driving? I see that we -- I think

all of our colleagues got a bumper sticker from a Darien group, Drop It and Drive, related to texting and driving. Is there anything related to that in - in this DMV bill? Through you, Madam President.

THE CHAIR:

Senator Leone.

SENATOR LEONE (27TH):

Through you, Madam President. I don't recall. I don't think so at the moment, but I'd have to go through that. I could get that information to you, but I -- I know the DMV as an agency and we as a legislature are continually articulating that point and I'm sure if -- as we move forward, we will develop those types of programs, but in here, I don't believe that is in here at the moment.

Through you, Madam President.

THE CHAIR:

Senator Linares.

SENATOR LINARES (33RD):

Thank you, Madam President. Thank you to the good Senator Leone for answering my questions. Obviously, the DMV plays a huge role in all of our lives. We have all sat in line at the DMV, waited for our licensing and permitting and so it's important that we fully understand this -- this very large bill and -- and also from a -- you know, the test -- texting and driving perspective, I think that down the road, maybe in the next legislative

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session, we can be proactive in finding way to incorporate new technologies to [throat clearing] -- finding ways to incorporate new technologies so that we can prevent that and I know that it's -- it's a habit that has -- has distracting driving is -- is a bad habit and ultimately hopefully, we can -- we can overcome that.

There seems to be more -- more car -- car accidents from that than anything else and so there's -- I think as an assembly next year, we can take a look at that. With that said, I appreciate the -- the good Senator's answers to my questions and his -- his work with Senator Boucher in a bipartisan effort to -- to get this aircraft carrier style bill through the legislature. And that's all I have to say. Thank you, Madam President.

THE CHAIR:

Will you remark further? Senator Cassano. Good afternoon, sir.

SENATOR CASSANO (4TH):

Good afternoon, Madam President. Just a point of clarification. Senator Linares and Senator Leone both indicated the term private. I believe that municipalities are included in this bill?

THE CHAIR:

Senator Leone.

SENATOR LEONE (27TH):

Through you, Madam President. That is correct. It would be the ability for any other entity such as a automobile association as well as a municipality could contract with DMV to provide these type of services if that municipality is -- ability to do that is vetted through the Commissioner.

Through you, Madam President.

THE CHAIR:

Senator Cassano.

SENATOR CASSANO (4TH):

Thank you, Madam President. Through you, I want to say thank you for the clarification. I think that's important because what this bill really does is it enables citizens to do much of their registration in their communities, if in fact the private sector or the municipality in their communities choose to do so.

I had a car dealer tell me that he pays somebody full time just to wait in line at the DMV to register cars. There are several that have indicated basically the same thing and you've addressed this well and I -- I applaud the -- the leadership of the committee for doing this and quite honestly, the new commissioner has jumped in with both feet and he's made bold changes and I think he will be quick to implement these kinds of -- of changes.

As to the fees on the texting and driving, I would assume Judicial would be dealing with that because that would be in their prerogative and I think it

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would need to address. So I think the bill goes a long way. I think it's a good bill for the State of Connecticut. It's gonna' help end the tie ups and the -- and the problems that we have at Motor Vehicles and I would hope everyone would support the bill. Thank you.

THE CHAIR:

Will you remark further? Will you remark further?
Senator Leone.

SENATOR LEONE (27TH):

Again, Madam President. If there are no objection,
I would ask for it to be on the Consent Calendar.

THE CHAIR:

Seeing no objections, so ordered, sir. Mr. Clerk.

THE CLERK:

On Page 31, Calendar Number 565, Substitute for
House Bill Number 5534, AN ACT CONCERNING A
COMMITTEE ON THE PRACTICE OF NATUROPATHY. As amended
by House Amendment Schedule "A" LCO 5311.

THE CHAIR:

Senator Gerratana. Good afternoon, again, ma'am.

SENATOR GERRATANA (6TH):

Good afternoon, again, Madam President. Madam
President, I move acceptance of the Joint

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Committee's favorable report and passage of the bill in concurrence with the House.

THE CHAIR:

Motion is on acceptance and passage in concurrence. Will you remark, ma'am?

SENATOR GERRATANA (6TH):

Yes. Thank you, Madam President. This bill has certainly evolved from where it originated, which was AN ACT CONCERNING THE PRACTICE OF NATUROPATHY. It's now become a study bill under the auspices of the Department of Public Health. You know, just a few minutes ago, I was talking about dental assistance and how the research and the work that was done for dental assistance started back in 2005, mainly because of the -- within that practice, there is also many other dental practitioners I should say, within the dental field of medicine.

So, this is a bill before us that would establish a committee with the Department of Public Health that would look at the education examination requirements and other qualifications regarding the practice of naturopathy as to whether they would be able to prescribe, dispense, and administer prescription drugs and also to look at an investigative formulary that would be appropriate within the scope of the practice of naturopathy.

Then the department would come back to us and make recommendations for legislation, I believe, early next year. With that, I urge everyone to please support the bill. Thank you.

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THE CHAIR:

Will you remark further? Senator Markley. Good afternoon, again, sir.

SENATOR MARKLEY (16TH):

Good afternoon, Madam President, and thank you very much. I rise in support of the bill, although I will have just a couple of questions about it for clarification. I -- as Senator Gerratana has said, this is a topic that we have been looking at in the two sessions that I've been on the Public Health Committee, and I know for a long time before then.

It's -- this -- this final bill, which is -- is as she said, a development and an attempt to address a subject that continues to come back to me. Provokes one question, which is what is the history of scope of practice reviews undertaken by the Department of Public Health in reference to naturopathy?

THE CHAIR:

Senator Gerratana.

SENATOR GERRATANA (6TH):

Thank you, Madam President. Thank you for the question, Senator Markley. I think it's a good one. Naturopathy and naturopathic doctors have gone through scope review twice before that I am aware of. The Department of Public Health, and we passed legislation -- I think it was back in 2011 -- to establish scope review because we know that within these practices, as I discussed in medical protocols that there are groups of people who closely

scrutinize and want to know within -- you know -- how that would affect their own profession and sometimes these discussions and legislation that comes forth certainly engenders a lot of not just discussion but also opposition to these particular matters to go forward.

You know, in Public Health Committee, and I think the Department 'cause I've worked with them not for a number of years, we look at the education and training of individuals. My philosophy has always been that those who practice in medicine practice under the purview of the statutes that we are responsible for, that if they had the training, if they had the education, then we have to consider also all those questions that surround their profession. Is it safe? Is it -- is there efficacy in what they do? Is it going to help our constituents? But this is not always a straight path as I said, and this bill, I think, will help us clarify that. Although they have gone through the process twice, this a little bit more precise.

In the past, the Department has not made the recommendations in this case they may make recommendations to us about the criteria that we are putting into this legislation. Thank you.

THE CHAIR:

Senator Markley.

SENATOR MARKLEY (16TH):

Thank you, Madam President. Thank you for that answer. Through you, then would the answer be that they have looked at it but the public health

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department scope of practice review has not recommended a change in the scope of practice in those reviews that it is -- it is undertaken?

THE CHAIR:

Senator Gerratana.

SENATOR GERRATANA (6TH):

Yes, Madam President. They usually put in those scoops -- scopes -- excuse me -- reviews. They don't usually put recommendations that we should do this or we should do that. They usually say we've investigated this and we're coming up with what we have found and then we usually take it from there. So this is a little more precise if you will and also actually has the Department of Public Health to make recommendations to us.

THE CHAIR:

Senator Markley.

SENATOR MARKLEY (16TH):

Thank you, Madam President, and thank you for those answers, Senator Gerratana. I will say a few more comments, but I don't have any more questions for you.

One of the things that I -- I remembered most vividly from my first time around here in this chamber was the tail end of what had been a prolonged battle between optometrists and ophthalmologists concerning the administration of certain eye drops and I -- I remember in those days

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-- idealistically doing my best to try to understand the issue medically, chemically, however one might.

And going back and forth between the representatives of the two groups and then the various experts that they brought in for my edification since I think they felt they had a live one and they enjoyed the opportunity to try to win me over to one side or the other and I have to say honestly, I reached a point where I thought when I have professors in the field from talking to me on each side of the issue, how am I supposed to make a judgement about this and it was -- it was an experience that I often referred to in my time out of the legislature as an illustration of the limits of what legislators are able to do and perhaps an illustration of the limits of what legislators ought not to do.

When I returned to the legislature and found out about the scope of process review process, I was -- yes exactly -- I was delighted and I thought, good now the experts are taking care of it. But I should have known better that it doesn't quite work out that easily and Senator Gerratana has pointed out the decision still falls to us. No matter what.

And that's in a way, I sometimes feel that's unfortunate but in the other hand, that's the kind of government we have set up and we have to do our best to take it on. Which is why I support this particular effort because I think that maybe we can bring clarity and resolution to it by going through this particular review.

I have to say I've been favorably disposed toward the naturopaths and I look forward to the opportunity to learn more about their practice and

the limits of their practice going forward and -- and I have great faith in Senator Gerratana's experience and insight into these fields and the wisdom of her decisions which I have been impressed by in the two sessions that I've served with her, so I will support this and urge my colleagues to do so as well.

THE CHAIR:

Thank you. Will you remark further? Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. Madam President, I rise in support of this piece of legislation and I want to thank Senator Gerratana and the entire committee for bringing this forward as I think it will start helping out in providing people with an opportunity to choose different practices of medicine that most fit their lifestyle and I really want to thank the good senator for forwarding this piece of legislation as I think it addresses many issues. Thank you very much, Madam President.

THE CHAIR:

Senator Kissel. Good afternoon, sir.

SENATOR KISSEL (7TH):

Good afternoon, Madam President. I stand in support of the bill, but I would also request that when we vote upon it, it be done by roll. Thank you.

THE CHAIR:

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Absolutely. Roll call will be had. Mr. Clerk. No one else is speaking? Mr. Clerk, will you please call for a roll call vote and the machine will be open.

THE CLERK:

An immediate Roll Call has been ordered in the Senate. An immediate Roll Call vote has been ordered in the Senate.

THE CHAIR:

Senator Flexer. Senator Martin. Since you're in the chamber, will you please vote? Thank you.

All members have voted, all -- all members have voted. The machine will be closed. Mr. Clerk, will you please call the tally.

THE CLERK:

House Bill 5534.

Total number voting	36
Necessary for Adoption	19
Those voting Yea	29
Those voting Nay	7
Those absent and not voting	0

THE CHAIR:

The Bill passes. Mr. Clerk.

THE CLERK:

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Page 2, Calendar Number 157, Substitute for Senate
Bill Number 69, AN ACT EXEMPTING VETERINARIANS FROM
THE ELECTRONIC PRESCRIPTION DRUG MONITORING PROGRAM.

THE CHAIR:

Senator Gerratana.

SENATOR GERRATANA (6TH):

Thank you, Madam President. Madam President, I move acceptance of the Joint Committee's favorable report and passage of the bill.

THE CHAIR:

Motion is on acceptance and passage. Will you remark, ma'am?

SENATOR GERRATANA (6TH):

Yes, Madam President. The clerk has an amendment LCO Number 5883, if he would call and I be allowed to summarize.

THE CLERK:

LCO NUMBER 5883 will be designated Senate Schedule
"A"

THE CHAIR:

Senator Gerratana.

SENATOR GERRATANA (6TH):

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Thank you, Madam President. This --

THE CHAIR:

It's on adoption?

SENATOR GERRATANA (6TH):

I'm sorry, I move adoption.

THE CHAIR:

Motion is on adoption. Will you remark, ma'am?

SENATOR GERRATANA (6TH):

Thank you, Madam President. I'm used to doing House Bills [laughing]. Back to the Senate.

THE CHAIR:

I know, I don't blame you.

SENATOR GERRATANA (6TH):

Madam President, this is a strike-all amendment and in here, we are doing two things. I call it thing one and thing two. Thing one is that two bills passed through our Senate and our House that had a little inconsistency, so too in Section 1 we are clarifying any ambiguity in language regarding APRM practice and in section 2, this comes to us from the Connecticut Hospital Association.

We also had a bill in the House that will not be used and this goes to the use of vapor products. That they would be excluded as under our statutes

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rather, that regulate smoking and the use of vapor products, if they are medicinal or therapeutic products used by a health care provider to treat a patient in a healthcare setting or in any setting.

So there are two -- I would say adjustments or changes in this amendment and I urge the chamber to vote for them. Thank you.

THE CHAIR:

Will you remark? Senator Markley.

SENATOR MARKLEY (16TH):

Thank you, Madam President. I rise in support of this amendment. We've discussed both the fixes that are involved -- the -- the APRN conforming change which was necessary in light of the legislation that went through earlier, and this small -- this small bill that existed as a separate bill concerning the use of vapor -- vaporizing products in hospital settings, which otherwise had been prohibited under -- under -- under legislation that was passed separately. So, that was an attempt to give the hospitals the opportunity back to use these in experimental or therapeutic context and the only question I would ask Senator Gerratana is the -- my understanding then is the -- the bill as amended will not in fact have any reference of the veterinary drug question that we were attempting to face in the underlying bill?

THE CHAIR:

Senator Gerratana.

SENATOR GERRATANA (6TH):

That is correct, Senator Markley. Also, later, hopefully this evening, we will be doing a bill that actually addresses the concerns that veterinarians had. That is our opioid bill that has come up from the House. Hopefully we'll be doing that as I said, later on today, and in that we came to a very good resolution for veterinarians that they would not have to report to the prescription drug monitoring program every single day, but only once a week and my understanding is they're very happy about this, so we don't have to go forward with this -- the original bill.

THE CHAIR:

Senator Markley.

Thank you for that answer, Senator Gerratana and I have no further questions on it, I just wanted to make sure that that piece hadn't been lost somewhere along the road and I should know better than to worry about it because you seem to be able to keep track of -- of all these flying parts.

So again, I will urge my colleagues to support this bill and will look forward to the opioid bill which we will see later on in this session. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Markley. Will you remark further on the bill? Will you remark further on the bill? Senator Gerratana.

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SENATOR GERRATANA (6TH):

If there's no objection, Madam President --

THE CHAIR:

Yes. I'm sorry. Sorry, I apologize. I was wrong. This is on Senate "A", so I'll try your minds. All in favor of Senate "A" please say aye.

SENATORS:

Aye.

THE CHAIR:

Opposed? Senate "A" is adopted. Thank you. At this time, we're on to the bill. Senator Gerratana.

SENATOR GERRATANA (6TH):

Yes, if there's no objection, Madam President, I'd like this placed on our Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered. Mr. Clerk.

THE CLERK:

Page 28, Calendar Number 552, Substitute for House Bill Number 5180, AN ACT CONCERNING CONCRETE FOUNDATIONS. As amended by House Amendment Schedule "A" LCO 5560.

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Thank you. Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. Madam President, I move acceptance of the Joint Committee's favorable report and passage of the bill in concurrence with the House of Representatives.

THE CHAIR:

Motion is acceptance and passage in concurrence. Will you remark ma'am?

SENATOR OSTEN (19TH):

Thank you very much, Madam President. Madam President, this bill as amended by the house deals with an issue that came to the Planning and Development Committee and in truth, was being dealt with by many of the departments of the State of Connecticut in a -- in a very proactive way when it turned out that through no fault of the home owners, their foundations were crumbling underneath them and while causality has not yet been determined, this bill in part deals with the consequences of that action and seeks to provide some relief to those home owners who are left trying to figure out how they salvage the greatest investment in the major part of the American dream: home ownership, and I urge my colleagues around the circle to pass this bill to provide that relief for those home owners.

Through you, Madam President.

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Thank you. Will you remark? Senator Linares.

SENATOR LINARES (33RD):

Madam President, I rise in support of this bill on -
- and I would thank the good Senator Osten for her
work on this piece of legislation in the -- on the
Planning and Development Committee, we had heard
countless testimony from individuals, many of which
live in Eastern Connecticut and many of which live
in Senator Guglielmo's district in Northeastern
Connecticut and they -- unfortunate -- have the very
unfortunate circumstance of dealing with a cracked
concrete foundation of their home.

It's a very challenging issue because oftentimes
people don't have the information or the data or
documents stored about who poured the concrete on
the foundation of their home and clearly in -- in
Northeastern Connecticut and Eastern Connecticut we
have -- there was a great deal of concrete that was
poured that wasn't a quality product. And so people
-- people walked downstairs in their basement or --
when -- when -- going through their home, they found
massive cracks in their foundation and this has been
happening more and more often and I believe it even
happened to several legislators down in the House of
Representatives who are from that district.

Puts them in a very difficult situation especially
if they're looking to sell their home, looking to --
and if you're looking to buy a home in that area,
specifically if some of the concrete is covered by
dry wall or sheet rock, it's hard to tell there --
there are cracks. It's hard to understand if you
have the appropriate foundation.

And so this is an important step to prevent anyone in the future from buying a home or from moving into a home because as part of the issuance of a certificate of occupancy, a new residential or even commercial building for which a concrete foundation was installed, the applicant shall provide the building official with written documentation of the individual or entity that supplied the concrete and the name of the individual or entity that installed the concrete and copies of that documentation shall be maintained for 50 years.

So I imagine that within 50 years, if someone had received a bad batch of concrete, that we would know by then and this will -- this will also prevent any bad actors in the industry who -- who knowingly are pouring bad batches of concrete on foundations from continuing to do so.

In Section 2 of this bill, any owner of a residential building who has obtained a written evaluation from a professional engineer indicating that the foundation of that building was made defective -- was made with defective concrete -- may provide a copy of such evaluation to the assessor and request a reassessment of that property.

That's important. It's fair and it's the right thing to do. It's the right thing to do for our constituents that are caught in this difficult situation.

In Section 3, the Commissioner of Consumer Protection, after consulting with the Attorney General, shall submit a report with -- involving matters of cognizance to the planning and -- relating to planning and zoning about the potential

cause and causes of failing concrete and I can tell you that the Commissioner came to the Planning and Development Committee and we can certainly say that he has been working hard on this issue. They have been paying attention to this and on behalf of my constituents and certainly the -- the people of Eastern Connecticut, we -- we appreciate the fact that the Commissioner of Consumer Protection has been working diligently on this.

Many of our questions could not be answered exactly because there's an ongoing investigation, but it was important that -- to note that -- that he has been focusing on this issue.

With that said, I know that Senator Osten, Representative Aman, Representative Miller, myself, had written letters to our federal delegation to ask them for any kind of help and support we can get at a federal level, because certainly, if foundations across our state are crumbling, that is a -- an issue that is certainly something that we would need federal support to handle and so, Senator Osten, myself, Representative Miller and Rep. Aman sent a letter to Congressman Courtney, United States Senator Murphy, and United States Senator Blumenthal. And we are -- we are appreciative of their efforts thus far on this issue and I would also thank Senator Osten for her steps in approaching this issue as well.

Think that this is a good bill and it goes -- it goes a long way in helping the people that are really stuck in a -- in a tough spot and so that's one of the jobs that we have here in this chamber. Thank you, Madam President.

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THE CHAIR:

Thank you. Will you remark? Senator Guglielmo.

SENATOR GUGLIELMO (35TH):

Thank you, Madam President. I just wanted to also thank the P and D Committee, the chairman, and ranking members. I've been here for 24 years and I say without a doubt this is the biggest problem that we face in our part of Connecticut.

You're -- you're look -- we had a meeting in the middle school and Vernon and I would estimate there are close to 500 people. So it gives you an idea of what we're talking about.

Some folks are actually afraid to report it because of the -- their not sure that the building inspector may come to the house and condemn the house, so the numbers that have reported to the Department of Consumer Protection are much smaller than most of us who have been involved. Think, just based on the crowds, that have come out to the meetings that we've had, and you -- you -- just imagine the problem. I very -- it's very emotional when you have folks here, this is their home, this is cropping up sometimes 15, 20 years after they've built the home. They've done nothing wrong. They didn't look for an inexpensive way to put the foundation in. They -- they paid the price, they went through a general contractor, had it poured, and now it's crumbling right under them.

Their -- their -- their home and their biggest investment in most cases and it's devastating, you know, psychologically, it really puts a lot of

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strain on families that -- you know, they're going down into the basement and they look at the crack and then they're measuring it to see if it's growing and sometimes it is, sometimes it isn't, but psychologically, it's taking a real toll on folks as well as financially and then you know, you -- you really -- your financial life's upended, but that's the bad part of the story.

The good part of the story is State of Connecticut's really responded. This -- this legislature -- the chairwoman -- the ranking members, the P and D committee have been great. The lieutenant governor's been great. The lieutenant governor's come to many of our meetings. We had one in Tolland for I think three hours and lieutenant governor's stayed the entire time and you listen to people pour their hearts out and pretty frustrated also. You know, they just don't -- they were totally blindsided.

So, the Commissioner of Consumer Protection's been nothing but great. Johnathan Harris, who many of us served with here in this chamber has been so responsive. Has about five or six of his staff members working on this. I -- I had to call in to him at one point on and he was down in Florida taking a little -- couple -- about a week off and I said, well don't bother him, you know, he can call me on Monday. This is a Thursday, call me from Florida to find out what additional information I had.

So it's a really a bad situation has brought out the best in -- in all of us, I think. And Senator Cassano's got a lot of this problem in his district. We've had many meetings on it. The potential of

this is really hard to imagine and -- and as we discussed earlier -- the -- the -- really, the results are not in yet, because we don't know exactly what caused this. There's speculation on what it might be.

It's only occurred at -- from what we can find with all the research that's been done -- three places in the world. It's happened in Ireland, Quebec, Canada, and in our little part of Connecticut. The odds against that gotta' be pretty large, but that's what -- that's what's happened.

University of Connecticut has two professors investigating who -- who specialize in concrete, see if they can find the causes of the problem, but I think this is a very good first step. We have an opportunity to at least introduce it to -- to the whole legislature. Let them know how serious this is, 'cause you can see what happens. If even if you're not directly affected, and you live in a community, your grand list is gonna' be affected. So that's -- it's just a matter of time before it trickles down and involves everybody in the entire region and we're such a small state, if one region of the state's doing poorly, it'll affect all of us. It'll affect all of us.

So, I guess I'm appreciative of everybody that's been involved. It's been a really good effort and its -- but it's just the beginning because until we know the full scope and depth of the problem, we won't know exactly what we need to do, so I want to thank the P and D committee for bringing it out. Thank you, Madam President.

THE CHAIR:

Thank you. Will you remark? Senator Cassano.

SENATOR CASSANO (4TH):

Thank you, Madam Chairman. I want to thank the good Senator for his remarks. Taking the bull by the horns on the -- his area. It was more than 2 years ago. Representative Geoff Luxenberg came to me, saying you know we got this foundation thing that's happenin' up in the -- the college section. College section is a new development. Yale, Ivy, Trinity, [inaudible 5:16.30] streets and so on, and somebody who served on the local council, his house was the first in such serious condition that it cost him \$160,000 to have the house lifted off the foundation. The foundation replaced, taken down, replaced, moved everything out. They got movers to move all the -- everything out of the house -- had to rent a place for six months and he was the first.

Little did we know that the entire neighborhood was -- was built by the same builder, same materials. There's an epidemic. And we see this when a developer does a certain cluster of homes you do it with the same contractors and the same cement and same blah, blah, blah, as it goes on.

It is devastating. It is devastating. He was able to -- I think -- work with his insurance company. Many of these people have lost their insurance. That's a major factor. The insurance has been canceled. Think of the impact. If you own a house that's a \$200,000, a \$150,000 or even a \$100,000 home and it's unlivable and there's no insurance and no recourse, you bite the bullet.

It is devastating. And there is nothing that we can really say to these people right now that can give them comfort. Because there is no -- there's no source like federal funding when we had as an example the major storm on the coast. New York, New Jersey, Connecticut. Federal funding or emergency funding because of the storms were able to provide relief in those areas. There's no program like that to provide that kind of relief. It's all through Eastern Connecticut. Week after week, more and more names and more and more pictures in the papers of the foundations cracking. Engineers can't keep up with the inspections of these homes.

Kelly Luxenberg from the House picked up where Geoff left off, has been magnificent. All of the representatives in the district all the way up to the Mass. line, whether you go up towards Stafford or out towards Enfield. Everybody has been involved in a collective effort and we all have that sense of frustration. I want to do something now, but what can we do. It is probably one of the worst problems that we will be engaged in, in this region -- or any region in the State of Connecticut -- historically, probably ever. As far as a fiscal impact.

We talk about fiscal impact here, every day. Every bill, we want to know what the fiscal impact is. Well, what do you think the fiscal impact is on these home owners? Far more devastating than what the increases that we're talking about in a bill. So, I hope that something is resolved here. This is a big step forward. The quicker we can find some recourse for this -- this situation, the better. Thank you.

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Will you remark further? Will you remark further?
Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam President. I rise to ask -- to
make a few comments as well ask a few questions.

THE CHAIR:

Please proceed, sir.

SENATOR MARTIN (31ST):

Being in the trade and growing up in the
construction industry, for most of my adult life, or
maybe my youth as well, I -- I can only imagine the
horror that these families are going through.
Having seen something probably in my first year out
of college where it was not the deterioration of a
foundation, but the foundation crack and the -- the
developer -- the builder had not compacted the fill
material and built this house and within a year,
less than a year, you walk downstairs in the
basement and you literally saw the backside of the
house, sort of falling -- falling down the
embankment. You know, or -- it was heading that way
anyway, but -- so I can only imagine what's taken
place with these families and what's going through
their minds regarding the economic impact of trying
to find the right answer. How do I fix my home
within -- how much is going to cost me?

And it's not an easy process, what they have in
front of them. So, if I understand the bill
correctly, to -- through you, Madam Chair -- I just

want to make clear what's going to take place regarding some of the documentation here.

If I understand correctly, one of the things that will take place from the bill -- home builders -- or excuse me -- the Building Department from each of the -- each of the municipalities throughout the state is that going forward starting in October 1, 2016, the company that supplied the concrete material will need to be recorded and I'm assuming that's gonna' be on the building permit. Is it?

Through you, Madam Chair.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. Madam President, the company that is supplying the concrete and the -- where the concrete is coming from, will be supplied to the -- that information will be supplied to the building inspector and kept on file with the certificate of occupancy.

Through you, Madam President.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam Chair. So, it -- it sounds like it'll probably be through the -- the application --

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the building permit application and somewhere along the line it'll be documented in there. And the second part of this, from what I've read here is that also includes the -- the company or the person who actually placed the concrete on -- on the -- for the home.

Through you, Madam Chair.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. That would be correct.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam Chair. And you -- we've provided some relief somewhat here and -- regarding the -- the assessed value that if the home is -- is -- if a structural engineer goes to the home and determines that yes it is -- there's corrosion -- erosion taken place or it is deteriorating, that they will provide a -- a -- a perhaps a stamped document stating to that fact that would -- it once the home owner brought it to the Assessor's office or the Building Department that their home would be re-evaluated thus lowering their assessed value on their home.

Through you, Madam Chair.

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THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. Yes, and the -- it would go to the Assessor's office. The Assessor would make a -- an assessment of the documentation and the Assessor could have another structural engineer look at the foundation and if it was as a result of deteriorating concrete, the -- and the -- there was a change in the assessment, that would be completed and placed on the land records so if the land -- if the home owner had a decrease in value as a result of deteriorating concrete that they would have their homes revalued and -- and correctly assessed so that they're not paying taxes on a home that may be worth say, \$50,000 versus say \$350,000.

Through you, Madam President.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam President. So it as the cost of the home owner to hire the structural engineer, get that document, bring it to the Assessor's office? It is not the city that would be providing -- hiring the structural engineer to certify that it's structurally unsound?

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Through you, Madam Chair.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. That's accurate. But the municipality could also have a separate assessment -- a separate engineer -- certified engineer that would look at it also. They could do it if they so choose. They could accept the paperwork. The assessor could go out there and make a -- make a determination if that was accurate and if the municipality so chose, they could get an additional review by an engineer and provide that documentation.

Through you, Madam President.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

It's probably a lot simpler if they just receive the document and move on 'cause it could get costly, I would imagine, so I'm sure that they most likely will take the -- the certified document from the structural engineer.

I know that -- that we -- this bill addresses the foundations but what about the septic tanks that some of this concrete may have been used for? How

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is that -- is this bill address any of the septic deterioration? If there is any.

Through you, Madam Chair.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Through you, Madam President. This bill does not include any pre-cast structures like septic tanks.

Through you.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Have there been -- have their septic tanks been affected by this at all?

Through you, Madam Chair.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Through you, Madam President. Anecdotally, I've heard of a couple of septic tanks that have failed. Until the determination is made exactly whether this is an oxidizing mineral or another issue that may be

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in the aggregate, it was determined that it would deal with the foundations of the homes as they are right now. Until we get further evidence from both UConn and from the Department of the -- of Consumer Protection.

Through you, Madam President.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Through you, Madam Chair. Was the materials used for the -- the construction of the foundations of the septic tanks if -- with those that apply -- was it from one vendor, one supplier?

Through you, Madam Chair.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. We believe it was from one gravel pit area although that has yet to be fully vetted and thus the -- you know, the -- where -- we're not -- or I am not blaming one gravel pit or one vendor. I think that until we get the data, that that is yet to be determined, so while anecdotally, it appears that -- to be accurate, I think that there's still more work to be done before we start throwing stones, per se.

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Through you, Madam President.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Well, I wouldn't call it throwing stones, but identifying specifically who were the cause of all this started from.

So, the -- how big of a geographic area are thinking this could possibly be?

Through you, Madam Chair.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

The Northeastern quadrant of the state and going into the state of Massachusetts also. Right across the border.

Through you, Madam President:

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Has there been some type of estimate as to the number of homes that might be affected by this?

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Through you, Madam Chair.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much. There has been about 150 homes that have reported thus far that they are experiencing this sort of problem but the estimates are in the -- in the 2,000, 3,000 range. Clearly a significant dollar amount at about \$150,000 or more per foundation.

Through you, Madam President.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Could you just repeat the cost of that? The numbers that you just shared?

Through you, Madam Chair.

SENATOR OSTEN (19TH):

Sure. Right now there's been about 150 homes that have come forward. We believe that the numbers may stretch into the 2,000 to 3,000 home range at about \$150,000 per foundation. That is why the letter was written to the federal delegation, because in the other countries where this has occurred, it ended up being a federal or their governmental federal level

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because of the cost and so that -- that -- that is clearly a lot of money if you just do the multiplication of 2,000 times 150 and I'm not gonna' bother to try to do that in my head at this moment in time, but it's a -- a whole boatload of money and coming out of many of these people still have mortgages on their home -- paying off their mortgage to have a \$150,000 added on, clearly stymies their - - again, their home ownership and that quintessential American dream.

Through you, Madam President.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Thank -- Thank you, Madam President. Do you know approximately at what time or dates that that gravel area was used? Was it in the 19 -- from 1980 to 1990 as an example -- has that information been shared or gathered?

Through you, Madam Chair.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Anecdotally, it's in the -- the 1980's to 2000 time frame. About that 20 year time frame. However, again, I -- from my perspective, the data's not yet firm, so I'm hesitant to say that that's the only

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time frame. Often what happens in gravel pits is that they have certain minerals that run through gravel pit to gravel pit. We don't know if this is going to be an ongoing problem with other areas. Right now it appears that it's one, but it may be more and that -- that's why we need that data.

Through you, Madam President.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam President. So, the homes that you do have the data on, is there an age, approximate time of age that you're sort of -- sort of assembling here?

Through you, Madam Chair.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

It would be in that 20 year time frame.

Through you, Madam President.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

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Thank you. So, just to -- so you're -- I thought you said 180 -- 1980 to 1990? Is that correct?

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Through you, Madam President. To 2000.

SENATOR MARTIN (31ST):

Oh 2000. So, a 20 year period. So I guess we could find out the number of building permits that were pulled in the quarter -- the geographic area for single family homes or additions and sort of get some type of idea as to the number of houses this possibly could have affected. Sort of a -- get us a range if we needed to. And I'm assuming that's taking place now?

Through you, Madam Chair.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. We could get that data. Again, I think this may be larger than what we have gathered for data, thus the need to get more data and collect the information and make sure we're accurate on it. We know that there are specific home owners who have come forward to about

the issue of crumbling foundations and beyond that I am making, you know, an anecdotal representation for what we feel may be out there.

Through you, Madam President.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam President. Who will be gathering this information?

Through you, Madam Chair.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

The executive branch through the Department of Consumer Protection is currently doing an investigation and we have engineers up at UConn working on some of this information.

Through you, Madam President.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

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Thank you, Madam Chair. I -- I just have perhaps just one -- one other question that I need to ask and I know that the information from what I've read here is going to be gathered and there's a -- on Line 52, it talks about the -- the information that's going to be gathered will be held as maintained as confidential by such agents who I assume it is the Consumer Protection Agency but I do have to ask because when -- as a real estate broker, our profession we need to disclose any material fact and this is a material fact. Considerable one. And home owners or sellers are obligated to -- to share that information and disclose that information.

So I need to ask a question because it seems to me that -- I know that you're trying to ask some questions or gather some information but this concerns me regarding Line 52 and regarding the confidential -- keeping information -- some of this information confidential, so through you, Madam Chair. Will this bill relieve home owners of their obligation to disclose a material fact concerning the condition of their foundation in a sale?

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Through you, Madam President. No.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

It's a pretty simple answer. Let me just read Section 4 and maybe you could explain what you mean by the agency being confidential.

So, Section 4: any documentation provided to or obtained by an executive branch agency including documentation, provided or obtained prior to the effective date of this section relating to claims of faulty or failing concrete foundations in residential buildings by the owners of such residential buildings and documentation prepared by an executive branch agency relating to such documentation shall be maintained as confidential by such agency for not less than seven years after the date of receipt of this documentation or seven years after the effective date of this section, whichever is later.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. Madam President, through you, the question that the good Senator asked me was does this relieve a seller from providing information about a home to a buyer and to that point; there is nothing that allows them to not release that information to someone whom they are selling their home to.

Much akin to the fact that we still require many different things to be tested and many banks require certain information when someone is getting a mortgage. When I bought my house it was really old.

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They had to make sure that I had a good and working septic system. They had to make sure that -- you know, that -- whether or not I had Radon and they did the lead test in the house and some -- a variety of things so that I could get a mortgage for my home.

This allows someone to report to the Department of Consumer Protection with information that they're sharing and it does not mean that that -- that information is not to be released, but it does not give a seller an ability to sell a home without releasing the information, so for legislative intent this is allowing people to report to the Department of Consumer Protection and keep their personal information private.

They may still keep that house for the next 30 years. They may still stay there. May live in that neighborhood for the rest of their lives. This is to allow them to participate in an investigation that we have going on and keeping that information privileged and not accessible under FOIA for seven years. This is done in order to get more people to come forward on what is going on within their homes, but it does not allow someone to sell a home and -- and not give the correct information to the new home owner.

Through you, Madam President.

THE CHAIR:

Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam President. I'd like to thank the good Senator for all her answers to my -- to my questions, and again, I can feel for these home owners and I can only imagine the -- what is going on in -- in their lives and the financial impact and the burden that this -- this problem of these deteriorating foundations have created and the havoc that's created in their lives, so I will be supporting this bill and I hope that it's the beginning of hopefully, some gathering -- gathering this data, finding out the root cause of the why this happened, but also perhaps working with -- with the -- the concrete company whose the supplier of this and working something out with their insurance companies to help relieve the -- the home owners. So, thank you Madam Chair.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. I don't have any questions for the proponent of the bill, only complete admiration for the advocates. Not only in the House, but specifically here in this circle.

Senator Osten, Senator Cassano, Senator Linares, and in particular, my good friend and colleague, Senator Guglielmo. Up in our neck of the woods, this is a huge story. My newspaper of record -- two of them -- Hartford Courant and the Journal Inquirer, have both been following this.

It comes really close to my district, but thus far, knock on wood, I only have, probably less than a

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handful of individuals who have reached out to me in my district with this issue. But just a few miles East, I can see this unfolding and as Senator Cassano, Senator Guglielmo pointed out, this is a nightmare of epic proportions.

I am extraordinarily sympathetic to the hard work you folks have done, trying to resolve this issue and there are no easy answers. It reminded me of an incident that I had in my district a few years ago, where I had a house -- a home owner -- and their foundation was crumbling. Not because of concrete, but because there was a stream near their home and it went under a state road and as it went under, that got clogged and it caused erosion. Sounds simple enough. Clear it out. Let the water flow. Shore it up.

So, it took me a few weeks, but we had folks coming down in the big orange trucks from the Department of Transportation and a very nice gentleman came out and we went over what needed to be done. And it wasn't that simple to clear out so that the stream could go through and it wasn't so simple to just throw new rip-rap into the bed of the stream of the house.

In fact, that whole culvert had to be redone. It took a long time, but we were at least able to get our arms around that issue, and we knew what the problem was. And as an interesting aside, that individual that bent over backwards on behalf of the State of Connecticut later became a State Representative and we all serve with him. He's Representative Russell Morin. But I knew him before he was a Representative. I knew him when he was

just helping people out with the Department of Transportation.

I had another set of problems in another part of Enfield, where three or four houses were starting to fall into the Scantic River and when you go out there and -- and you meet with the people, your mind is boggling with what can I possibly do as their State Senator? I'm watching this happen.

So you do what you can with -- at that time -- the Department of Environmental Protection, but sometimes Mother Nature is cruel. Not quite as brutal to home owners, but every bit as -- to some extent -- bothersome as when I have neighborhood where all of a sudden, for whatever reason their wells become contaminated because of solvents that were used in old agricultural fields. And then all of a sudden you're working with Department of Environmental Protection, or DEEP right now, and now they're getting bottled water shipped in and you're looking for long-term solutions.

Those are some of the things that I've had to get my arms around in my district, but I have been sitting here this afternoon, listening to you folks and I have said, I don't know how we're going to get our arms around this.

Each and every one of you have indicated a person's home is their major investment. That is -- that is the heart of the family. That is where they poured their hopes, their dreams. I think Senator Osten said it is the center piece of the American dream. Exactly so.

But unlike my issues that I've had in my district where I can find the culprits, they may be long gone, but at least we can get our arms around the issue, we're not even quite sure what's causing the crumbling concrete foundations right now. The molecular composition. Maybe it's the interposition of some sort of outside kind of chemical or mineral deposit that we're not even aware of. Or it's bringing together certain things that react in a certain way that takes a certain period of time.

We just don't know and it's going to be a while to get our arms around this. I'm not trying to filibuster this, whatsoever, but I saw a very interesting public television show that said -- 'cause I -- I wondered what is going on in Oklahoma to cause this giant influx of earthquakes over the last 10 years, and they related it to fracking out there.

That when you -- and it's not the fracking itself, but apparently with the waste water, they inject it down into the Earth -- deep, deep into the Earth. And so, if you've ever been on a beach or somewhere where you have water, all of a sudden what could be solid, if you have a little bit of water there, it shakes.

So they not -- not only pointed to the effects of the placing of the storm water or the -- the waste water from the fracking deep down into the Earth, causing things to loosen up so that things shook, so we're seeing these disasters out in Oklahoma, but they also pointed to major dam projects because the creation of a dam -- now you've got an area filled with water that heretofore had been dry -- it sinks in and they pointed to one out in China where

hundreds of people died because of an earthquake in an area that heretofore had no earthquakes.

So we do have an influence on our environment, but this one -- this one's like get out CSI. And -- and I feel great that UConn is on the case and I feel great that my colleagues in this circle, because I -- I can relate to what it's like when you would go and visit people and you're searching your mind, how can we help them in some way, shape, or form? And the fact that our lieutenant governor Nancy Wyman doesn't surprise me a bit. Cares about people. We all know that. Cares so much to save three hours at a hearing out in Tolland. That's above and beyond the call. That's great.

The first step is listening to folks, but man, when this is happening to their homes -- and this is like a shot out of the blue because they've been there for 10 years, 15, 20 and all of a sudden, boom. This comes down out of the -- like a lightning bolt. And so I hope it's not as vast as it may be because in speaking to Senator Guglielmo, this is like a \$160,000 fix per home and that's if ya -- if ya have a contractor that's willing to jack -- if ya have a house that can be jacked up. If ya have a place to go for six months. If ya have an ability to do this. Because some of these folks, they're probably not in their 20's and 30's.

Maybe this is supposed to be their golden years. Maybe this is supposed to be where everything's supposed to be good and now all of a sudden they have this raining down on their heads. So, I fully support this bill. Totally. And I commend the folks that went out there to the public hearings in the Eastern part of the state, that went out and met

with their constituents. That worked together in bipartisan fashion to try to come up with some solutions and have recognized that this is a major step, but it's just a first step, and that maybe when we pinpoint what the problems are, we can get our arms around that, but unfortunately, as we are looking at major budgetary problems down the road, there is not going to be any magic pot of gold out there. At least not in the short term, that we can tap into like a storm Sandy kind of fund that the federal government, or a super fund if it was contaminated property, or anything like that.

I mean, this is such a dramatically and widespread problem in Eastern Connecticut, it really may need some kind of disaster authorization from Washington to avail folks of some funding. This is big, big deal. And so it really is like a hurricane or a tornado or something else like that that nobody saw coming and just boom, has occurred.

I want to commend each and every individual in this circle that's tried to fight to come up with solutions regarding this issue. You all deserve an awful lot of praise. Your constituents are real lucky to have you. It's a long way to go. It's not going to be easy and trust me, I sit here and I count my lucky stars for all the blessings that I have. Every family out there, if you pulled back a little bit, every family out there is grappling with something.

Very few families have everything perfect. But something as insidious as this that goes to the heart of their dream, their comfort. I mean, we know it. We can -- we can be here for hours and hours and days and days knowing that at some point,

we get to go home. And when you lose that safe harbor and you can't get to go home, then where do you go? So for those reasons, Madam President, I strongly support the bill. Thank you.

(Senator Hartley in the chair.)

THE CHAIR:

Thank you. Senator Larson, you have the floor, sir.

SENATOR LARSON (3RD):

Thank you, Madam President. I rise in support of this very, very critical piece of legislation. I represent the third Senatorial district. The towns of East Hartford, South Windsor, East Windsor, and Ellington. Every single one of my communities is being affected by this particular situation.

It's -- it's incredible. I -- I really applaud the efforts of those putting this forward. Senator Osten in particular for her leadership on this. Frankly, the notion that cities and towns have large amounts of property on their grand list is going to cause a tremendous burden as each of these homes starts to disintegrate.

One of the problems I'm finding as we start to research and walk around with each of these cities and towns is that home owners are -- are struck by situations where they are -- they are fearful to report to their insurance companies. They don't know what the next steps are.

I think we've done a tremendous amount of work identifying what the problem is but wherein lies the

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solution? How are these people gonna' actually be able to recover?

I know that Johnathan Harris -- we invited him out to the town of South Windsor. I know that the Department of Consumer Protection has a path forward with a number of -- a handful of strategies that I think are -- are very important. I've talked to private bankers who maybe think that by creating some sort of a pool of funds for individuals with like mortgages, 'cause at the end of the day, if people are walking away from their homes because they can't afford to cover this particular situation, think about that. You know, 10 homes on a street with crumbling foundations that are \$250,000 and above to fix, and those people walk away from those properties.

Think about what that does to the community. Think about what that does to the grand list. I've heard horror stories where people are going on vacation, calling in a moving company and doing some not so grand things to their homes. And we're hearing about that through some of our volunteer firefighters in some of these smaller communities. It's very, very unsettling and it's moreso unsettling because we're trying to get people to respond and comply and get on this list so we can have a universe of households and we know exactly how much damage we are looking to cover.

So we would also call on cities and towns as well, as this bill does, is to reevaluate and reassess those properties so that individuals who are sitting on a home that is crumbling, frankly have lost a lot of equity in -- in those homes and we want to be able to -- to work through that.

The idea that we need to get a comprehensive list of folks that are affected, whether you have a mortgage or not. Several of the folks in my town in East Hartford have used this Modes [phonetic] contractor and they self-built their homes and they don't have a mortgage on this property now, but you can see through their foundation and \$120,000, \$170,000 to jack up your house, move out of it for six months, get it replaced, is just unfathomable. You -- you know, your home is your castle. You've paid your mortgage. You sent your kids through school. You've got no more equity. You're trying to retire and live a normal life and then you get hit with this.

This is just so devastating. This is a horrible situation. I think that we have enough attention on this but we can do more. I think we've gotta' look to the federal government at some point and try to wrap our arms around some sort of a FEMA solution as was talked about earlier.

But this is something that is critical to folks in Eastern Connecticut. It's hard to imagine but if you start to look at 500 houses in someone's district or 1,000 houses in someone's district. It is a catastrophic event and so I just wanted to add my support. Certainly will be voting in favor of this and -- and commend those who have worked diligently to put forward this legislation. Thank you, Madam President.

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Thank you, Senator Larson. Will you remark further?
Will you remark further? Senator Osten, you have
the floor, Madam.

SENATOR OSTEN (19TH):

Thank you very much, Madam President. Madam
President, if there's no objection, I would move
this bill to the Consent Calendar.

THE CHAIR:

Seeing no objection without -- so ordered, Madam.
Will the clerk please return to the call.

THE CLERK:

Page 20, Calendar Number 504, Substitute for House
Bill Number 5403, AN ACT INCREASING PENALTIES FOR
FAILURE TO YIELD TO PEDESTRIANS IN CROSSWALKS AND
FAILURE TO EXERCISE DUE CARE TO AVOID HITTING A
PEDESTRIAN OR CYCLIST.

THE CHAIR:

Senator Coleman. You have the floor, sir.

SENATOR COLEMAN (2ND):

Thank you very much, Madam President. Good to see
you up there.

THE CHAIR:

Likewise.

SENATOR COLEMAN (2ND):

Madam President, I move acceptance of the Joint Committee's favorable report and passage of the bill in concurrence with the House.

THE CHAIR:

Motion is acceptance and passage in concurrence with the House. Will you remark, Senator Coleman?

SENATOR COLEMAN (2ND):

Yes. Thank you very much. I will remark. Madam President, with the increased activity on our roads, increased pedestrian traffic and people walking and jogging for exercise as well as cyclists as well as those operating motor vehicles, it only makes sense that we pay attention to doing what we can to influence respect for the rules regarding sharing of the road and this bill that's before us at this moment seeks to do that by increasing the penalties for failure to yield to pedestrians in crosswalks and the penalties for failure to exercise due care to avoid hitting a pedestrian or cyclist.

It is hoped that increasing the penalties for such violations would act as some deterrent to motorists who may engage in careless activity and put the other users of the road and particularly in crosswalks in some jeopardy. And so what this bill does is to increase the penalty from the status as an infraction through an actual fine and the monetary fine, in connection with violation of either of these offenses would be \$500.

Madam President, as I indicated, I think it is incumbent upon us to make certain that the rules

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regarding the sharing of the road are respected and are adhered to and we do that for the benefit of the well-being of not only motorists but pedestrians and people who are jogging and riding bicycles and alike.

I would ask my colleagues in the Senate here to support this bill. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Coleman. Will you remark? Senator Kissel, you have the floor sir.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. Great to see you up there on this lovely Tuesday evening.

THE CHAIR:

Lovely, sir.

SENATOR KISSEL (7TH):

Well, it is. As we stride towards the end of our regular session. Just some questions through you, Madam President, to the proponent of the bill.

THE CHAIR:

Yes. Please frame your questions, sir.

SENATOR KISSEL (7TH):

My first question -- so is it -- it's my understanding that there's two parts to this bill?

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One is folks in cross walks and the other one are folks on the side of the road. Is that what this is, or where am I wrong on that?

Through you, Madam President.

THE CHAIR:

Senator Coleman, you have the floor.

SENATOR COLEMAN (2ND):

Thank you, Madam President. There are in fact, two statutes that are involved. One is a statute that requires individuals operating motor vehicles exercise due care to avoid colliding with pedestrians or cyclists and the other requires motorists to be careful regarding individuals including blind people who are in the crosswalk in the road that's being traveled.

Through you, Madam President.

THE CHAIR:

Thank you. To you, Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, and through you, I know that a lot of times when I'm up in Massachusetts especially, for example, Great Barrington or North Hampton, folks do not hesitate to just walk if there's a crosswalk -- just walk into the -- into the road, even if there's traffic and I guess there's a -- an understanding and it's -- and it's followed by folks that pedestrians have the right of

way so they could just walk into the crosswalk. Sometimes I think it's fairly risky. I have noticed though, that here in Connecticut, people are much more hesitant to do that, but I don't know if -- if our law is the same as the -- the good commonwealth to our North. Can a person just walk into a crosswalk or do they need a signal that would allow them to do that?

Through you, Madam President.

THE CHAIR:

To you -- to you, Senator Coleman.

SENATOR COLEMAN (2ND):

Through you, Madam President. To the best of my knowledge, pedestrians are encouraged to -- as well, follow the rules of the road, however, this statute 14-300 would require those operating a motor vehicle to yield to pedestrians who are in the crosswalk.

Through you, Madam President.

THE CHAIR:

Thank you, sir. Senator Kissel, you have the floor.

SENATOR KISSEL (7TH):

Thank you very much, and through you, Madam President. So on the crosswalk portion of this bill, I think I heard the good Senator say that the penalties will not be up -- well, \$500. Is that up -- up to \$500 or is that \$500, there's no variance.

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THE CHAIR:

To you, Senator Coleman.

SENATOR COLEMAN (2ND):

Thank you Madam President, and through you to Senator Kissel. The specific language is not more than \$500.

Through you, Madam President.

THE CHAIR:

You have the floor, Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, and through you, Madam President. And we're raising it to not more than \$500 from what is it right now?

Through you, Madam President.

THE CHAIR:

To you, Senator Coleman.

SENATOR COLEMAN (2ND):

Thank you, Madam President. Formerly, it was an infraction and the amount of the penalty -- monetary penalty was \$90.

Through you, Madam President.

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Senator Kissel, you have the floor.

SENATOR KISSEL (7TH):

Thank you very much, and through you, Madam President. Even though this bill wants to change it to up to \$500, would it still not be an infraction?

Through you, Madam President.

THE CHAIR:

You have the floor, Senator Coleman.

SENATOR COLEMAN (2ND):

Thank you, Madam President. Because the procedure remains the same, and that is the procedure for how to meet the obligations of an infraction, remain the same, even though the amount is \$500, the -- the penalty would continue to be considered or treated as an infraction.

THE CHAIR:

You have the floor --

SENATOR COLEMAN (2ND):

Through you, Madam President.

THE CHAIR:

You have the floor, Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, and through you, Madam President. Again, on the crosswalk portion of the bill, so -- and when we say infraction that just means you're getting -- you're getting a ticket by the citing officer.

Through you, Madam President.

THE CHAIR:

Senator Coleman, you have the floor.

SENATOR COLEMAN (2ND):

Yeah, to be more precise, I said we'd be treating it -- continue to treat it as an infraction. It would not be a crime because the procedure for an infraction is being followed. It would be considered a motor vehicle offense but not a crime and technically not an infraction, because an infraction is defined as more -- as an offense for which the penalty is less than a \$100 fine.

Through you, Madam President.

THE CHAIR:

Thank you, sir. Senator Kissel.

SENATOR KISSEL (7TH):

Okay. So -- so it -- through you, Madam President, I believe the good Senator is clarifying that it is not an infraction so I guess the scale that we have is infraction, \$100 or less, motor vehicle offense, anything over \$100, and then we probably start

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winding our way into crimes, starting with
misdemeanor and then ultimately, felonies. Would
that be correct?

Through you, Madam President.

SENATOR COLEMAN (2ND):

Through you, Madam President, that is -- that is --

THE CHAIR:

You have the floor, Senator Coleman.

SENATOR COLEMAN (2ND):

Thank you, Madam President. That is essentially
correct.

SENATOR KISSEL (7TH):

Thank you very much, and through you, Madam
President and -- would it be fair to say that with
both infractions and motor vehicle offenses, there
is a ticket issued and one can resolve the matter
merely by mailing whatever the dollar -- correct
dollar amount is to wherever the ticket says mail
the money to.

Through you, Madam President.

THE CHAIR:

To you, Senator Coleman.

SENATOR COLEMAN (2ND):

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Through you, Madam President, that is correct. The alternative is to mail in a plea of not guilty. Through you, Madam President.

THE CHAIR:

Thank you, sir. You have the floor, Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, and through you, Madam President. Again, on the crosswalk issue, and I definitely appreciate the fact that we want to help those with -- that are visually impaired -- are there any other -- and -- and I think -- I believe the good Senator indicated blind people but visually impaired -- are there any -- is there any other kind of individual in the crosswalk that needs specific heightened attention? A parent pushing a baby carriage or something like that, and -- and again, I ask this because would this be something that the citing officer would look to in determining the amount of the penalty?

Through you, Madam President.

THE CHAIR:

To you, Senator Coleman.

SENATOR COLEMAN (2ND):

Specifically, the bill makes reference to pedestrians in -- in the crosswalk. Specifically, as I indicated, makes reference to a blind pedestrian carrying a white cane or a guide dog. It doesn't go into any greater detail than that.

Through you, Madam President.

THE CHAIR:

Thank you, sir. You have the floor, Senator Kissel.

SENATOR KISSEL (7TH):

Thank you -- thank you very much, Madam President, and through you, Madam President. So, is it -- is it correct -- is my understanding correct that an officer of the law would see a motorist -- hopefully not hitting anybody but violating this -- and that the officer would issue the motor vehicle violation. What factors would the officer have to process in determining how much that citation's going to be for because the language says up to \$500 so let's say I'm the officer. I'm issuing the violation. What would I look to say to myself \$100, \$300, \$500 -- how does -- how does that work?

Through you, Madam President.

THE CHAIR:

To you, Senator Coleman.

SENATOR COLEMAN (2ND):

Through you, Madam President. I'm not sure that the -- the bill specifies that. I think the bill is silence on that -- silent on that, so I imagine it would fall to the discretion of the officer to put in an amount. Officer may put in the amount of \$500 which may occasion a plea of not guilty and an appearance in court, at which point either the

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prosecutor or the judge that hears the case could assess a penalty of up to \$500.

Through you, Madam President.

THE CHAIR:

To you, Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, and through you, Madam President. Would someone have to be struck in a crosswalk for there to be a violation or could it be a close call?

Through you, Madam President.

THE CHAIR:

To you, Senator Coleman.

SENATOR COLEMAN (2ND):

Through you, Madam President. I don't believe that the bill requires an actual collision in the crosswalk, at least and insofar as concerns 14-300 but just a failure to yield right away to the pedestrians.

Through you, Madam President.

THE CHAIR:

Thank you. You have the floor, Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, and through you, Madam President. I don't recall an awful lot of testimony on this particular bill proposal before the Judiciary Committee. Does the good Senator and co-chair of the Judiciary Committee recall at the public hearing if there was a lot of people or were there any advocacy groups or sort of where this bill came from?

Through you, Madam President.

THE CHAIR:

You have the floor, Senator Coleman.

SENATOR COLEMAN (2ND):

Thank you. My recollection is that the bill was initiative of the Stamford delegation and I'm not sure if it was in response to a specific incident in Stamford but I do know that -- I believe when we had our public hearing in Stamford, there was some testimony regarding the bill.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Coleman. You have the floor, Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President. And on the crosswalk issue, although the bill is silent, I would guess that in determining what the right

amount would be and the factors that would go into that calculus, that that is what would be in the training that a police officer would get at post or the police officer stand in training when they're studying to be a law enforcement officer that traffic infractions and motor vehicle violations 101 or something like that, that they're given a course as to what's appropriate, what's not appropriate, and to give a warning of the things to look to and what would effectuate the ends of justice. Would that be a fair assumption?

Through you, Madam President.

THE CHAIR:

You have the floor, Senator Coleman.

SENATOR COLEMAN (2ND):

Thank you, Madam President. I think that would be a fair way to assess the situation and in response to a previous question, looking through the written testimony that was provided in connection with this bill, and there were officials from Stamford that testified including Representative Terry Adams and Mayor David Martin, I believe, and there is actually some email contact from a number of people, all of whom seem to be in support of the bill.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Coleman. You have the floor, Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President, and I can only guess that there -- there may have been a noteworthy incident in the -- in the good city of Stamford that may have caused this to be the focus of some attention, but in any event, I certainly don't have any problem with that portion of the bill.

Moving to the other portion of the bill, which by way of clarification, is that substantially similar as far as raising the potential fine from \$90 to \$500?

Through you, Madam President.

THE CHAIR:

To you, Senator Coleman.

SENATOR COLEMAN (2ND):

Through you, Madam President, that is correct.

THE CHAIR:

You have the floor, Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, and I think with a crosswalk, we all can envision what that would entail. What exactly are the -- the parameters for a violation of sharing the road? How close would one have to be to either a pedestrian, a jogger, maybe somebody riding a horse, because we -- I think -- I thought we

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addressed some of those issues in the last few years, but maybe this is enhancing that.

Through you, Madam President.

THE CHAIR:

To you, Senator Coleman.

SENATOR COLEMAN (2ND):

Insofar as the parameters are concerned, I think what would be required is the exercise of due care so probably means keeping a certain distance -- a reasonable distance from a cyclist or pedestrian in order to avoid a collision with the cyclist or the pedestrian. Also, at least from the language of the statute, it would require using a horn if necessary to warn the cyclist or pedestrian of the approach by the person operating the motor vehicle.

Through you, Madam President.

THE CHAIR:

Thank you. To you, Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, and through you, Madam President. To the good Senator and co-chair of the Judiciary Committee, I had mentioned someone riding a horse. Is this second part of the bill specific only to pedestrians and cyclists?

Through you, Madam President.

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THE CHAIR:

To you, Senator Coleman.

SENATOR COLEMAN (2ND):

That would be my reading of it, Madam President.

Through you.

THE CHAIR:

Thank you, sir. You have the floor, Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President, and was this in response to a certain incident or was there certain delegation that prompted this bill? I'm guessing that this was a stand -- that this was a separate proposal than -- than the crosswalk proposal.

Through you, Madam President.

THE CHAIR:

To you, Senator Coleman.

SENATOR COLEMAN (2ND):

No. Through you, Madam President. It's all contained in one bill.

THE CHAIR:

Thank you, sir. You have the floor, Senator Kissel.

SENATOR KISSEL (7TH):

Thank you very much, Madam President, so then I would guess that the testimony of the folks from Stamford and the delegation down there wanted to enhance as this as well.

I have no further questions for -- for the good Senator who brought forward these bills. I think they make sense. They certainly give law enforcement officers the latitude to instead of going only up to \$90 to go up to \$500, but it's still discretionary. We're relying on their professionalism in assessing the situation.

Certainly, I would believe that there would be situations regarding the crosswalk. Let's say it's a school -- you know, imagine this. Let's say it's a -- 'round this time of year, we see school buses over by Bushnell park. Let's say someone's racing to the capitol -- certainly not a legislator -- but you see a whole school group trying to cross over and someone like almost hits a bunch of kids.

Well, yeah, if I'm the officer, I think that's prime grounds for a \$500 citation. If it was something where it was a relatively close call and you know, you could see both sides of it, maybe a warning. You know? Here's the law of the land, I could give you a citation up to \$500 for a motor vehicle violation. I'm gonna' let ya' off this time, but you really gotta' keep your wits about you because around this time of year, there's school groups and this and that and you sort of like really, you know, put a little bit of fear of God -- if you believe in

God -- into the individual, but sometimes that could work too.

So, again, we trust the professionalism and the training of our law enforcement officers to make good things happen and -- and effectuate the ends of justice and so, to my mind, all this does is give law enforcement officers that much more latitude in determining what an appropriate penalty should be and as the good senator indicated if it's so egregious that it does -- does deserve the maximum penalty that may engender an appeal and then there would be a hearing on the merits in a courthouse and if somebody felt so strongly that they're gonna' take a day off from work or half a day off from work to go fight that ticket, God bless their soul because sometimes those matters take a number of hours to get resolved in the court systems.

So for a variety of reasons, I'm happy to support the bill before us and would urge my colleagues to support it as well. Thank you.

THE CHAIR:

Thank you, Senator Kissel. Will you remark further? Will you remark further? Senator Martin. You have the floor.

SENATOR MARTIN (31ST):

Good afternoon -- good evening, Madam Chair.

THE CHAIR:

Good evening, sir.

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SENATOR MARTIN (31ST):

I rise to ask a couple questions from the proponent of the bill.

THE CHAIR:

By all means. Please frame your question, sir.

SENATOR MARTIN (31ST):

Thank you. Through you, Madam Chair. The -- the -- were there any statistics taken or discussed during the public hearing regarding the amount of deaths or injuries regarding people or pedestrians that were hit by a motor vehicle?

Through you, Madam Chair.

THE CHAIR:

To you, Senator Coleman.

SENATOR COLEMAN (2ND):

Thank you very much, Madam President. There were not.

THE CHAIR:

Thank you, sir. You have the floor, Senator Martin.

SENATOR MARTIN (31ST):

Well, there goes my next question. So, in -- regarding the -- can I ask what the fee amount was prior to the \$500?

Through you, Madam Chair.

THE CHAIR:

To you, Senator Coleman.

SENATOR COLEMAN (2ND):

Thank you, Madam President. The fee actually as an infraction amount, was \$90.

Through you, Madam President.

THE CHAIR:

Thank you, sir. You have the floor, Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam Chair. Were -- through you, Madam Chair -- were there any other -- besides the -- the infraction fee -- from \$90 to \$500, were there any other options explored for a -- as an option regarding -- instead of a fine or fee, was there any other options placed on the table for discussion?

Through you, Madam Chair.

THE CHAIR:

Senator Coleman.

SENATOR COLEMAN (2ND):

Madam President, I'm glad that question was posed. There is in addition to the fee or fine up to \$500,

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there is a \$15 fee that would be imposed that would be transferred to the municipality where the incident occurred.

Through you, Madam President.

THE CHAIR:

Thank you, sir. Senator Martin, you have the floor.

SENATOR MARTIN (31ST):

So is -- so if I understand you correctly -- so in addition to the \$500, there is a \$15 fee?

Through you, Madam Chair.

THE CHAIR:

To you, Senator Coleman.

SENATOR COLEMAN (2ND):

Yes, just to be clear. Through you, Madam President, whatever the fine would be would be -- would not be more than \$500. So it doesn't have to be \$500. It could be any amount up to \$500. But on top of that, there would be an additional \$15 fee.

Through you, Madam President.

THE CHAIR:

Thank you, sir. You have the floor, Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam Chair. Where -- I remember when I was in -- in college and I was walking downtown in Downtown Manchester, New Hampshire and I was with -- I was -- at that time, I was with my girlfriend and we just happened to cross the street and when I arrived to the other side of the street, a police officer came up from behind and asked me -- or asked -- made a comment -- how would you like to have a ticket for jaywalking?

So, through the chair, through you, Madam Chair -- is -- do we have jaywalking infractions here in the State of Connecticut?

THE CHAIR:

To you, Senator Coleman.

SENATOR COLEMAN (2ND):

Through you, Madam President. To the best of my knowledge, we do.

THE CHAIR:

Thank you, sir. You have the floor, Senator Martin.

SENATOR MARTIN (31ST):

So, should someone jay walk in -- in the -- in the state here, and if this bill gets passed, how is that handled? Is it -- whose fault would that be?

Through you, Madam Chair.

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To you, Senator Coleman.

SENATOR COLEMAN (2ND):

Through you, Madam President. I -- I believe that that would be a matter of comparative negligence.

Through you, Madam President.

THE CHAIR:

Thank you, sir. You have the floor, Senator Martin.

SENATOR MARTIN (31ST):

I don't know exactly what that means, but -- does that mean that it's the fault of the pedestrian or the one -- the vehicle operator?

Through you, Madam Chair.

THE CHAIR:

To you, Senator Coleman.

SENATOR COLEMAN (2ND):

Through you, Madam President. It has nothing to do with this bill, but it would be a subjective determination on the part of -- not subjective -- objective determination, probably on the part of a trier of fact concerning whether is shared blame for the accident occurring and then a percentage of that blame would be assigned to the operator of the motor vehicle and the corresponding or complimentary

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percentage assigned to the pedestrian or maybe the cyclist with whom the motor vehicle collided.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Coleman.

SENATOR MARTIN (31ST):

Thank you, Madam --

THE CHAIR:

You have the floor, Senator Martin, on the underlying bill, sir.

SENATOR MARTIN (31ST):

Thank you, Madam Chair. Regarding when a pedestrian is at a -- at a intersection and we have a device -- a control device light where the pedestrian is waiting for or doesn't follow the -- the -- the device that says, you know, walk or not walk. Who's fault would that be now and would -- again, would that be the pedestrian who's at fault for not walking when they should be?

Through you, Madam Chair.

THE CHAIR:

To you, Senator Coleman.

SENATOR COLEMAN (2ND):

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Sir, I do believe that the doctrine of comparative negligence would be applied to that situation.

Through you, Madam President.

THE CHAIR:

Thank you, sir and to you Senator Martin.

SENATOR MARTIN (31ST):

If -- if there is a motor vehicle operator who is traveling down a street and a pedestrian crosses on his side of -- the driver's side of the street, do -- if a police officer incurs or observes the -- there's been no incident but if the pedestrian is walking and I guess what I'm looking for, if there is no yield, and the -- you know, there's almost a -- a close catch -- a close incident here, does he have the right -- the police officer -- to -- to stop the motor vehicle operator and give him this infraction fine?

Through you, Madam Chair.

THE CHAIR:

Thank you, sir. To you, Senator Coleman.

SENATOR COLEMAN (2ND):

Madam President, I apologize. I don't understand the question.

THE CHAIR:

And -- Senator Martin could you rephrase your question, sir?

SENATOR MARTIN (31ST):

Well, I -- you know -- there -- there are a lot of close misses. I guess what I'm trying to say here and you know, when you're driving along and a couple things. You know, you could be at an intersection and someone could not be paying attention and there's the -- there's the device that's telling you not to walk but the pedestrian comes across and you almost hit him because they were not paying attention and a police officer would see that and would be able to -- you know, give you a ticket for if it's an infraction?
Through you, Madam Chair.

THE CHAIR:

Thank you, Senator Martin. You have the floor, Senator Coleman.

SENATOR COLEMAN (2ND):

Through you, Madam President. I think the officer would be able to do that.

Through you.

THE CHAIR:

Thank you, sir. You have the floor, Senator Martin.

SENATOR MARTIN (31ST):

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I just have one other -- maybe one or two other questions, but in an incident where the pedestrian is maybe under the influence and there is an injury -- hit by a car -- regardless if they're at a crosswalk or -- and again, the red -- they don't see the red -- you know, the little man telling them not to talk, but -- or in the middle where they are jaywalking -- you know, I guess -- what happens then?

Through you, Madam Chair.

THE CHAIR:

To you, Senator Coleman.

SENATOR COLEMAN (2ND):

Through you, Madam President. Not to be facetious but I guess that would be determined on -- I guess who has the best lawyer.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Coleman. You have the floor, Senator Martin.

SENATOR MARTIN (31ST):

I would agree with that. I have no further questions. Thank you so much to the good Senator for answering my questions and I do -- will be supporting this bill. Thank you.

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Thank you, Senator Martin. Will you remark?
Senator Leone.

THE CHAIR:

You have the floor, sir.

SENATOR LEONE (27TH):

Thank you, Madam President. It's always a pleasure
to see you up there.

THE CHAIR:

Thank you, sir.

SENATOR LEONE (27TH):

Thank you. I -- I rise in support of the bill and I
just wanted to add a few comments to the discussion
and -- and first of all, I want to thank the good
chairman of the Judiciary Committee and all members
of the committee as well as the ranking member for
allowing this bill to come up for the public debate
and for bringing it to the floor this evening and as
was previously mentioned, this was a bill that came
forth from the Stamford delegation of which I'm
happy to be a part of and it was due in fact to the
-- to the situations that -- in our city anyway --
this is not an uncommon experience.

We have a few highly trafficked city roads and when
people are trying to use their crosswalks, and then
one or two roads in particular, the traffic is
always moving much to briskly in the daily course of
everyone's lives. Automobile drivers sometimes are

moving much too quickly whether it's rush hour or rushing to get to work or run an errand or whatever the case may be.

The fact that just city life can be so hectic. We've had this situation where people will try to use crosswalks and -- and follow the rules. Try and cross when the light is green, not when it's red, for -- for the lights for the -- where it says it's ok to walk -- and yet that's not enough. That's not enough time. Cars are still being inattentive. Drivers are being inattentive. They're -- they're traveling much too quickly and the unfortunate event is that someone is struck and killed. And this has happened almost every year at least once. And I think in the past year, we had -- I think -- up to three incidents.

And -- and -- any one of those incidents are heart breaking because it's a person, many times a senior, couple times a mother or a father, doing what they're supposed to do, trying to walk when they're supposed to and yet they get hit and die and it causes all sorts of turmoil and of course the driver is not intending to do that. That's not what they started out their day to do, but for whatever reason, they may be traveling much too quickly or being inattentive and what happens is someone is struck and killed but now you've not only killed the person and taken away someone's life from that family, the person -- the perpetrator has probably most likely ruined theirs as well. So there are no winners or losers here.

This is a bill meant to educate for people to slow down. Slow down and be aware of your -- of your surroundings. That if people are trying to cross

when they're allowed to cross, they should be able to do so and not fallen victim to getting struck and killed.

And even though this came out our delegation and our city, this happens across the state. It happens across the country, I would surmise, but it happens across the state and many other cities and potentially other towns.

And it -- it's not a democratic issue, it's not a republican issue, this is -- cuts across all boundaries and down in the House while this came up, I know of two specific legislators where they lost their own family members. One in Hartford, and one in New Milford. A republican and a democrat. Very moving testimony that they lost a mother and a father due to a hit and run. In a crosswalk. Because someone wasn't paying attention.

That's the intent of this bill. To allow people to cross. We can maybe debate that there needs to be more time on the lights and the stoplights and so forth, but until we get to that point, that magic balancing act, whatever it may be, this bill is intended to allow people to cross -- to enter into a crosswalk and not have to fear for their lives because they can't make it across in time or to the fact that a person is not paying attention to how they should operate their vehicle.

And the fact that this is an increased fine up to the \$500, I think once we start educating the public as to the ramifications and what the intent of this bill is, my hope is that that will sit in the back of a person's mind and the back of a driver's mind that there's a cost to pay aside from the criminal

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aspects if you're so charged, that maybe they should just slow down just a little bit in the inner cities, in our towns, and so forth.

So I want to thank -- I want to thank the chairs, the ranking members again, for bringing this up. I know it does hit close to home sometimes and -- and we as legislators -- if it's not a constituent, it's sometimes a legislators direct impact.

So again, this cuts across all lines. It could happen to almost anybody. Even a young person in -- in a crosswalk and -- and that would even be more detrimental so I just wanted to offer my support. This is not just a one-city issue. This really can happen to anybody in any town in our state, and I think this goes a ways in making it just a little bit more safer for our folks out there.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Leone. Will you remark further on the bill? Will you remark further on the bill? Senator Coleman. You have the floor, sir.

SENATOR COLEMAN (2ND):

Thank you very much, Madam President. Very quickly, a comment first. I didn't have at my disposal when Senator Martin asked a question about any statistics but it appears that if -- and Senator Leone may have touched on this -- the number of pedestrian crosswalk deaths in Norwalk increased by 10 percent within the course of 1 year. I'm sorry, not in Norwalk -- not in Norwalk or Stamford, that was a

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nationwide statistic, and the specific incident in Stamford had to do with an 81-year-old that was killed and two others seriously injured.

But, Madam President, if there are no further remarks to be made, and if there's no objection, I'd ask that this matter be placed on our Consent Calendar.

THE CHAIR:

Without objection, so ordered, sir. Will the clerk please return to the call.

THE CLERK:

On page 39, Calendar 361, Substitute for Senate Bill Number 15, AN ACT ADOPTING THE REQUIREMENTS OF NORTH CAROLINA STATE BOARD OF DENTAL EXAMINERS V. FEDERAL TRADE COMMISSION AND REVISING CERTAIN BOARDS AND COMMISSIONER -- COMMISSIONS FEATURES. There are Amendments.

THE CHAIR:

Senator Cassano. You have the floor, sir.

SENATOR CASSANO (4TH):

Thank you, Madam President. Good evening.

THE CHAIR:

Good evening to you.

SENATOR CASSANO (4TH):

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I move acceptance of the Joint Committee's favorable report, passage of the bill, and seek leave to summarize.

THE CHAIR:

Motion is acceptance and passage. You -- will you remark, sir?

SENATOR CASSANO (4TH):

Yes. Thank you, Madam President. This is file 574, it's a substitute bill. It's an act requiring changes as a result of a Supreme Court decision. North Carolina versus the Federal Trade Commission and the Commission is the result of -- I should say the court -- because of the results of the court decision, required all of us states across the country to look and evaluate our laws involving minority representation, the makeup of boards, commissions, and supervision.

As a result of that, we've made some, I think, rather interesting changes. This has been described in different ways. What it does is it takes a variety of commissions from a variety of different areas. As an example, it's State Board of Television Radio Service exam, and it's pharmacy, landscape, Board of Examiners for Engineers, Real Estate, liquor control, home inspectional licensing, all of these groups now will be under one umbrella, in the Office of the -- of Consumer Protection.

The commissions have been somewhat changed, but they still are pure organizations that in fact, will meet and make recommendations based on changes proposed

to them, issues incidents and so on, depending on the type of board.

When they make a decision as an organization, as a - a board I should say, that will be forwarded to the Commissioner of Consumer Protection. The Commissioner has 30 days to accept or reject or ignore the Commission recommendations. If the Commissioner does that at the end of 30 days and does not act it, it automatically becomes law.

If he rejects a board decision, he must describe why he rejected that as a part of this legislation. One of the good things about this bill is that I would assume that the Commissioner will have a group of attorneys -- a small group -- that will work with these Commissions that will meet on a quarterly basis -- once ever quarter they shall meet to -- to do their job and everything will be somewhat centralized through the Commissioner's office because a lot of these decisions are going to involve either call to action, police actions, actions in the industry, whatever it might be, and the power of the Commissioner's office and the ability to work with other Commissioners that are in positions to make positive changes for these decisions to be enacted, I think is significant here.

There is -- Madam President -- an Amendment. I would ask the clerk to call LCO 6041.

THE CHAIR:

The clerk is in possession of LCO 6041. Will the clerk please call and the Senator has asked leave to summarize.

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THE CHAIR:

LCO Number 6041, Senate "A" offered by Senators
Looney, Duff, et al.

THE CHAIR:

You have the floor, Senator Cassano.

SENATOR CASSANO (4TH):

Thank you, Madam President. This Amendment goes a long way in clarifying the roles of each of the commissions, their duties and responsibilities, shows their makeup, it -- it defines clearly the role of the Commissioner as far as oversight and it's -- I think it's the strength of the bill because it's the operation of -- of how the process works and I would move adoption of the Amendment.

THE CHAIR:

Motion is adoption. Will you remark? Will you remark on Senate Amendment "A"? Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President. I had the opportunity to review the amendment and support it as proposed. Thank you.

THE CHAIR:

Thank you, Senator Witkos. Will you remark on Senate Amendment "A"? If not, I will try your

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minds. All those in favor, please indicate by saying "aye".

SENATORS:

Aye.

THE CHAIR:

Nay? The "ayes" have it. The Amendment is adopted.
Will you remark further on the bill as amended, sir?

SENATOR CASSANO (4TH):

Thank you, Madam President. That is the description of the bill. If there are any questions, I'd be glad to entertain them.

THE CHAIR:

Thank you.

SENATOR CASSANO (4TH):

If not, I ask that it be put on the Consent Calendar. Thank you.

THE CHAIR:

Seeing no objection, so ordered, sir.

Will the clerk please return to the call.

THE CLERK:

On Page 34, Calendar 583, Substitute for House Bill Number 5400, AN ACT CONCERNING THE DISCLOSURE OF

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CERTAIN EDUCATION PERSONNEL RECORDS. It's amended by House Amendment Schedule "A".

THE CHAIR:

Senator Coleman, you have the floor, sir.

SENATOR COLEMAN (2ND):

Thank you again, Madam President. I move acceptance of the Joint Committee's favorable report and passage of the bill in concurrence with the House.

THE CHAIR:

Motion is acceptance and passage in concurrence with the House. Will you remark, sir?

SENATOR COLEMAN (2ND):

Madam President, this bill is about teachers who may have been involved in misconduct and specifically abuse or sexual misconduct and the efforts of such a teacher to become reemployed in some other school district. And what the bill requires from the State Department of Education is that the department provide to any local or regional board of education, information regarding the applicant's eligibility for employment, including any discipline record, if any, regarding abuse or sexual misconduct and whether the State Department of Education has received notice of criminal charges pending against the applicant.

Additionally, the Bill prohibits local boards from offering employment to an applicant prior to requiring the applicant to provide contact

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information regarding prior employers, authorizations for the release of records and information from prior employers and also requires the applicant to provide a written statement regarding whether or not the applicant has been investigated, disciplined, or asked to resign because of sexual misconduct or allegations.

Local boards receiving such information must actually review the information submitted by prior employers and may not employ an applicant if there has been noncompliance with any of the requirements for the provision of information or if there in fact, has been the kind of misconduct that the bill is addressing.

I urge support and passage of the bill. Thank you, Madam President.

THE CHAIR:

Thank you, Senator Coleman. Will you remark further? Senator Witkos. You have the floor, sir.

SENATOR WITKOS (8TH):

Thank you, Madam President. If I may, a few questions to the proponent of the bill, as proposed.

THE CHAIR:

Please frame your questions, sir.

SENATOR WITKOS (8TH):

Thank you, Madam President. Through you, to Senator Coleman. As the process is now, generally somebody

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would have -- if they're applying for a new job, they would have to sign a waiver form saying that they give permission for their personnel records, I guess, to be disclosed to the potential new employer. Would this negate that process?

Through you, Madam President.

THE CHAIR:

To you, Senator Coleman.

SENATOR COLEMAN (2ND):

Madam President, I'm not familiar with a -- the process -- or the portion of the process that involves a waiver. So, it's difficult for me to respond to the question.

Through you, Madam President.

THE CHAIR:

Thank you, sir. Senator Witkos, you have the floor.

SENATOR WITKOS (8TH):

Thank you, and I guess I'll give you an example. When I used to do background checks on prospective employees, they would have to sign a waiver, waiving their rights to privacy for either banking institutions or previous employers. So you would be able to go there and -- and show that person and have full access to the employee's personnel records, and I'm wondering if this legislation when proposed and passed today, would that prevent that from happening?

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Through you, Madam President.

THE CHAIR:

To you, Senator Coleman.

SENATOR COLEMAN (2ND):

Through you, Madam President. The language of this bill refers to an authorization for the release of information. It does also include a waiver concerning any potential liability on the part of the previous employer that releases the information, but that's the only waiver that I'm familiar with, at least insofar as concerns this bill. And it may very well be that the release -- or the authorization for the release of information is semantically no different than the waiver about which the good Senator speaks.

Through you, Madam President.

THE CHAIR:

Thank you, Senator Coleman. You have the floor, Senator Witkos.

SENATOR WITKOS (8TH):

Thank you and if Senator could explain once again, I guess I got lost in the whole description of the bill, what the liability is for the entity that releases the information.

Through you, Madam President.

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THE CHAIR:

To you, Senator Coleman.

SENATOR COLEMAN (2ND):

Thank you, Madam President. It may be purely speculative, but the employee may pursue a cause of action alleging for example, invasion of privacy, if the employer releases information that may be disparaging to the employee or that may put the employee in a bad light.

So, I guess under the provisions of this bill, the employee or prospective employee, would waive any claim against the previous employer for the release of the information -- records and information pertaining to his or her employment with that district.

Through you, Madam President.

THE CHAIR:

Thank you, sir. Senator Witkos, you have the floor.

SENATOR WITKOS (8TH):

Thank you, and I -- I guess I would consider that a good thing that the previous employer who may keep meticulous records about the performance or the conduct of their employee and regardless of whether it was a separation mutually agreed upon or a termination proceeding, that if the next employer wanted to investigate and do their due diligence as to whether or not they should hire the employee,

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they certainly should have access to those records because why move around the bad apple, if you will, and I understand that.

I don't want to use the term black ball because sometimes people use that saying, well, I've been black balled, that's why nobody will hire me, but that's certainly not the term -- the reason why -- the only reason. And sometimes I think you have to be responsible for the actions that you do and sometimes there's consequences for every action.

And is there anything in this bill, maybe I'm confusing it with another bill, Madam President, through you, that has an erasure of a -- of the records for an employee after x period of time if they've had a clean conduct?

Through you, Madam President.

THE CHAIR:

To you, Senator Coleman.

SENATOR COLEMAN (2ND):

Through you, Madam President. In connection with this bill, I'm not aware of any such provision.

THE CHAIR:

Thank you, sir. Senator Witkos, you have the floor.

SENATOR WITKOS (8TH):

Thank you and what was the provision of the bill that you mentioned about if somebody was under the

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investigation or charged with a sexual misconduct --
what does the bill speak again to that portion?

Through you, Madam President.

THE CHAIR:

To you, Senator Coleman.

SENATOR COLEMAN (2ND):

The bill would require a previous employer to disclose that to a potential or prospective employer. Additionally, the applicant for employment would be required to provide a written statement indicating that he has not been investigated or the subject of any allegations having to do with abuse or sexual misconduct.

Through you, Madam President.

THE CHAIR:

Thank you. You have the floor, Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President. I want to thank Senator Coleman for those answers and for allaying any fears actually, I had because I thought it -- the bill did exactly the opposite of what you explained and I -- I certainly ask my colleagues to support the bill. Thank you, Madam President.

THE CHAIR:

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Thank you, Senator Witkos. Will you remark?
Senator Kissel, you have the floor, sir.

SENATOR KISSEL (7TH):

Thank you very much. I'd like to thank my friend
and colleague, Senator Witkos for taking over as
ranking of Judiciary for a few minutes there.

I stand in strong support of the bill. Would like
to commend Senator Coleman for bringing it forward.
I think it's a common sense approach to an issue
that crops up now and again that really causes some
of our municipalities some consternation and I would
urge my colleagues to support the bill.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator Kissel. Will you remark further
on the bill? Senator Coleman.

SENATOR COLEMAN (2ND):

Madam President, to the notion of Senator Witkos
taking over as ranking member of Judiciary, I would
simply caution to be careful what you ask for.

THE CHAIR:

[laughter] Advice well heeded, I think, sir.

SENATOR COLEMAN (2ND):

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And Madam President, if there is no further debate regarding this bill and if there's no objection, I'd ask that the item be placed on the Consent Calendar.

THE CHAIR:

Without objection. Seeing none, so ordered, sir.
Will the clerk -- Mr. Majority Leader, Senator Duff.
You have the floor.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, for a couple markings, please.

THE CHAIR:

Please proceed, sir.

SENATOR DUFF (25TH):

Thank you, Madam President. On calendar page 31, Calendar 569, House Bill 5620, I'd like to place that item on our Consent Calendar.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

On calendar page 24, Calendar 533, House Bill 5605, I'd like to place that item on our Consent Calendar.

THE CHAIR:

So ordered, without objection, sir.

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SENATOR DUFF (25TH):

On calendar page 22, Calendar 516, House Bill 5358,
I'd like to place that item on our Consent Calendar.

THE CHAIR:

Without objection, so ordered.

SENATOR DUFF (25TH):

Thank you, Madam President. And if the clerk can now call calendar page 36, Calendar 169, Senate Bill 266. And if we can stand at ease -- oh, here we go. Oh, stand at ease for a moment, please.

THE CHAIR:

Chamber will stand at ease.

Chamber will come back to order.

Senator Flexer, you have the floor, Madam.

SENATOR FLEXER (29TH):

Thank you, Madam President. Madam President, I move for acceptance of the Joint Committee's favorable report and passage of the bill.

THE CHAIR:

Motion is acceptance and passage.

SENATOR FLEXER (29TH):

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I'm sorry, Madam President. I was told the bill was on the floor.

THE CHAIR:

Just a moment.

Senator Flexer. Will the clerk please call calendar 169, Senate Bill 266.

THE CLERK:

On page 36, Calendar 169, Substitute for Senate Bill Number 266, AN ACT CONCERNING A RIGHT TO RESCIND A NURSING HOME CONTRACT. There are amendments.

THE CHAIR:

Thank you, Mr. Clerk. Senator Flexer, you have the floor, Madam.

SENATOR FLEXER (29TH):

Thank you, Madam President. I move for acceptance of the Joint Committee's favorable report and passage of the bill.

THE CHAIR:

Motion is acceptance and passage. Madam, will you remark?

SENATOR FLEXER (29TH):

Yes. Thank you, Madam President. Madam President, the clerk is in possession of an Amendment LCO Number 5473. I would ask the clerk please call the

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Amendment and that I be granted leave of the chamber to summarize.

THE CHAIR:

The clerk is in possession of LCO 5473. Will the clerk please call and Senator Flexer has asked leave to summarize.

THE CLERK:

LCO Number 5473, Senate "A" offered by Senators Flexer, Kelley, et al.

THE CHAIR:

Senator Flexer, you have the floor.

SENATOR FLEXER (29TH):

Thank you, Madam President. Madam President, the Amendment before us the strike-all amendment. It -- it -- the amendment before us will become the bill and the amendment before us is a product of the good work of the ranking member of the Aging Committee, Senator Kevin Kelly, and I'd like to yield to Senator Kelly.

THE CHAIR:

Madam -- Senator, would you move adoption, Madam?

SENATOR FLEXER (29TH):

I move adoption.

THE CHAIR:

Motion is adoption. Will you remark and accept the yield, Senator Kelly?

SENATOR KELLY (21ST):

Thank you very much, Madam President, and yes, I will accept the yield. I would like to thank the Chairman of the Aging Committee, Senator Flexer, for her leadership on this issue.

What the bill does, is it basically is a good bill to protect families at the time of admission to a nursing home and entering into the contract, which can be very stressful and what this is going to do is provide notice to those families so that they understand what their roles and responsibilities as well as the liability and that they're gonna' be given a conspicuous notice. It's in 14 point type and it's something that they're going to have to initial next to that notice. I think this is a good bill. It goes a long way to protecting the families. A consumer protection perspective as well as the nursing homes. This is a product of getting both the nursing home industry and the Connecticut Department on Aging and the long term care ombudsman on board. It's a collaborative effort and I do appreciate Senator Flexer's leadership in this issue. So I certainly support the bill. Thank you.

THE CHAIR:

Thank you, Senator Kelly. Will you remark? Will you remark further? If not, I will try your minds. All those in favor of Senate Amendment "A" please indicated by saying "aye".

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SENATORS:

Aye.

THE CHAIR:

Nay. Those opposed nay. The ayes have it. The Amendment is adopted. Will you remark further on the bill as amended? Senator Flexer.

SENATOR FLEXER (29TH):

Thank you, Madam President. If there's no objection, I move that we place this item on our Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered. Thank you. Senator Duff, you have the floor, sir.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, we have come to the moment where we are going to take a recess for the purposes of caucuses and we will probably come back in about an hour-ish.

THE CHAIR:

Thank you, Senator Duff. So ordered. The chamber will stand in recess.

(The Senate recessed. Upon reconvening, Senator Osten in the chair)

THE CHAIR:

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Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, I'm gonna' mark a bunch of bills in this order, to go. Some of these are ready to be marked go but we'll just keep 'em in this order.

First, is calendar page 5, Calendar 375, House Bill 5296. Followed by calendar page 24, Calendar 532, House Bill 5335. Followed by calendar page 37, Calendar 207, Senate Bill 327. Followed by calendar page 41, Calendar 246, Senate Bill 88. Followed by calendar page 32, Calendar 571, House Bill 5435. Followed by calendar page 22, Calendar 519, House Bill 5053. Followed by page 27, Calendar 546, House Bill 5571. Followed by calendar page 23, Calendar 524, House Bill 5481. Followed by calendar page 24, Calendar 530, House Bill 5498. Followed by calendar page 18, Calendar 498, House Bill 5513. Followed by calendar page 6, Calendar 384, House Bill 5393. Followed by calendar page 35, Calendar page 92, Senate Bill 210 -- oh I'm sorry, nope. We're not doing that one. Calendar page 35, Calendar 92, Senate Bill 210 we are not doing. That is a PT.

Followed by -- on one of our Senate Agendas, I believe is, Calendar 350, Senate Bill 351. Followed by calendar page 45, Calendar 178, Senate Bill 42. Followed by calendar page 14, Calendar 475, House Bill 5627. And Madam President, I make a motion that our foot of the calendar -- recommit all the items on the foot of the calendar.

THE CHAIR:

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So ordered.

SENATOR DUFF (25TH):

That's my favorite part of the whole session.

THE CHAIR:

Mr. Clerk, could you call the first item on the go list?

THE CLERK:

On page 5, calendar 375, Substitute for House Bill Number 5296, AN ACT CONCERNING CREDIT AND DEBIT HOLDS. It's amended by House Amendment Schedule "A".

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Yes. Good evening, Madam President. I move acceptance of the Joint Committee's favorable report and passage of the bill in concurrence with the House.

THE CHAIR:

So ordered.

SENATOR WINFIELD (10TH):

Yes, Madam President. This is a bill that comes to us through the Banking Committee. What it deals with is the issue of gas stations and convenience

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stores using credit cards and debit card payments and having holds on those payments. And it was Amended in the House and what the Amendment did, was House Amendment "A" removed the consent that was in the bill originally but there's notice provided to the customer there will be a hold on their bill and I move acceptance.

THE CHAIR:

Will you remark? Will you remark? Senator Martin.

SENATOR MARTIN (31ST):

Good evening, Madam President. I rise in support of this -- this bill and I hope that my colleagues join with -- with this -- with an affirmative vote. Thank you.

THE CHAIR:

Will you remark? Will you remark? Senator Winfield.

SENATOR WINFIELD (10TH):

Yes, Madam President. If there's no exception, I -- no objection -- I would ask that this be placed on the Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered. Mr. Clerk, could you call the next item please.

THE CHAIR:

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On page 24, Calendar 532, House Bill Number 5335, AN ACT CONCERNING THE RIGHTS AND RESPONSIBILITIES OF LANDLORDS AND TENANTS REGARDING THE TREATMENT OF BED BUG INFESTATIONS. It's amended by House Amendment Schedule "A" and there are amendments.

THE CHAIR:

Senator Winfield.

SENATOR WINFIELD (10TH):

Yes. Thank you, Madam President, and -- I move acceptance of the Joint Committee's favorable report and passage of the bill in concurrence with the House.

THE CHAIR:

So ordered. If everybody could just please quiet it down a bit, so that we could hear what's going on, we'd appreciate it. Thank you. Senator Winfield.

SENATOR WINFIELD (10TH):

Yes, Madam President. This is a bill that comes to us through the Housing Committee and it's -- as the title suggests, what it talks about are the rights and responsibilities of landlords and tenants regarding the treatment of bed bug infestations.

The bill lays out those rights and responsibilities, including allowing tenants to make a complaint at any time, the landlord having the opportunity to attempt to treat the infestation and then a tenant being informed of what infestation actually exists.

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There was a House Amendment added that exempts detached single family homes from the provisions of the bill, and I move acceptance.

THE CHAIR:

Will you remark? Will you remark? Senator Hwang.
Anybody.

SENATOR HWANG (28TH):

On the Amendment.

THE CHAIR:

No, on the -- this is on the Bill as amended by the House.

SENATOR HWANG (28TH):

Okay. Thank you, Madam President. I -- I rise in support of this bill. I want to acknowledge the good work of the chairman but also the chairman of the House who has been very advocate -- very strong advocate of this. I also want to thank Representative Rebimbas for contributing and -- and offering some input. I rise in support. Thank you, Ma'am.

THE CHAIR:

Thank you. Will you remark? Will you remark?
Senator Winfield.

SENATOR WINFIELD (10TH):

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I guess, Madam President. I also want to thank Representative Rebimbas. Without her help, I don't think we'd be standing here. If there is no objection, I would ask that this bill be placed on the Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered. The Senate will stand at ease.

(Senator Winfield in the chair.)

THE CHAIR:

The Senate will come back to order. Mr. Clerk.

THE CLERK:

On Page 37, Calendar 207, Substitute for Senate Bill Number 327, AN ACT CONCERNING SIGNAGE FOR SITES ON THE CONNECTICUT ANTIQUES TRAIL. And there are amendments.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Mr. President. Mr. President, I -- if you could stand at ease, one second.

THE CHAIR:

The Senate will stand at ease.

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SENATOR OSTEN (19TH):

Thank you very much. Mr. President, I move acceptance of the Joint Committee's favorable report and passage of the bill.

THE CHAIR:

Please proceed.

SENATOR OSTEN (19TH):

If the clerk would call -- before getting to the bill, I would like to call an Amendment. LCO Number 6077 and seek leave to summarize and -- and adoption of the Amendment.

THE CHAIR:

Mr. Clerk.

THE CLERK:

[inaudible off-mic 1:36.17]

SENATOR OSTEN (19TH):

Thank you very much, Mr. President. Mr. President, in regards to the Amendment, I would yield to my colleague, Senator Leone.

THE CHAIR:

Senator Osten, did you move the amendment?

SENATOR OSTEN (19TH):

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I believe I did, but if not, I move the amendment and seek its adoption.

THE CHAIR:

Senator Leone.

SENATOR OSTEN (19TH):

Senator Leone.

THE CHAIR:

Would you accept the yield?

SENATOR LEONE (27TH):

Yes, I would gladly accept the yield, Mr. President.

THE CHAIR:

Proceed.

SENATOR LEONE (27TH):

Through you, I -- I wanted to thank the good chairwoman for assisting us on this bill. What this amendment would do would allow a local municipal option to establish a antiques corridor if there are -- if there is a significant amount of Antique stores in -- in that particular municipality, and in the city of Stamford, we have quite a contingent and it would again, allow a municipality to designate an area so that it could be part of the antiques trail, if this bill moves forward, and I would urge my colleagues for its support.

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Through you, Mr. -- Mr. Speaker.

Through you, Mr. President.

THE CHAIR:

Will you remark? Will you remark? Will you remark further? If not -- I'm sorry. I'll try your minds. All in favor, say "aye".

SENATORS:

Aye.

THE CHAIR:

All Opposed. The ayes have it. Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Mr. President. Mr. President, I would yield to Senator Kane to discuss the bill as amended.

THE CHAIR:

Senator Kane, would you accept the yield?

SENATOR KANE (32ND):

Thank you, Mr. President, I will. Good to see you this evening.

THE CHAIR:

Good to see you as well.

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SENATOR KANE (32ND):

I want to thank Senator Osten, the good chair of the Planning and Development Committee. She's worked with us greatly on this legislation. I want to thank Senator Linares as the ranking member and I wasn't aware of so many antique dealers in the Stamford area, but I'm glad to hear it as well.

We know that throughout Connecticut, there is a great number of antique dealers. Eastern Connecticut. Certainly in my part of the state, in Woodbury and Seymour and other towns in the 32nd District, but across Connecticut this seems to be growing and growing. A few years ago, we created the Connecticut antiques trail and certainly we understand the difficult budget times that we are in, so we're not asking for any money, Mr. President, we're not looking for any type of support, except for the fact that these antique dealers would be able to put up signage temporarily explaining that they are part of the Connecticut Antique's Trail, to promote and drive business into their shops.

Also, it helps the ancillary businesses like coffee shops, restaurants, gas stations, dry cleaners, you name it. So it's a good economic development driver. Again, I want thank Senator Osten for all her help and support on this bill and I look forward to its passage. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Kane. Will you remark? Will you remark further? Senator Formica.

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SENATOR FORMICA (20TH):

Thank you very much, Mr. President, and I rise in full support of this bill and wish to thank the good Senator and the ranking member and Senator Kane for all the work on this.

I am a representative of the new Tourism Caucus that -- that is made up of about 35 or 40 legislators participating, all with a great interest in the State of Connecticut and promoting tourism and this is a big step forward and we are in full support of that and I thank you very much for your time. Thank you, Senator.

THE CHAIR:

Thank you, Senator Formica. Will you remark? Will you remark further? Senator Osten.

SENATOR OSTEN (19TH):

If there's no objection, I would move this item to the Consent Calendar.

THE CHAIR:

Seeing no objection, so moved. Mr. Clerk.

THE CLERK:

On Page 41, Calendar 246, Substitute for Senate Bill Number 88, AN ACT ESTABLISHING A TASK FORCE TO STUDY THE ZONING OF TEMPORARY HEALTH CARE STRUCTURES. It's amended by House Amendment Schedule "A".

THE CHAIR:

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Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Mr. President. Mr. President, I move acceptance of the Joint Committee's favorable report as amended by the House.

THE CHAIR:

Proceed.

SENATOR OSTEN (19TH):

Thank you very much. This bill was passed by this body and sent down to the House and it was -- when it went down to the House, it was amended in regards to the members of the task -- task force that would be a part of establishing the -- in regards to put it -- who the speaker and the majority leader and the president of the Senate would place on said task force and I urge adoption.

THE CHAIR:

Will you remark? Will you remark further?

SENATOR OSTEN (19TH):

If -- without objection, I would request this be placed on our Consent Calendar.

THE CHAIR:

Seeing no objection, so moved.

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SENATOR OSTEN (19TH):

Thank you.

THE CHAIR:

Mr. Clerk.

THE CLERK:

On Page 32, Calendar 571, House Bill Number 5435, AN ACT CONCERNING CONSUMER OPTIONS TO PURCHASE ABOVE GROUND PROPANE TANKS. It's amended by House Amendment Schedule "A".

THE CHAIR:

Senator Leone.

SENATOR LEONE (27TH):

Thank you, Mr. President. I move acceptance of the Joint Committee's favorable report and passage of the bill in concurrence with the House of Representatives.

THE CHAIR:

Please proceed.

SENATOR LEONE (27TH):

Thank you, Mr. President. This is a bill that would -- it's AN ACT CONCERNING CONSUMER OPTIONS TO PURCHASE ABOVE GROUND PROPANE TANKS and in last year's session, we had some language in our final bill in terms of making sure there were clauses in

there to make sure that consumers that needed to purchase a tank had the proper protections. But since that bill, there were a -- there was some confusion in the closing days of session and this bill goes towards rectifying that. So this was amended in the House.

It would allow the consumer to purchase a propane tank at any point during the contract. It requires certain contract terms be disclosed and specifies the format. It limits the sale price for underground tanks, requires above ground contracts to allow consumers to buy a new tank, eliminates the requirement for heating fuel dealers to send addendums to certain consumers and excludes guaranteed price plans from certain contract requirements and makes other minor technical and conforming changes.

All the parties that were working to fix the concerns that were identified at the beginning of this session worked diligently to come to an agreement to make sure that all parties had their answers -- their questions answered and this is the result of that bill. I see it as a consumer-friendly bill and I would urge support of the bill. Thank you.

THE CHAIR:

Will you remark? Senator Witkos.

SENATOR WITKOS (8TH):

Good evening, Mr. President. Nice to see you up there. I just wanted to offer one other comment on the great explanation that the good Senator -- Chair

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of the General Law committee did was it establishes what a fair market value price is for the purchase of a tank and I ask the chamber's adoption of the amendment. Thank you, Mr. President.

THE CHAIR:

Will you remark? Senator Leone.

SENATOR LEONE (27TH):

If there is no objections -- objection, Mr. President, I would ask that this be put on the Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered.

(Senator Osten in the chair.)

THE CHAIR:

Mr. Clerk. If you could call the next item on the -
-

THE CLERK:

On Page 22, Calendar 519, Substitute for House Bill Number 5053, AN ACT CONCERNING OPIOIDS AND ACCESS TO OVERDOSE REVERSAL DRUGS. It's amended by House Amendment Schedule "A".

THE CHAIR:

Senator Gerratana.

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SENATOR GERRATANA (6TH):

Thank you, Madam President. Madam President, I move acceptance of the Joint Committee's favorable report, and passage of the bill in concurrence with the house.

THE CHAIR:

Continue.

SENATOR GERRATANA (6TH):

Thank you, Madam President. Madam President, like many other states around the country, Connecticut has seen a significant increase in the number of opioid overdose deaths that it experienced in 2015 over previous years.

Just alone in 2015, over 500 people died due to opioid use disorder. The lifesaving measures in this year's proposal are timely giving -- given the growing number of deaths in Connecticut.

They include a variety of legislation that the Public Health Committee worked on as well as Executive Branch and Governor Malloy. Now, I'm going to go through a little bit of the -- what the bill actually does.

In Section 1, the provisions will enhance the access to lifesaving overdose reversal drugs and it does this by requiring municipalities to update their existing emergency medical services plan to ensure that the emergency responders likely to be the first person on the scene, goes there with Naloxone or an opioid antagonist.

And it also closed the gap in current liability language related to a licensed health care professional, enabling that person to administer an opioid antagonist.

In Sections 2 and 3, this provision will enhance access to lifesaving overdose reversal drugs by prohibiting commercial health carriers from requiring prior authorization for the coverage of Naloxone.

In Section 4, the provision enhances the ongoing work at the alcohol and drug policy council and we do this in a variety of ways, including having the council report to us by January 1, 2017, a goal in reducing the number of opioid induced deaths in the state.

Section 5 is a provision that clarifies the conditions that a regular acupuncturist can work in. Currently, they work in very limited areas. This would allow them to work under the supervision of a doctor, in a variety of -- in fact, any settings here in the state.

Section 7 is a provision that limits the prescribing of opioid drugs in -- in the following ways. What we did here is take a CDC recommendation that will limit first time prescriptions of opioid medications to seven days. Now this is an outpatient setting, not in a surgical or a hospital setting, but this is -- we will be the second state to adopt this measure. Massachusetts has done so.

And it was fortuitous that the Centers for Disease Control had come out on March 15th of this year with

guidelines and this was included in them and 'm happy that Connecticut will be adopting it and will be right on the front lines of this.

It prohibits for adult patients, an initial prescription, as I said, for no longer than seven days and for minor patients also, for children. But in addition to children at seven days, it also requires the prescriber to discuss the risks associated with the drug and with the patient and if the parents or custodial parent or guardian is there to also do so in the presence of the patient.

And it allows for both adult and minor patients, a prescriber to give more than that seven day supply, if that provider deems that it is necessary in his or her medical judgement.

Section 8 -- this provision makes a conforming to allow prescribing practitioners to delegate the review of the electronic prescription drug monitoring data with an authorized agent. Very often, we find that our practitioners -- our physicians in particular -- need to have this done with the case load of people that they see. This will be certainly a help to the practice.

And in Section 9, we make several changes to facilitate the prescriber and pharmacist compliance with the PMP program, our prescription drug monitoring program. And we also have in here, that adjustment that I talked about earlier with veterinarians allowing them to report once a week as it was very onerous for them to do so on a daily basis.

We worked very hard this year to come up with these

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changes. We were glad that we were able to merge various pieces of legislation that we had our -- in our Committee into this one bill. I think it's a very good bill and urge passage of the legislation. Thank you.

THE CHAIR:

Will you remark? Will you remark? Senator Markley.

SENATOR MARKLEY (16TH):

Thank you, Madam President and I rise in support of this bill. This, I think, was a procedure that worked out well for the Committee. Of course, we had many, many proposals on the various aspects of the opioid problem and we heard a number of different ideas and managed to combine the ones that seemed ready to go and useful into one bill and that bill has been tweaked here and there but has largely maintained the core of solid ideas that came out of those hearings.

It's -- I don't have to say what a serious problem it is, I'll only say briefly it was something that I learned of really for the first time when I was -- shortly after I was elected, back in 2010 in talking to families in Southington and Wolcott particularly.

As a result of what I heard, I initiated a -- a study and program review that looked at the insurance reimbursements for addicts. I thought that was a little bit of a step forward. We've had some other steps forward and this one, I think, is a solid one. I'd rather do something that is limited but sound, than overreach and I think that's what we've achieved in this -- in the legislation as it

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stands before you. So, I support it with confidence and I would urge the circle to join me. Thank you.

THE CHAIR:

Will you remark? Will you remark? Senator Gerratana.

SENATOR GERRATANA (6TH):

Thank you, Madam President. If there's no objection, I'd like to move this item to Consent.

THE CHAIR:

Seeing no objection, so ordered. Mr. Clerk, if you could call the next item.

THE CLERK:

On Page 27, Calendar 546, Substitute for House Bill Number 5575, AN ACT CONCERNING BANKING AND CONSUMER PROTECTIONS. It's amended by House Amendment Schedule "A".

HB 5571

THE CHAIR:

I believe that might be 5571.

THE CLERK:

It is 5571.

THE CHAIR:

Thank you very much, Mr. Clerk. Senator Winfield.

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SENATOR WINFIELD (10TH):

Yes. Good evening, Madam President. I move acceptance of the Joint Committee's favorable report and passage in concurrence with the House.

THE CHAIR:

Please continue.

SENATOR WINFIELD (10TH):

Yes. Thank you, Madam President. This is a bill that comes to us out of the banking committee. The bill makes numerous changes, including changes governing foreclosure, small loans, consumer collection agencies, and various banking related laws of technical -- of the technical nature.

It creates a new process with the court may enter a judgement for mitigation of those mortgages we would call under water. It makes changes to the foreclosure mediation program to include authorizing mediators to excuse certain parties from mediation sessions for good cause, eliminating requirements that the mortgage -- mortgagee provide a certificate of good standing and it modifies the foreclosure market by sales process.

Madam President, this bill has many sections but they're broken -- they are broken down -- essentially they deal with many of the bills that were in the Banking Committee so they make those changes in the -- in Sections 1 through 5 to the -- those are the minor banking changes. Sections 6 is the MLK corridor. Section 7 are more minor bank -- banking changes to statute. Sections 9 through 13

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deal with tech revisions to the uniform securities act. Section 14 through 17 are sales, financing, retailer installment sales financing. Section 19 -- 18 through 36 are the small loan act sections. 37 through 42 are advanced rental payment. Sections 47 through 53 are the consumer collection agencies. 54 through 56 minor credit reports. Sections 73 through 70 -- through 92 are alternatives to foreclosure. After that comes blight -- blight study. I -- I move -- I move acceptance.

THE CHAIR:

Will you remark? Will you remark? Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam Chair. I rise in support of this bill. I'm glad that I didn't have to say what the good Senator had to say. There was a lot of work put into this. Aircraft carrier. All parties came to the table. They worked hard in trying to accommodate everybody and their needs as well. So I rise in support of this and I join -- I ask my chamber to adopt this bill. Thank you.

THE CHAIR:

Thank you very much, Senator Martin. Will you remark? Will you remark? Senator Winfield.

SENATOR WINFIELD (10TH):

I ask Madam President if there is no objection, I'd ask that this be placed on the Consent as well.

THE CHAIR:

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Seeing no objection, so ordered. Senate will stand
at ease.

(Senator Winfield in the chair.)

THE CHAIR:

Mr. Clerk.

THE CLERK:

On Page 23, Calendar 524, Substitute for House Bill
Number 5481, AN ACT CONCERNING PHOSPHORUS --
PHOSPHORUS REDUCTION REIMBURSEMENTS TO
MUNICIPALITIES. It's amended by House Amendment
Schedule "A".

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Mr. President. Mr. President,
I move acceptance of the Joint Committee's favorable
report in concurrence with the House.

THE CHAIR:

Proceed.

SENATOR OSTEN (19TH):

This bill here is concerning phosphorus reduction.
It expands eligibility for the increased clean water
fund grants. Under current law, municipalities that

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enter into contracts with the eligible phosphorus removal projects by July 1, 2018, qualify for a clean water fund grant. This goes into covering projects that started previous to the -- this aspect and it -- it extends the grant funds and I urge passage by the circle.

THE CHAIR:

Will you remark? Will you remark? Senator McLachlan.

SENATOR OSTEN (19TH):

And -- before we go any further, I just want to ask for a roll call vote on this particular piece of legislation.

THE CHAIR:

So ordered. Senator McLachlan.

SENATOR MCLACHLAN (24TH):

Thank you, Mr. President. I stand for purpose of question to the proponent of the bill.

THE CHAIR:

Senator Osten, prepare yourself. Senator McLachlan, please proceed.

SENATOR MCLACHLAN (24TH):

Thank you, Mr. President. Senator Osten, the previous proposals on this bill were trying to preserve communities that had previously applied for

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phosphorous remediation plans and were going to be granted a 50 percent reimbursement rate. I just wanted to see if those communities that already applied are still being grandfathered as part of this proposal.

Through you, Madam -- Mr. President.

THE CHAIR:

Senator Osten.

SENATOR OSTEN (19TH):

Thank you very much, Senator McLachlan. Yes, this covers those particular projects. It also covers projects that started before the -- the phosphorus rules were -- were in effect and covers those projects at the 50 percent level.

Through you, Mr. President.

THE CHAIR:

Senator McLachlan.

SENATOR MCLACHLAN (24TH):

Thank you, Senator Osten. I support this bill and urge adoption.

THE CHAIR:

Will you remark? Will you remark? Senator --
Senator Osten.

SENATOR OSTEN (19TH):

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This needs a roll call vote, sir, if -- if you wouldn't mind.

THE CHAIR:

Mr. Clerk. The machine will open -- will be open.
Mr. Clerk.

THE CLERK:

Immediate Roll Call has been ordered in the Senate.
Immediate Roll Call has been ordered in the Senate.

THE CHAIR:

Have all members have voted? Have all members have voted? Please check to see that your vote has been properly recorded. If so, the machine shall be closed and the clerk shall announce the tally.

THE CLERK:

House Bill Number 5481.

Total number voting	36
Necessary for Adoption	19
Those voting Yea	33
Those voting Nay	3
Those absent and not voting	0

(Senator Osten in the chair.)

THE CHAIR:

Mr. Clerk, if you could call the next item. Oh.
Can you please -- the yea's have it.

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THE CLERK:

On Page 24, Calendar 530, Substitute for House Bill Number 5498, AN ACT REVISING THE REGULATION REVIEW PROCESS. It's amended by House Amendment Schedule "A".

THE CHAIR:

Senator Cassano.

SENATOR CASSANO (4TH):

Good evening, Madam President. I move acceptance of the Joint Committee's favorable report, passage of the bill, and I seek leave to summarize.

THE CHAIR:

Please continue.

SENATOR CASSANO (4TH):

This is the State Controller's bill, and it -- it involves Regulations Review Committee. Regulations Review Committee initiates review and consultation with the State Agencies every five years. Instead of doing it that way, this bill would change so that the regulations review is done at the Committee of Cognizance and it would be done over a seven year period instead of a five year period.

The evaluations have not been going as -- as regularly as they should and this gets the committees involved with each of these. I would move adoption. I would tell you that it was

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unanimously passed in Committee and unanimously passed in the House.

THE CHAIR:

Will you remark? Will you remark? Senator McLachlan.

SENATOR MCLACHLAN (24TH):

Thank you, Madam President, and I stand in support of this bill. I want to thank Representative Becker and Senator Chapin and our GAE co-chair, Senator Cassano for their hard work on this. I think is a good way to streamline our process here at the state capitol so that we can actually work even more efficiently. Thank you, Madam President.

THE CHAIR:

Will you remark? Will you remark? Senator Cassano.

SENATOR CASSANO (4TH):

Yes. I too, before I move this on, would like to thank Representative Becker who personally did a tremendous amount of leg work to get this bill together and should be accommodated for that. Seeing none, I would ask that it be placed on the Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered.

SENATOR CASSANO (4TH):

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Thank you. Mr. Clerk.

THE CLERK:

On Page 18, Calendar 498, Substitute for House Bill
Number 5313, AN ACT REVISING CERTAIN STATUTES
CONCERNING THE STATE COMPTROLLER. It's amended by
House Amendment Schedule "A".

THE CHAIR:

I believe that's 5513.

SENATOR CASSANO (4TH):

5513.

THE CHAIR:

It is. 5513.

THE CHAIR:

Thank you very much, Mr. Clerk. Senator Cassano.

SENATOR CASSANO (4TH):

Yes, Madam President. I move acceptance of the
committee report, passage of the bill, and seek
leave to summarize.

THE CHAIR:

Please continue.

SENATOR CASSANO (4TH):

Yes, this is the Controller's bill. I'm sorry. Again, this was unanimous in committee. It was unanimous in the House. The bill updates the statutes of the Connecticut State Employees campaign for charitable giving and assigns a deadline for review of all previous -- the previous year's campaign.

This is a major pool of money. It's voluntary contributed by the State Employees and basically run by them, through the Controller's office. It has a tremendous impact on many charities throughout the state. I would urge adoption of the bill.

THE CHAIR:

Will you remark? Will you remark?

SENATOR CASSANO (4TH):

Seeing no comments, I'd ask it be placed on Consent Calendar.

THE CHAIR:

In concurrence with the House, so ordered. Mr. Clerk.

THE CLERK:

On Page number 6, Calendar 384, House Bill Number 5393, AN ACT CONCERNING ELECTION ADMINISTRATION. There are amendments.

THE CHAIR:

Senator Cassano.

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SENATOR CASSANO (4TH):

Yes, Madam Chair. I move acceptance of the committee's favorable report and passage of the bill and seek to summarize.

THE CHAIR:

Please continue.

SENATOR CASSANO (4TH):

This is another bill again 15 to another unanimous in the committee and unanimous in the House. This is an act concerning election administration. It changes from 14 days to seven days before an election. The deadline for submitting online voter registration applications. This aligns it with the deadline for submitting mail-in and in-person applications, and I would move adoption.

THE CHAIR:

Will you remark? Will you remark? Senator --
Senator --

SENATOR CASSANO (4TH):

Seeing no remarks, I'd urge that it be placed on the Consent Calendar.

THE CHAIR:

In concurrence with the House, so ordered, sir. Mr. Clerk.

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THE CLERK:

On Page 45, Calendar 178, Senate Bill Number 42, AN
ACT CONCERNING EMPLOYEE WAGES.

SENATOR GOMES (23RD):
Good evening, Madam President.

THE CHAIR:

Senator Gomes.

SENATOR GOMES (23RD):

I move acceptance of the Joint Committee's favorable
report and passage of the bill.

THE CHAIR:

Please continue.

SENATOR GOMES (23RD):

Madam President, the clerk is in possession of LCO
Amendment Number 5509. I move the amendment and
seek leave to summarize.

THE CHAIR:

Please continue. Oh, wait a minute. Senate -- Mr.
Clerk. Do you have that Amendment?

We do not have the Amendment. Please stand at ease.

Senator Duff.

SENATOR DUFF (25TH):

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Thank you, Madam President. We're waiting for that to come to us, so I'm just going to mark that PT for now. We'll come back to it.

Madam President, is the clerk in possession of Senate Agendas Number 1 and 2?

THE CHAIR:

Mr. Clerk.

THE CHAIR:

I have -- I have Senate Agendas Number 1 and 2, both dated Tuesday, May 3, 2016.

SENATOR DUFF (25TH):

Madam President, I move that all items on Senate Agendas Number 1 and 2 dated Tuesday May 3, 2016 be acted upon as indicated and that the agenda be incorporated by reference to the Senate Journal and transcript and placed immediately on the Senate Calendar.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, will the clerk please call from Senate Agenda Number 2, Senate Bill Number 351.

THE CHAIR:

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So ordered.

THE CLERK:

Senate Bill Number 351, AN ACT CONCERNING MATTERS AFFECTING PHYSICIANS AND HOSPITALS. It's -- it's amended by Senate Amendment Schedule "A" and House "A".

THE CHAIR:

Senator Gerratana.

SENATOR GERRATANA (6TH):

Thank you, Madam President. Madam President, I move acceptance of the Joint Committee's favorable report as amended by the House.

THE CHAIR:

Please continue.

SENATOR GERRATANA (6TH):

Thank you, Madam President. Madam President, the House passed Senate Bill 351, but they did attach an amendment to it and it made some clarifying changes in -- only in Section 1. The first is that the covenant not to compete would be applicable in any setting -- an office or facility or location rather than in the original bill. We had it limited to hospitals, hospital foundations and -- and health systems and there was just one other change and that was the geographic region. We had 12 miles in the original bill and the House wanted 15, 1 -- 5 miles,

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so that is the only change here and I would ask that the chamber please support the legislation. Thank you.

THE CHAIR:

Thank you very much. Will you remark? Will you remark? Senator Markley.

SENATOR MARKLEY (16TH):

Thank you, Madam President. I rise in support of the bill as amended. I'm glad we're gonna' be able to get it taken care of this evening and I urge my colleagues to support it as well. Thank you.

THE CHAIR:

Will you remark? Will you remark? Senator Martin.

SENATOR MARTIN (31ST):

Thank you, Madam President. With the -- with the Amendments that have been made to this bill, I can now support it. Thank you.

THE CHAIR:

Thank you very much, Senator Martin. And will you remark? Will you -- Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. I want to thank Representative Srinivasan and Representative Lesser --no, no -- Ritter. Matt Ritter. [inaudible 58:32]

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and they couldn't come to me. Representative Matt Ritter. Thank you.

THE CHAIR:

Thank you very much, Senator Fasano. Will you remark? Will you remark? Senator Looney.

SENATOR LOONEY (11TH):

Thank you, Madam President. Support of the bill. Speaking in support of it, I believe that the -- the House amendments make it more of a consensus bill. I certainly support the bill as amended by the House of Representatives and again -- once again, want to thank Senator Fasano for all of his work on the original bill, Senator Gerratana for her leadership throughout the whole process, and also the work of the -- the work of the House and the bipartisan way Chairman Ritter and Representative Srinivasan to -- to amend the bill in a way that -- that answered any objections that might have existed and now it's back before us in that -- in that form. Thank you, Madam President.

THE CHAIR:

Thank you very much, Senator Looney. Will you remark? Will you remark? Seeing none, Senator Gerratana.

SENATOR GERRATANA (6TH):

Madam President, excuse me, I -- I do have a -- a question for clarification. I -- I wasn't sure -- I thought Senator Martin said he could not support the bill.

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THE CHAIR:

No, he said he could.

SENATOR GERRATANA (6TH):

Oh, he said he could.

THE CHAIR:

He could now support the bill.

SENATOR GERRATANA (6TH):

I apologize. In that case, if there's no objection
I would ask this item be moved to our Consent
Calendar.

THE CHAIR:

Seeing no objections, so ordered. Thank you very
much. Senator Duff, for what reason do you rise?

SENATOR DUFF (25TH):

Thank you, Madam President. I'd like to now call
calendar page 45, Calendar 178, Senate Bill 42.

THE CHAIR:

Thank you very much. Mr. Clerk.

THE CLERK:

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On Page 45, Calendar 178, Senate Bill Number 42, AN
ACT CONCERNING EMPLOYEE WAGES. There are
amendments.

THE CHAIR:

Senator Gomes.

SENATOR GOMES (23RD):

Good evening, Madam Secretary -- I mean -- Madam
President. Where do -- where do I go from here? Do
I just go on to the bill --

I move acceptance of the amendment --

THE CHAIR:

No. We need you to call the Amendment, sir.

SENATOR GOMES (23RD):

Yeah. Yeah.

I move acceptance of the Joint Committee's favorable
report and leave -- and passage of the bill.

THE CHAIR:

Continue, Senator. Please continue.

SENATOR GOMES (23RD):

I -- I -- the clerk is in possession of LCO
Amendment Number 5509. I move the amendment and
seek leave to summarize.

THE CHAIR:

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Mr. Clerk. 5509.

THE CLERK:

LCO Number 5509, Senate "A" offered by Senator
Gomes.

SENATOR GOMES (23RD):

I move acceptance of the Amendment --

THE CHAIR:

An adoption of the amendment.

SENATOR GOMES (23RD):

Adoption. Adoption of the Amendment.

THE CHAIR:

Thank you. Please continue.

SENATOR GOMES (23RD):

This Amendment strikes the underlying bill and replaces it with language that allows the City of Bridgeport to restructure a small percentage of some of its payments and [inaudible 55.06] the municipal employee retirement system.

The purpose of this amendment is to give the financially strapped city of Bridgeport six years of moderate relief from paying amortization payments into the state pension fund for municipal employees.

This moderate relief would be followed by more than 20 years of the city paying higher amounts than are required by current state law in order to make the municipal employees' retirement system whole, as well as all the cities, towns, and future retirees participating in this pension fund.

The offer -- the Office of Fiscal Analysis says this statement: It's not anticipated to result in a fiscal impact to the other municipalities participating in the MERS System as the impact of the amended payment schedule is anticipated to be actuarially isolated to the city of Bridgeport in accordance with current practice. The payment structure contained in this Amendment would then increase Bridgeport payments at the MERS System for the next 22 years to make that pension fund whole, paying back every dollar deferred with interest.

Madam President, I therefore move adoption of this Amendment.

THE CHAIR:

Will you remark? Will you remark? Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President. Through you, some questions to proponent of this bill.

THE CHAIR:

Please continue, Senator Gomes, prepare yourself.

SENATOR HWANG (28TH):

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Thank you very, very much. I -- I -- I understand the requirements and the need for this bill. Could the good Senator give me a little background as to what the rationale is for -- for this type of amortization schedule?

Through you, Madam President.

THE CHAIR:

Senator Gomes.

SENATOR GOMES (23RD):

Our solution contained in this Amendment would restructure the amortization payments. The extra \$7.5 Million payments into the MERS System in a way that reduces the amount that would be paid over the next six years. By that time, Bridgeport's debt service burden drops dramatically and the city can handle higher payments into the MERS System.

Let me share some details in case anyone has questions.

You should know that Mayor Ganim's staff has worked really -- very diligently on this proposal. It has been fully reviewed by actuaries and it is a sound proposal. Well, you know that me -- I have affection for you and no one fights harder for the hard earned pensions of police officers and fire fighters than me. This plan keeps every employee and pensioner whole and that's important because in these tough times, it preserves Bridgeport's ability to keep paying into the municipal employees' pension fund.

Keep in mind that Bridgeport will continue to pay more than \$36 Million per year into the State Pension System to meet its obligations for all municipal employees. This Amendment doesn't touch that. This only impacts the extra \$7 point Million per year now required by State Law.

That is some of the things that it -- this bill would seek to provide.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Thank you, Madam President, and -- and from what I understand, and just for some verification, that this amortization program will not adversely impact any other municipalities' MERS contributions.

Through you, Madam President.

THE CHAIR:

Senator Gomes.

SENATOR GOMES (23RD):

If you're speaking of -- of a fiscal impact -- through you, Madam President.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Yes. Yes, Madam President. I just wanted to be sure that this amortization schedule does not put any adverse impact or any impact at all at any other municipalities. It is strictly isolated and -- and applies only to the City of Bridgeport.

Through you, Madam President.

SENATOR GOMES (23RD):

Through you, Madam President, that --

THE CHAIR:

Senator Gomes.

SENATOR GOMES (23RD):

That is correct.

THE CHAIR:

Senator Hwang.

SENATOR HWANG (28TH):

Senator, thank you. I -- I -- I fully understand that the challenge that so many other municipalities go through in this and -- and I do want to share for the record some of the comments and -- and feedback of the State Treasurer in regard to this and I will quote in a letter that she provided.

"To the City of Bridgeport and we share with legislative leaders. I think some of the language I will offer is the flexibility that you seek however

could put the integrity of the MERS plan at risk and obviously, the primary reason for the MERS is to -- to be a well-funded program, because municipalities have been required by law to contribute what is annually deemed necessary by the plans' actuaries. A grant to Bridgeport from its current 30-year amortization schedule, particularly given the General Assembly provide -- provided the cities relief in 2013 from the full payment of contributions to its own pension plan raises the issue of basic fairness and any restructuring ought to be systematic and across the board for any participating municipality."

I -- I do want to share that from a concern of the State Treasurer. As I say that, I understand what the City of Bridgeport is trying to do. It is trying to get its fiscal house in order and it has asked this body to give it some flexibility. To give it some time to be able to do that. So, in -- in -- in addressing this, I -- I didn't want to raise the sense of concern, but I also will -- will cautiously offer my support to the City of Bridgeport in their efforts to doing this.

But I do want to be able to share that it does not adversely impact any other municipality. It will allow Bridgeport to handle its business in a manner that its own community leaders can see and deem appropriate.

So in that respects, I will support this bill, but I -- I would want to share that caution and I would encourage that in the future, that this legislative body set a standard and a process to ensure that potentially other municipalities that may explore this pathway to gain control of its pension and

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retirement obligations to its hardworking employees, that we give a pathway. We give some guidance and that we do not create these one-time situations.

But in this case, and I want to caution and share the -- the concerns of the Treasurer, in regards to fairness and equity to all the other municipalities, that -- that we do move forward with this to help the City of Bridgeport. My neighboring city that is trying so hard to recover from the challenges of economic hardship to do what is right for their community.

And I want to thank Senator Gomes, Senator Moore, and indeed, all of the Bridgeport House delegation who came out in such a unified way to show their love and care for their community and for that, I will offer my support.

But I would encourage again, and sounding like a record, that we tread very carefully and cautiously and respect that this state and this legislative body has given their thoughts and care to the City of Bridgeport and we wish you the best. Thank you, Madam President.

THE CHAIR:

Would you remark? Senator McLachlan.

SENATOR MCLACHLAN (24TH):

Thank you, Madam President. Madam President, given the letter that I read from the State Treasurer to legislative leadership, I'm unable to support this request. With all due respect to the new Mayor of Bridgeport, I see very clearly that he is trying to

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move the city in the right direction but here is my concern.

My concern is that the state budget environment is meaning cuts to every municipality across the State of Connecticut. In this year with the -- with a budget deficit of \$900 plus Million dollars in the horizon next year we're gonna' be dealing with a biennium deficit of \$5.4 Billion dollars.

I believe that that is telling us that municipalities are gonna' have extra burdens upon them with the lack of currently existing state grant money. So, all municipalities that are in MERS will be looking for ways to postpone some of their participation in their regularly pension payments and I believe that that's gonna' open the floodgates, if you will, of other communities coming to MERS, requesting for a postponement in this direction.

So, for that reason and that reason alone. No disrespect to the City of Bridgeport, I believe that we have to draw the line and say that this pension fund which is in good health must not be compromised in any way. That we must keep up our obligations and so I urge rejection. Thank you, Madam President.

THE CHAIR:

So, I would assume Senator McLachlan, that you're asking for a roll call vote?

SENATOR MCLACHLAN (24TH):

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May I have a roll call vote, Madam President? Thank you.

THE CHAIR:

Thank you, Senator McLachlan.

Will you remark? Will you remark? Senator Fasano.

Senator Kane, will you accept the yield?

SENATOR KANE (32ND):

Thank you, Madam President. Yes, I rise for some questions to the proponent of the bill.

THE CHAIR:

It's the Amendment, sir. We haven't accepted it yet.

SENATOR KANE (32ND):

But the Amendment is a strike-all?

THE CHAIR:

Yes, but we haven't gotten to that far, yet.

SENATOR KANE (32ND):

Okay, that's fine. I'll wait.

THE CHAIR:

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I'm sorry. No, you -- you can ask questions on the Amendment, if you would like, Senator Kane. I didn't mean to interrupt you. I apologize.

Senator Gomes, would you prepare yourself.

SENATOR KANE (32ND):

Thank you, Madam President.

So, I apologize to the circle, but I walked in late and kind of missed the beginning except for the part where Senator McLachlan got up and started talking about the possibility of deferring payments. Can you -- if you don't mind -- Senator Gomes, give me a brief overview of what Senator McLachlan was referring to?

Through you.

THE CHAIR:

Senator Gomes.

SENATOR GOMES (23RD):

Through you, Madam President. To the good Senator, are you asking for a synopsis of why we are here?
[inaudible 43.53]

THE CHAIR:

Senator Kane.

SENATOR KANE (32ND):

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No. I won't put the chamber through that. I was just asking -- I came in late and I heard rumblings in caucus about what this bill may be and then Senator McLachlan brought up questions in regards to the deferring of payments so that's where I would like to get a synopsis of.

Through you.

THE CHAIR:

Senator Gomes.

SENATOR GOMES (23RD):

Well, I -- I imagine that I could do that reiterating why -- why we were asking for this deferment.

SENATOR KANE (32ND):

Sure.

SENATOR GOMES (23RD):

Bridgeport is now grappling with a \$20 Million deficit for the current fiscal year that the current mayor only found out about halfway through the fiscal year, having just taken office in December.

Second, even though it knew these extra \$7.5 Million in pension amortization payments were coming, previous mayor -- mayoral administration never budgeted for them.

Third, Bridgeport's debt service burden is very high now and the city is simply not in the position to

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absorb a sudden shock of debt payments that were not budgeted without slashing critical services or -- or significant raises on a vulnerable population.

With all cuts to municipal -- municipal [inaudible 42.31] at the capitol, Bridgeport's financial situation becomes all that more delicate. We need help and that is why we ask for relief.

THE CHAIR:

Senator Kane.

SENATOR KANE (32ND):

Thank you, Madam President. I think Senator Gomes said that there is a \$20 Million deficit. Is that true?

Through you, Madam President.

THE CHAIR:

Thank you very much, Senator Kane. Senator Gomes.

SENATOR GOMES (23RD):

That is what I understand.

Through you, Madam President.

THE CHAIR:

Thank you very much, Senator Gomes. Senator Kane.

SENATOR KANE (32ND):

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Thank you, Madam President. And that \$20 Million deficit, that -- that just appear over night? Is that something that's been taking place of a number of years? How long has this deficit been hanging over the City of Bridgeport?

Through you.

THE CHAIR:

Thank you very much, Senator Kane. Senator Gomes.

SENATOR GOMES (23RD):

Through you, Madam President. That is something I can't answer.

THE CHAIR:

Thank you very much, Senator Gomes. Senator Kane.

SENATOR KANE (32ND):

Are you, Senator Gomes, familiar with the deficit in the City of Hartford?

Through you.

THE CHAIR:

Thank you very much, Senator Kane. Senator Gomes.

SENATOR GOMES (23RD):

Through you, Madam, I've heard rumors of it.

THE CHAIR:

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Thank you very much, Senator Gomes. Senator Kane.

SENATOR KANE (32ND):

And through you, to Senator Gomes, is -- by opening this -- putting this Pandora's Box if you will, would it be fair to assume that maybe the City of Hartford or other cities would ask for this very same legislation?

Through you, Madam President.

THE CHAIR:

Thank you very much, Senator Kane. Senator Gomes.

SENATOR GOMES (23RD):

I don't know if I can answer that question, but when we looked at fiscal state impact, there is none and there -- as for municipal impact, Amendments -- let me -- the amendment will result in an annual decrease in UAL [phonetic] payments at -- to the City of Bridgeport, February 17 to the 19 of \$486,500 [phonetic] if I was to explain all of this, you'd still be in the position you are right now, trying to understand we need this. What we need is an increase -- a decrease in the payments in order for us to catch up with what we owe.

THE CHAIR:

Thank you very much, Senator Gomes. Senator Kane.

SENATOR KANE (32ND):

Thank you, Madam President, and when you say there's no fiscal impact to the State of Connecticut, how much does Bridgeport receive in state funding?

Through you, Madam President.

THE CHAIR:

Thank you very much, Senator Kane. Senator Gomes.

SENATOR GOMES (23RD):

That's another question that I can't answer.

THE CHAIR:

Thank you very much, Senator Gomes. Senator Kane.

SENATOR KANE (32ND):

Thank you, Madam President. I guess what I'm getting at is if this is an issue for the City of Bridgeport, and we are going to defer these payments that are due and we are looking for relief for the city because of these payments, would it then lead us to a situation where they would come back to the state and looking for help with this situation, through you, Madam President, beyond the legislation that's in front of us?

THE CHAIR:

Thank you very much, Senator Kane. Senator Gomes.

SENATOR GOMES (23RD):

Through you, Madam President. No.

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THE CHAIR:

Thank you very much, Senator Gomes. Senator Kane.

SENATOR KANE (32ND):

That's good to hear. Thank you, Madam President. And then when you said that the previous administration had never budgeted for this, how -- how could that be? I mean, was this something that was unanticipated that just appeared or was this something that they purposely deferred in their own budgetary process?

Through you.

THE CHAIR:

Thank you very much, Senator Kane. Senator Gomes.

SENATOR GOMES (23RD):

Through you, Madam President. I was not part of the past administration's administration, so I couldn't answer clearly on that.

THE CHAIR:

Thank you very much, Senator Gomes. Senator Kane.

SENATOR KANE (32ND):

That's fair. I appreciate that, Madam President. I appreciate Senator Gomes for answering my questions. I tend to have the same concerns that Senator McLachlan has when we put our cities in situations

where they're just deferring these payments that are necessarily to be made. It only exacerbates the problem if it's \$20 Million today, what does that mean down the road? I mean, how do -- just from the aspect of how much money costs. If-- if it costs \$20 Million today, it's gotta' cost more tomorrow and the next year and the next year. So I really think that by putting these payments off, you're actually causing -- or adding -- to the burden of the taxpayers. Through you. Thank you, Madam President.

THE CHAIR:

Thank you very much, Senator Kane. Will you remark? Will you remark? Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. Madam President, as I look at this same letter that Senator Hwang read from the Treasurer, Denise Nappier, I do recognize that there is a part in here that says the integrity of the plan is at risk and as I look at that, there's also part in here that says I recognize that the general assembly gave the city relief in 2012 from full payment of its contribution to its own pension plan. But we are faced with one of our major cities in Connecticut that's going through an extraordinarily rocky time as the entire has.

And the question is, are we going to do what we can to help one of our largest cities in our state sort of get back on their feet? And when you look at that issue, the question is, whether or not you're gonna' say the \$7.4 Million extra payment that's

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being made -- and I'll explain why that payment is being made -- who's gonna' bear that burden?

Are we gonna' turn to the city and say, you need to tax your residents' property taxes equal to recoup \$7.4 Million or are we gonna' say that with the structural changes that I believe this new Mayor has put into place, downsizing government, looking at some reforms to the structure of their workforce, changing the procedures within the city, are they on a road that says we can deal with our liability but just extend our liability out so we make smaller payments up front, larger payments as we go on, but we're gonna' pay back what we owe. We're not asking you to take on our obligation, just give us a fighting chance.

So when you look at it in that light, you say, why wouldn't we? Senator McLachlan's 100 percent right. Where do you stop the help? And I think we've had to help the City of Bridgeport in the past and they're looking for help now, and I think the City of Bridgeport -- if we do this -- needs to understand that they need to be fiscally prudent and get the city back. You got a great city. It's got right on along the Long Island Sound. It's a very pretty place.

I also went and decided to look at all those towns that jumped from their pension system into MERS. And some are noted as All Past Services, APS, and No Past Services. So just let me explain what that means.

When you jump into MERS and you say All Past Services, what you're doing is you're saying we're going back 25 years and anybody who had overtime, in

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Bridgeport for instance, that liability gets added to their pension and they've figured out that when you do all that calculation because they picked all past services, you need to make heavier contributions.

When you look at this list, Bridgeport went in in 2012 and 2013 and they're getting the bill now. But as you flip through that list, there're really not a lot that get impacted considerably, but certainly enough that I agree with Denise Nappier who says given the potential, that other MERS participants will seek this, we as a legislature need to ask Denise Nappier to take a look at this so we can get control. Contact the towns and figure out how we can deal with this because other towns are getting the same bill. And we may get those requests here, so we should be proactive, not wait for other towns to come see us, but identify them with this letter and this list, make the calls and figure out if they need help, what we could do to help them out.

That all being said, that's something we can do. Something that Propes [phonetic 33.45] and Finance could look at and I will urge them to look at it over the summer by a letter, and all the leaders, I think will join in that letter to have it be done. The question is, what are we gonna' do today?

And if we raise the property taxes and car taxes in Bridgeport, we're certainly sending mixed messages to the City of Bridgeport. We are asking them to do their fair share by restructuring. They're willing to do it, they're voluntarily doing it, and we look forward to more and more things for them to do to save money, but what we want to do is help out the City of Bridgeport now. It is a crucial part of our

economic center. It's got a great harbor, it has the facilities there for the various athletic teams, so we can do something there.

Madam President, I agree it's a tough choice. I agree we've helped them out in the past. It is my hope that we change the direction once again. The strength of our state depends upon the strength of our city and I cannot think of a city I would put in the forefront other than the City of Bridgeport -- and New Haven. Thank you, Madam President.

THE CHAIR:

Thank you very much. Will you remark? Will you remark? Seeing none, a roll call -- seeing no further remarks, the clerk will announce the pendency of a roll call vote on the Amendment. The machine is open. Please cast your vote.

THE CLERK:

Immediate Roll Call has been ordered in the Senate.
Immediate Roll Call on Senate Amendment Schedule "A" has been ordered in the Senate.

THE CHAIR:

Have all members have voted? Have members have voted? Please check to see that your votes have been properly recorded. If so, the machine shall be closed and the clerk shall announce the tally.

THE CLERK:

On Senate Amendment Schedule "A".

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Total number voting	36
Necessary for Adoption	19
Those voting Yea	29
Those voting Nay	7
Those absent and not voting	0

THE CHAIR:

The Amendment passes. Senator Gomes. Senator Gomes. Will you commend on the bill as amended?

SENATOR GOMES (23RD):

I'm at a loss for words. Well, one thing I want people to know here on the comments that I would make on the bill is that Bridgeport is having its problems but I also believe that the Mayor will concur with what we have spoken here about what will happen in the future. Everybody here knows that I'm brutally honest with my answers or my comments some -- most of the time you don't agree with them, but I'm brutally honest with them and I have all the faith in the world that this mayor will appreciate what you've done and we will also meet our obligations towards the MERS. Thank you.

THE CHAIR:

I believe that you are asking for a roll call vote -

-

SENATOR GOMES (23RD):

I will ask for a roll call vote.

THE CHAIR:

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Thank you. Thank you very much, Senator Gomes.
Senator -- Mr. Clerk. If you would call the
pendency of a roll call vote and the machine will be
open.

THE CLERK:

Immediate Roll Call has been ordered in the Senate.
Immediate Roll Call has been ordered in the Senate.

THE CHAIR:

Senator Winfield. Senator Coleman. Senator Larsen.

Have all members have voted? Have members have
voted? Please check to see that your votes have
been properly recorded. If so, the machine shall be
closed and the clerk shall announce the tally.

THE CLERK:

Senate Bill 42.

Total number voting	36
Necessary for Adoption	19
Those voting Yea	29
Those voting Nay	7
Those absent and not voting	0

THE CHAIR:

The Bill passes. Mr. Clerk, if you could call the
next item.

THE CLERK:

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On Page 14, Calendar 475, Substitute for House Bill
Number 5627, AN ACT ELIMINATING THE SALES TAX ON
PARKING FEES AT CERTAIN FEDERAL, STATE AND LOCAL
PARKING LOTS.

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

Good evening, Madam President.

THE CHAIR:

Good evening, sir.

SENATOR FONFARA (1ST):

Good to see you up there at the dais, tonight.

THE CHAIR:

Good to see you too.

SENATOR FONFARA (1ST):

Madam President, I move for acceptance of the Joint
Committee's favorable report and passage of the
bill.

THE CHAIR:

Please continue.

SENATOR FONFARA (1ST):

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Thank you, Madam President. Madam President, this bill would exempt all municipally owned parking lots with over 30 or more spaces and seasonal lots with 30 or more spaces operated by a federal or state government from the sales and use tax. I urge passage of the bill, Madam President.

THE CHAIR:

In concurrence with the House. Will you remark?
Will you remark? Senator Frantz.

SENATOR FRANTZ (36TH):

Thank you, Madam President. I appreciate that very much. One very quick question through you to the -- to Senator Fonfara.

THE CHAIR:

Please prepare yourself.

SENATOR FRANTZ (36TH):

Senator, what were -- through you -- what were we thinking in the first place of establishing a sales tax of 6.35 percent on top of a parking fee in the first place?

THE CHAIR:

Senator Fonfara.

SENATOR FONFARA (1ST):

I did not quite get the question, Madam President.
If the gentleman could repeat it?

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THE CHAIR:

Senator Frantz.

SENATOR FRANTZ (36TH):

I'll repeat it. Again, maybe a litte -- maybe a little louder and more concise this time and I apologize Senator Fonfara. What were we thinking in the first place, establishing a tax on top of a fee of 6.35 percent tax wise on top of that fee, for parking at state parks which is something that people love to do?

THE CHAIR:

So, I like that "we" part. Senator Fonfara.

SENATOR FONFARA (1ST):

I -- I -- Madam President, I would be -- it'd be purely conjecture on my part to understand what we were thinking, but today, I and those that choose to vote for this believe that it'd be best if we were to remove this provision and allow the good people of the State of Connecticut and those that are visiting are fine state to enjoy the parks of this state and -- and be able to park their vehicles without experiencing having to pay for a sales tax on that parking space.

Through you.

THE CHAIR:

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Thank you very much Senator Fonfara. Senator Frantz.

SENATOR FRANTZ (36TH):

Thank you, Madam President. Thank you very much for that answer. I take my hat off to you Senator for the great response there, I don't know what we were thinking. No one knows what we were thinking when that was put into place. But you -- you being a champion of doing the right thing have successfully, hopefully here, removed this unnecessary tax of 6.35 percent on top of that parking fee. Thank you, Madam President.

THE CHAIR:

Thank you very much. Will you remark? Will you remark? Senator McLachlan.

SENATOR MCLACHLAN (24TH):

Thank you, Madam President. I stand for the purpose of a question to the proponent of the bill.

THE CHAIR:

Prepare yourself, sir. Senator McLachlan, please continue.

SENATOR MCLACHLAN (24TH):

Thank you, Madam -- thank you, Madam President. Senator Fasano, can I just clarify, are we talking about file 613? Is the bill before us.

Through you, Madam President.

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THE CHAIR:

Thank you very much, Senator McLachlan. Senator Fonfara.

SENATOR FONFARA (1ST):

Through you, Madam President. Yes.

THE CHAIR:

Senator McLachlan.

SENATOR MCLACHLAN (24TH):

Thank you, Madam President. And through you, Senator Fasano, the last line -- Line 18 says municipally owned parking lot. That appears to be a part of this bill. For clarification, if I may, in a community that has parking garages and surface parking lots, are all of those included in this, assuming they have over 30 spaces?

Through you, Madam President.

THE CHAIR:

Thank you very much, Senator McLachlan. Senator Fonfara.

SENATOR FONFARA (1ST):

Through you, Madam President. To my knowledge and reading of the bill, that would be correct.

Through you.

THE CHAIR:

Thank you very much, Senator Fonfara. Senator McLachlan.

SENATOR MCLACHLAN (24TH):

Thank you, Madam President. I stand in support of the -- of the bill and thank Senator Fasano for his work on this.

THE CHAIR:

Thank you very much. I think it's Senator Fonfara, though. Thank you very much, sir. I know the hour is late. [laughter] Senator Boucher, for what reason do you rise?

SENATOR BOUCHER (26TH):

Thank you, Madam President. Madam President, to commend the good Senator on the Finance Committee for this moment of clarity for this return of common sense and hope that by the removal of this -- this new tax on parking, that this mood and this clarity will prevail throughout the Budget Season, Madam President. Thank you.

THE CHAIR:

Thank you very much, Senator Boucher. Will you remark? Will you remark? Senator Fasano.

SENATOR FASANO (34TH):

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Thank you, Madam President. Madam President, I did work very hard on this particular piece of legislation. Madam President, through you, to Senator Fonfara. Does this have a cost to the State of Connecticut by virtue of less income coming into the state by removal of this tax?

Through you, Madam President.

THE CHAIR:

Thank you very much, Senator Fasano. Senator Fonfara. Prepare yourself.

SENATOR FONFARA (1ST):

Thank you, Madam President. In fact, it would have a cost, Senator Fasano. Through you, Madam President, in FY-16 in which the -- we are in that current fiscal year, will be up to \$100,000 it is estimated lost by this state and then in FY-17, approximately \$450,000 and in Fy-18, \$420,000, approximately.

Through you.

THE CHAIR:

Thank you very much, Senator Fonfara. Senator Fasano.

SENATOR FASANO (34TH):

Thank you, Madam President. To Senator Fonfara, this will be part of the budget I'm assuming, that is currently being negotiated?

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Through you, Madam President.

THE CHAIR:

Thank you very much, Senator Fasano. Senator Fonfara.

SENATOR FONFARA (1ST):

Through you, Madam President. That is correct.

THE CHAIR:

Thank you very much, Senator Fonfara. Senator Fasano.

SENATOR FASANO (34TH):

Madam President. Through you, Senator Fonfara. Can you tell us any other part of the budget that we should [inaudible - laughter 19.13] I withdrawl the question. Thank you, Madam President. Thank you, Senator Fonfara.

THE CHAIR:

Thank you, Senator Fasano. Will you remark? Will you remark? Senator Fonfara.

SENATOR FONFARA (1ST):

Yes, Madam President. Unless there is objection, I would ask that this bill be placed on the Consent Calendar.

THE CHAIR:

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Seeing no objection, so ordered. Mr. Clerk, I think we have one more item on our calendar. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Would the clerk please call calendar page 6, Calendar 382, House Bill 5242.

THE CHAIR:

Mr. Clerk.

THE CLERK:

On Page 6, Calendar 382, House Bill Number 5242, AN ACT CONCERNING AGRICULTURAL VIRTUAL NET METERING.

THE CHAIR:

Senator Linares, for what reason do you rise?

SENATOR LINARES (33RD):

Madam President, under rule 15, I'd like to recuse myself from the chamber.

THE CHAIR:

So ordered. Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President. Pursuant to rule 15, I ask for recusal from the debate and ultimate vote on this legislation.

THE CHAIR:

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So ordered. Senator Kissel.

SENATOR KISSEL (7TH):

Good evening, Madam President, again, pursuant to rule 15, I ask leave to leave the chamber and not participate in the debate or vote on this matter.

THE CHAIR:

So ordered.

SENATOR KISSEL (7TH):

Thank you, ma'am.

THE CHAIR:

Senator Doyle.

SENATOR DOYLE (9TH):

Good evening, Madam President.

THE CHAIR:

Good evening.

SENATOR DOYLE (9TH):

I move acceptance of the Joint Committee's favorable report and passage of the bill.

THE CHAIR:

Please continue.

SENATOR DOYLE (9TH):

Yes, thank you Madam President. We have before us House Bill 5242. Earlier in this session, this -- this deals with our agricultural -- sorry -- our virtual net metering program and the chamber will remember a few weeks ago, we did -- we did a bill on municipal virtual net metering. This is -- and the -- and the virtual net metering program -- there's three -- there's three silos, a municipal, state, and agricultural.

All we have before the chamber today is a minor tweak to the agricultural silo and this is a piece of legislation that the Senate passed last year, I believe unanimously and it died in the House, but what it simply does is in the agricultural silo, under current law, the only way farmers or the agricultural parties for one of these for virtual net metering can only own the actual virtual net metering project.

This program at the -- at the request of the agricultural community allows the agricultural entities to lease or enter into a long-term contract for agricultural net metering. The bottom line is this enables them to really make it for affective and utilize -- utilize the agricultural net metering program for our agricultural sector.

I think it's a good piece of legislation and I urge our chamber to approve it as we did last year. Thank you, Madam President.

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Thank you very much, Senator Doyle. Will you
remark? Will you remark? Yes, Senator Formica.

SENATOR FORMICA (20TH):

Good evening, Madam President.

THE CHAIR:

Good evening.

SENATOR FORMICA (20TH):

Thank you, I rise in support of this legislation.

THE CHAIR:

Please continue.

SENATOR FORMICA (20TH):

Thank you, Madam President. This bill broadens the
illegibility -- kind of late for a big word like
that -- for virtual net metering for family farms
allowing agricultural customers at least to have
long-term projects here and this is a good bill for
family farms and I urge adoption by my colleagues,
and thank you to the good Chairman for his hard work
on this bill. Thank you, Madam President.

THE CHAIR:

Thank you very much. Will you remark? Will you
remark? Senator Doyle.

SENATOR DOYLE (9TH):

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Madam President, I ask to please have a roll call vote on this piece of legislation.

THE CHAIR:

Thank you very much. A roll call vote has been ordered. Mr. Clerk, could you announce the pendency of a roll call vote. The machine is open, please cast your vote.

THE CLERK:

Immediate Roll Call has been ordered in the Senate.
Immediate Roll Call in the Senate.

THE CHAIR:

Would all members remain in the circle? I believe that the Consent Calendar will be called shortly.

Senator Duff.

Have all members have voted? Have members have voted? Please check to see that your votes have been properly recorded. If so, the machine shall be closed and the clerk shall announce the tally.

THE CLERK:

House Bill Number 5242.

Total number voting	33
Necessary for Adoption	17
Those voting Yea	33
Those voting Nay	0
Those absent and not voting	3

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THE CHAIR:

The Bill passes. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, I'd like to read off some items for our Consent Calendar, please.

THE CHAIR:

Please continue.

SENATOR DUFF (25TH):

Thank you, Madam President. On calendar page 6, Calendar 383, House Bill 5430, I'd like to place that item on our Consent Calendar. On calendar page 24, Calendar 534, House Bill 5621, I'd like to place that item on our Consent Calendar. On calendar page 15, Calendar 477, House Bill 5072, I'd like to place that item on our Consent Calendar. On calendar page 7, Calendar 385, House Bill 5254, I'd like to place that item on our Consent Calendar. On calendar page 8, Calendar 393, House Bill 5255, I'd like to place that item on our Consent Calendar. On calendar page 11, Calendar 440, House Bill 5252, I'd like to place that item on our Consent Calendar. On calendar page 19, Calendar 502, House Bill 5526, I'd like to place that item on our Consent Calendar. On calendar page 35, Calendar 586, House Bill 5521, I'd like to place that item on our Consent Calendar. On calendar page 41, Calendar 464, House Joint Resolution Number 38, I'd like to place that item on our Consent Calendar. On calendar page 41, Calendar 465, House Joint Resolution Number 43, I'd like to place that item on

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our Consent Calendar. On calendar page 42, Calendar 466, House Joint Resolution Number 99, I'd like to place that item on our Consent Calendar. On calendar page 42, Calendar 467, House Joint Resolution Number 121, I'd like to place that item on our Consent Calendar. On calendar page 42, Calendar 468, House Joint Resolution Number 133, I'd like to place that item on our Consent Calendar. And on calendar page 43, Calendar 470, House Joint Resolution Number 136, I'd like to place that on our Consent Calendar.

Madam President, if the clerk can now call -- hold on, can the Senate stand at ease, please?

THE CHAIR:

Will the Senate stand at ease, please.

Yes. Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President. If the clerk can now call the items on the Consent Calendar for a vote of the Consent Calendar please.

THE CHAIR:

The Senate will stand at ease for one minute, please.

The Senate will come to order. Mr. Clerk, would you please call the items on the -- the Consent Calendar.

THE CLERK:

Senate Bill 351, on page 2, Calendar 157, Senate Bill 69. Page 4, Calendar 341, Senate Bill 328, page 5, Calendar 375, House Bill 5296, page 6, Calendar 384, House Bill 5393. Also on page 6, Calendar 383, House Bill 5430. On page 7, Calendar 385, House Bill 5254. Page 8, Calendar 393, House Bill 5255, page 11, Calendar 440, House Bill 5252. On page 14, Calendar 475, House Bill 5627, Page 15, Calendar 477, House Bill 5072. Page 18, Calendar 498, House Bill 5513, Page 19, Calendar 502, House Bill 5526. Page 20, Calendar 504, House Bill 5403. Page 22, Calendar 516, House Bill 3 -- I'm sorry -- 5358. Page 22, Calendar 519, House Bill 5053. On page 24, Calendar 533, House Bill 5605, Calendar 532, House Bill 5335, Calendar 530, House Bill 5498, and Calendar 534, House Bill 5621. On page 27, Calendar 549, House Bill 5416. Also on page 27, Calendar 546, House Bill 5571. Page 28, Calendar 552, House Bill 5180. On page 30, Calendar 563, House Bill 5412. Page 31, Calendar 567, House Bill 5537. Page 31, Calendar 569, House Bill 5620. On page 32, Calendar 571, House Bill 5435. Page 34, Calendar 583, House Bill 5400. On page 35, Calendar 586, House Bill 5521. Page 36, Calendar 169, Senate Bill 266. Page 37, Calendar 207, Senate Bill 327. Page 39, Calendar 361, Senate Bill 15. Page 41, Calendar 246, Senate Bill 88. Also on page 41, Calendar 464, House Joint Resolution Number 38. Calendar 465, House Joint Resolution 43. On page 42, Calendar 466, House Joint Resolution 99. Page 42, Calendar 467, House Joint Resolution 121. Also on page 42, Calendar 468, House Joint Resolution Number 133, and on page 43, Calendar 470, House Joint Resolution Number 136.

THE CHAIR:

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Okay. The clerk shall announce pendency of a roll call vote on the Consent Calendar. The machine is open. Please cast your vote.

THE CLERK:

Immediate Roll Call has been ordered in the Senate. Immediate Roll Call on today's Consent Calendar has been ordered in the Senate.

THE CHAIR:

Have all members have voted? Have members have voted? Please check to see that your votes have been properly recorded. If so, the machine shall be closed and the clerk shall announce the tally.

THE CLERK:

On today's Consent Calendar.

Total number voting	36
Necessary for Adoption	19
Those voting Yea	36
Those voting Nay	0
Those absent and not voting	0

THE CHAIR:

Consent Calendar is done. Senator Duff, for what reason do you rise?

SENATOR DUFF (25TH):

Many reasons, Madam President, thank you. Madam President, I move that all items that require action

by the House of Representatives be immediately transmitted for action in that chamber.

THE CHAIR:

So ordered.

SENATOR DUFF (25TH):

Thank you, Madam President. Madam President, it is our intention for the Senate Democrats to caucus at 9:30 tomorrow to be in session tomorrow at 10:00 for our final day. And I will now yield to any points of personal privilege or announcements and -- considering we are leaving so early.

THE CHAIR:

Are there any points of personal privilege or announcements? Senator Witkos.

SENATOR WITKOS (8TH):

Thank you, Madam President. For the purpose of an announcement. The Senate Republicans Caucus and staff will meet in the Senators' Lounge tomorrow morning for a -- a fantastic scena di a breakfast [phonetic]. Thank you.

THE CHAIR:

At 9?

SENATOR WITKOS (8TH):

9:30.

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THE CHAIR:

Thank you very much, Senator Witkos. Are there any other announcements? Seeing none, the Senate -- the Senate is adjourned. No.

SENATOR DUFF (25TH):

No, No.

THE CHAIR:

No, sorry. Sorry.

SENATOR DUFF (25TH):

I haven't moved yet.

THE CHAIR:

Oh, I'm sorry. Please go, Senator Duff.

SENATOR DUFF (25TH):

Thank you, Madam President.

THE CHAIR:

We're all in a hurry, I'm sorry, sir.

SENATOR DUFF (25TH):

We have breakfast too on our side, but maybe we'll have a bipartisan breakfast. I'll go to their side, they come to our side. Madam President, with that, I move that we adjourn subject to the call of the chair.

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THE CHAIR:

So ordered, sir. Thank you.

(On motion of Senator Duff of the 25th, the Senate
at 10:54 p.m. adjourned subject to the call of the
chair.)

ATTEST: