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**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2009**

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cad

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Senate

January 14, 2009

Senator Agenda Number 3 for Wednesday, January 14, 2009, copies of which have been distributed.

THE CHAIR:

Senator Looney.

SEN. LOONEY:

Thank you, Mr. President:

Mr. President, I move all items on Senate Agenda Number 3, dated Wednesday, January 14, 2009, to be acted upon as indicated and that the agenda be incorporated by reference into the Senate journal and the Senate transcript.

THE CHAIR:

Without objection, so ordered.

SEN. LOONEY:

Mr. President, the single item on Senate Agenda Number 3, under Business from the House, is Emergency Certified House Bill 5095. I would ask the Clerk to call that item.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Calling from Senate Agenda Number 3, Emergency Certified Bill 5095, an Act Concerning Deficit Mitigation for the Fiscal Year Ending June 30, 2009, as Amended by House Amendment Schedule A and

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House Amendment Schedule C. Bills accompanied by Emergency Certification, signed Donald Lee Williams, Jr., President Pro Tempore of the Senate, and Christopher G. Donovan, Speaker of the House of Representatives.

THE CHAIR: [PRESIDENT IN THE CHAIR]

Senator Harp.

SEN. HARP:

Thank you, Mr. President.

I move acceptance of the Emergency Certified Bill in concurrence with the House of Representatives.

THE CHAIR:

Please proceed, ma'am.

SEN. HARP:

Thank you, Mr. President.

This bill makes available to the General Fund approximately \$131 million. The amount through appropriation reduction is, approximately, \$4.1 million. The carry-forward reductions are, approximately, \$3 million, and Revenue and General Fund transfers and other savings are, approximately, \$79 million. The Transportation Fund Impact is \$1.4 million. With anticipated lapses, December rescissions, the DSS cost

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settlement, and other postemployment benefits and Arena Study, the total impact of this package is over \$216 million.

Mr. President, for the purpose of legislative intent, in Section 4, the \$700,000 reduction to the Judicial Department represents the savings attributed to a delay in hiring for various positions associated with the juvenile jurisdiction change.

There are specific issues that affect another committee, as well, the Finance, Revenue and Bonding Committee and to describe the nature of those items in this proposal, Mr. President, I would like to yield to Senator Daily.

THE CHAIR:

Senator Daily, do you accept the yield, ma'am.

SEN. DAILY:

Thank you, sir. Yes, I do, Mr. President.

THE CHAIR:

Please proceed.

SEN. DAILY:

There are a number of changes to a number of funds that are really self-explanatory. I'll read through them quickly, telling you what the Governor requested and what is in the bill.

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The Elections transfer of 179 by the Governor, 75 by this bill; Tobacco Health Trust Fund transfer, 12 million requested from the Governor, 6 in the bill; Biomedical Reserve Trust Fund, 6 by the Governor, 3 in this bill.

In addition, the Governor requested transfers in the Conservation Fund and CTN in the Connecticut partnership -- Cancer Partnership, the Energy Conservation Load Management Fund, the Renewable Energy Fund, and the Community Investment Fund, which we did not include as far as this package.

What we did do in concurrence with the Governor, the fuel oil conservation account transfer, the pretrial account transfer to the General Fund, underground storage tank, emergency spill response, and emission fund transfer, Pequot transfer, energy unit load management transfer, unclaimed bottle deposit transfer -- commonly called the escheats -- Banking Fund transfer, Workers' Comp Fund transfer, public education and government progress in education technology account, Consumer Counsel and Public Utility Fund, commercial recording administration, emergency relief account, Insurance Recoveries, and transfer

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from the General Services Revolving Fund, that comes to a total of 60,603,440.

THE CHAIR:

Thank you, ma'am.

Will you remark further on House Bill 5095.

Senator Debicella.

SEN. DEBICELLA:

Thank you, Mr. President.

Mr. President, through you, some questions to Senator Harp.

THE CHAIR:

Senator Harp.

Senator Debicella.

SEN. DEBICELLA:

Thank you, Mr. President.

Mr. President, through you, after we pass -- or if we pass this bill tonight. What will be the remainder of deficit for FY '09 under the current projections, through you, Mr. President?

THE CHAIR:

Senator Harp.

SEN. HARP:

Thank you very much, Mr. President.

My understanding is that the Office of Fiscal Analysis previously indicated that there would be,

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approximately, \$45 million.

We've met with them and they have not officially come up with a new number yet, but my understanding is that it is considerably higher, a lot, a lot, a lot higher. And my understanding is that the Office of Policy and Management will be coming out with its January 20th letter that will detail a reduction in taxes far lower than what we'd expected. I don't have the actual figure, though, but I understand that it is considerably much more of a deficit than we had planned for.

THE CHAIR:

Senator DeBicella.

SEN. DEBICELLA:

Thank you, Mr. President.

I thank Senator Harp.

So even before those new, likely horrific, revenue numbers come in, we have a \$45 million deficit left over according to OFA, and I think it's a little higher based on OPM's estimates. And in terms of the difference between this and the Governor's rescission plan from November, what is the dollar difference between this plan and the Governor's plan, through you, Mr. President?

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THE CHAIR:

Senator Harp.

SEN. HARP:

Thank you, Mr. President, through you, if you sort of look at the Governor's budget mitigation plan and our plan, there's a difference -- we calculate the difference to be \$24,393,000 and -- approximately.

THE CHAIR:

Senator Debicella.

SEN. DEBICELLA:

Through you, Mr. President, and that would include a natural lapse of about \$25 million in the Medicaid account that's actually not in this bill, but I think that's -- or, question three, was that assumed in the figure that Senator Harp's quotes?

THE CHAIR:

Senator Harp.

SEN. HARP:

Through you, Mr. President, yes, it is.

THE CHAIR:

Senate Debicella.

SEN. DEBICELLA:

Great, thank you. And so without that it

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would probably be more -- be more in the, you know, 50 to 60 million-dollar range in terms of this bill here tonight, that lapse besides, since it's not in the bill.

Mr. President, through you, one other question and this is a more specific question relating to Section 33 of the bill, and the question is, it is a sum of \$274,000 appropriated to the Department of Administrative Services. Through you, Mr. President, is that new spending on top of what we had appropriated in the original FY '09 budget, through you?

THE CHAIR:

Senator Harp.

SEN. HARP:

Thank you, Mr. President.

I'm going to say that it is a new appropriation. There is some argument that it is -- isn't new spending because, in fact, there may be spending going on in our HUSKY program that would reflect the fact that we have not spent this money in this program.

THE CHAIR:

Senator Debicella.

SEN. DEBICELLA:

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Thank you, Mr. President.

And, through you, one last question, is that a recurring expense that we would expect to go on in FY 2010 and 2011?

THE CHAIR:

Senator Harp.

SEN. HARP:

Through you, Mr. President, I believe so.

THE CHAIR:

Senator Debicella.

SEN. DEBICELLA:

Thank you, Mr. President. I thank Senator Harp for her responses.

With that I'd like to call LCO 1275.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO 1275, which will be designated as Senate Amendment Schedule A, it's offered by Senator McKinney of the 28 District, et al.

THE CHAIR:

Senator Debicella.

SEN. DEBICELLA:

Thank you, Mr. President. I move the amendment.

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THE CHAIR:

Would you like to remark further on the amendment, sir?

SEN. DEBICELLA:

Yes. Thank you, Mr. President.

THE CHAIR:

Please proceed.

SEN. DEBICELLA:

Mr. President, about a week ago, the President Pro Tem of the Senate and the Speaker of the House stood up at a press conference and said any bill with new spending is going to be dead on arrival. They took, what I thought, was a courageous stand to say that any new spending bill we're going to have, we're not going to consider.

Why? Because of exactly what Senator Harp said. We are in for a massive, massive deficit in FY '09, and I don't think we know how large it's going to be yet, 600 million, 800 million, a billion dollars. It is going to be huge. And in the next biennium, we know it's at least \$6 billion, and that's probably going to get worse as well.

Well, Mr. President, tonight in this bill, Section 33 appropriates new money that we haven't

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considered, money that hasn't gone through the committee process and money that we can't afford right now. No matter how noble the goal and I think it's a well-intentioned goal, we cannot afford to be spending any money on new programs right now.

When we're talking about union concessions, when we are talking about cutting other programs elsewhere in this deficit mitigation package that are worthwhile, we cannot be adding on new money. I agree with the Speaker and the President Pro Tem from that press conference. If there is any new spending, let's make it DOA or else we're going to have a lot of those bills coming forward that we just can't afford.

Mr. President, there's another issue with Section 33 that I'd just like to highlight, and it's more of a philosophical issue.

We've talked a lot in this circle about clean contracting, and we've talked about the idea of having transparency and making sure that people -- or companies that when they bid there is no preferential treatment. By doing this tonight, we are actually giving preferential treatment to the company that won that bid because, when they made

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that bid, they made that bid with the assumption that whatever health care they were going to offer their workers was implicit in that bid. We are now saying, okay, well, we're going to give you a little something extra that none of the other bidders knew they were going to get. This actually undermines the clean contracting that we're trying to promote by rewarding a contractor after the fact.

So although, Mr. President, I think it's a secondary consideration of the fact that that we just don't have any money, I think it's important to note that Section 33 of the bill goes against much of what we've tried to do in this circle.

So, Mr. President, I would encourage us to stand together in a bipartisan way to follow what the Speaker and the President Pro Tem said, Let us have no new spending bills in this session.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Will you remark?

Senator Harp.

SEN. HARP:

Thank you, Mr. President.

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I rise to oppose the amendment. It's my understanding that if we don't spend this money, it will actually cost the State more money because most of the janitors, to whom this refer, who have children are eligible for our HUSKY program and our Charter Oak program and will, ultimately, cost us more dollars. What I've been told is it will cost us about \$1.4 million as opposed to 24 -- \$274,000. So with that, sir, I oppose the amendment, and I ask for a roll call vote.

THE CHAIR:

Thank you, ma'am. A roll call vote will be ordered.

Senator Fasano.

SEN. FASANO:

Thank you, Mr. President. Mr. President, through you, to Senator Debicella.

THE CHAIR:

Senator Debicella.

SEN. FASANO:

Through you, Mr. President, in Section 33, do you have an OFA report with respect to that bill, the underlying bill, through you, Mr. President?

THE CHAIR:

Senator Debicella.

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SEN. DEBICELLA:

Through you, Mr. President, no, I do not.

THE CHAIR:

Senator Fasano.

SEN. FASANO:

Could we stand at ease for a moment,
Mr. President.

THE CHAIR:

Senate will stand at ease.

[SENATE AT EASE]

A VOICE:

My apologies.

THE CHAIR:

Senator Debicella.

SEN. DEBICELLA:

Through you, Mr. President -- just hand it to
me. Yes, I do. Is that for the amendment,
Mr. President? Through you, Mr. President.

THE CHAIR:

Senator Debicella.

SEN. DEBICELLA:

Through you, Mr. President. Yes, it is.

THE CHAIR:

Senate Fasano.

SEN. FASANO:

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Do you have a fiscal note for the underlying bill that you're amending, through you, Mr. President?

THE CHAIR:

Senate Debicella.

SEN. DEBICELLA:

I believe I do, Mr. President. If you'd just give me a second and let me find it?

THE CHAIR:

Okay, sir. Take your time. All we've got is time.

SEN. DEBICELLA:

Yes, Mr. President, I do.

THE CHAIR:

Please proceed.

SEN. FASANO:

Thank you, Mr. President. Through you, Mr. President, in Section 33, in the OFA report, is there an indication that there was money already being spent for that particular new line item, through you, Mr. President?

THE CHAIR:

Senator Debicella.

SEN. DEBICELLA:

Through you, Mr. President, no, there is not.

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There is no mention of the any current expenditures.

THE CHAIR:

Senator Fasano.

SEN. FASANO:

So, through you, Mr. President, to Senator Debicella, so this is a new expenditure according to OFA, is it not, through you, Mr. President?

THE CHAIR:

Senator Debicella.

SEN. DEBICELLA:

Through you, Mr. President, that is what it says. Yes, it is a new expenditure.

THE CHAIR:

Senator Fasano.

SEN. FASANO:

Thank you, Mr. President.

Thank you, Senator Debicella.

SEN. DEBICELLA:

Thank you.

SEN. FASANO:

Mr. President, there is some remarks that perhaps HUSKY's paying. Nobody knows the answer to that question. We rely upon OFA for this type of information. There's no indication that that

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line item is substituting for some other expense that the State is currently under. So, Mr. President, I support this amendment. Thank you.

THE CHAIR:

Thank you, Senator Fasano.

Will you remark? Will you remark further on Senate Amendment A? Will you remark further?

Senator Boucher.

SEN. BOUCHER:

Thank you, Mr. President. Mr. President, I have two major concerns with this particular bill, and I rise to support the amendment that has just been proposed.

Those two concerns are with regards to ethics in our contracting system and also the other concern would be setting a precedent. And because of those two concerns, I have some questions to pose through you, please, to the proponent.

THE CHAIR:

Senator Debicella.

SEN. DEBICELLA:

Thank you, Mr. President.

THE CHAIR:

Senator Boucher.

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SEN. BOUCHER:

Through you, Mr. President, it has come to our attention that this may be an ongoing expenditure that would support a certain outside contractor in the long term. Does this raise any concern about the possibility of no longer having an open contracting system for this particular service to the State through you, Mr. President?

THE CHAIR:

Senator DeBicella.

SEN. DEBICELLA:

Thank you, Mr. President.

I believe there is a concern around that. The concern being that if we are -- after a contract is signed, actually, reopening that contract de facto to say, we're going to give additional benefits beyond what was agreed to. There is a long-term implication to the precedent of doing that for other -- both for this contract and for other contracts in the State of Connecticut. It actually is an issue in trying to make as open a bidding process as possible, through you, Mr. President.

THE CHAIR:

Senate Boucher.

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SEN. BOUCHER:

And another question, through you, Mr. President, to the proponent, from the standpoint of do we understand this to be a -- the first time the State has engaged in actually funding the health care benefits of a private entity doing business with the State, through you, Mr. President?

THE CHAIR:

Senator Debicella.

SEN. DEBICELLA:

Mr. President, I wouldn't claim to know the entire history of the Senate. It's the first I have ever seen, through you, Mr. President.

THE CHAIR:

Senator Boucher.

SEN. BOUCHER:

And, through you, Mr. President, how do you think this might affect us going forward with other contracts doing business with the State? Wouldn't this be an opportunity for others to ask for the same kind of support, through you, Mr. President?

THE CHAIR:

Senator Debicella.

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SEN. DEBICELLA:

Thank you, Mr. President.

Senator Boucher, I do think it is a dangerous precedent for us to be setting. Especially, because if we have companies who are going to come forward and bid on contracts with the expectations that the State is later going to step in. They might actually strip benefits for their workers to get a lower bid and win it with the expectation that, well, we can just come and the General Assembly will give us benefits later. It's actually a dangerous precedent for us to be doing in terms of clean contracting, through you, Mr. President.

THE CHAIR:

Senate Debicella -- Senator Boucher, I'm sorry.

SEN. BOUCHER:

Thank you, Mr. President.

For both of the reasons that have been highlighted here this be evening, I think this is a very dangerous direction for the State to go in.

First of all, because it appears very clearly that this is not an ethical process for us to be bidding outside contractors where we put one group

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ahead of another; and, secondarily, we're setting a very dangerous precedent going forward, especially, in the times when we have financial constraints. But, definitely, if I were doing business with the State, I might bring this up and say, you know, you've supported other groups that have done, maybe, you can also help us out because health care costs, of course, are going up, and, again, setting a very dangerous precedent for us for the future.

For those reasons, I think this is a very good amendment and should be supported by this body.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Boucher.

Will you remark further on Senate A? Will you remark?

Senator McKinney.

SEN. MCKINNEY:

Thank you, Mr. President.

Mr. President, I rise in support of this amendment. Mr. President, we have all, individually, together, in private conversations and before the public, talked about how dire our circumstance is and how difficult the decisions

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are and are going to be that we have to make. We all are here to address a budget deficit, which as it is formally before us, we all know is much less than what the real deficit is going to be once it is certified by OFA and OPM and that we may have to get to about a billion dollars to balance our budget as it our constitutional obligation by July 1st.

So as there were in some discussions and some disagreements as to what was in the deficit mitigation package, I have to admit that I, for one, never anticipated we would have new spending increases in the package. I, really, honestly, never saw this one coming. We are putting into the deficit mitigation package, at a time when we are looking at the largest budget deficit -- a larger budget deficit than anyone in this circle has ever dealt with, new spending increases, \$274,000 in this year, but I think \$1.2 million next year. Does that make any sense to anybody? Does that make any sense to anybody? It doesn't make any sense to me. And then I look at the process and the policy of this, and I am even more troubled. And this has nothing to do with the fact that the people who we're trying to help, the

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janitors, should have health care coverage. They came and complained and petitioned and talked to us in the legislature last year, nothing was done about it -- probably could have been done at a time when we didn't know we were going to have as much of a hole as we have -- but I've learned a lot about the standard wage statute and what's going on with this.

So let me just inform my colleagues some of the minutia because I think it's something we should be very concerned about.

There were three best qualified bidders for this contract for the State Legislative Office Buildings. One Source Company was the low bidder at \$2.4 plus million, was the prior contractor for the legislature and because of management problems was not picked. The second lowest bidder was the Guardian which got the bid, which had a bid of 5.8 percent lower than the third qualified bidder of about a \$145,000 difference, which was CSI International at 2.6 million.

These are private companies who, under our law, have to set aside a minimum of 30 percent to pay for benefits for these employees, not health care benefits, all benefits.

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I do not know because we've not had a public hearing what percentage of that 30 percent they set aside go to health care benefits versus other benefits. I don't know. Maybe they're putting the entire 30 percent towards health care benefits, and it still can't pay for it. That would be a consideration. I also know that the statute provides for a setting aside 30 percent as a minimum. It doesn't prohibit them from putting aside more, which obviously they've chosen not to do.

There's been a representation that, well, if these people go on HUSKY A, it'll cost the State more. I don't know if all of them are eligible or not. We don't know how many are eligible because we haven't had a public hearing do get those figures out, as well.

Here's what I don't know. I don't know what the president of Guardian makes for a salary. I don't know who he or she is. I don't know what their managers make. I don't know if he took a bonus of a million dollars or not. I've no idea who they are. But it's a private company which the taxpayers of the State of Connecticut are now giving money to directly to help defray health

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care costs that they were supposed to pay for under their contract that they were awarded from the State of Connecticut. Maybe the second -- the third higher bidder, who was \$145,000 more was higher because they had a better understanding of what the real health care costs were and put that in their bid.

So we're going to bail out Guardian because they won't fulfill their statutory obligations and their moral obligations to do what's right. And the taxpayers are paying for it. Universal health care, here we come, baby.

That's not hyperbole because that's what this is. The taxpayers of the State of Connecticut are asked to pay a private company to defray health care costs at a time when we have the largest budget deficit in our State's history, and we didn't have a public hearing on it. None of that makes sense.

And, at the end of the day, you know what, every single one of those people should have health care. I totally agree. I even went to some of the union representatives and said, have you checked out -- and I had my staff research, could this 600-group buy into Mega MEHIP? No,

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they can't. Could they buy into the State pool? No, they can't. Why not? Because work for a private company.

So who's this money going to? It's going to the private company. Maybe it ends up in the trust that's established under the process to do it, but that is the mechanics of what we're doing. We have people who do an important service, who have low-waged jobs, no doubt about it, who deserve health care, but we have a private company that bid with the State of Connecticut and was awarded a contract.

I think the amendment before us -- that I would love to work on with the majority -- should be that in the future, when people who are subject to the standard wage law can't fulfill their obligations, their contract is put out to bid because, God knows, there are a lot of companies who would, I think, bid. We'd see a lot more bids at a lot lower price because they'd be willing to make less profit as a corporate business to have any profits at all.

So, I understand the desire and the need to provide health care coverage for these people because they should have it. The obligation

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belongs to the private companies who bid for contracts and were awarded contracts to the State of Connecticut and they're not doing it. And we don't know any of the facts as to why they're not. We don't know what kind of profits they make or not. So I just think we move too fast on this. It sends the wrong message that we're really not here to cut spending.

It maybe the right result at the end of the day, but this is a terribly wrong way to go about doing it as I understand all of the facts that I've learned from our staff and our attorneys about the standard wage law and the bids that were given on these contracts. A \$2.5 million bid alone just for the legislative building that went to a private company and that apparently is not enough money for them to provide the health care for their employees.

Thank you, Mr. President. I would urge adoption of this amendment.

THE CHAIR:

Thank you, Senator McKinney. Will you remark, will you remark further on Senator Amendment A on House Bill 5095.

Senator Williams.

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SEN. WILLIAMS:

I -- just very briefly, Mr. President. Yes, I rise to oppose the amendment.

I have respect for Senate McKinney's comments but my understanding is that we have the ability to actually save money, and I suspect Senator Harp and maybe others already addressed this briefly as well.

But rather than having folks go on to the HUSKY program, requiring a greater investment by the State of Connecticut. We have the ability to provide the health care in a more cost efficient way for the taxpayers.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Williams.

Will you remark? Will you remark further on Senate Amendment A? Will you remark?

If not, Mr. Clerk, please call for a roll call vote. The machine will be open.

THE CLERK:

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

Immediate roll call has been ordered in the

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Senate. Will all Senators please return to the chamber.

THE CHAIR:

Have all Senates voted? If all Senators have voted, the machine will be locked.

The Clerk will call the tally.

THE CLERK:

Motion is on adoption of Senate Amendment to Schedule A. Total number of voting 35; those voting "yea," 12; those voting "nay," 23; those absent, not voting, 1.

THE CHAIR:

Senate Amendment A fails.

Will you remark further on House Bill 5095?

Senator Frantz.

SEN. FRANTZ:

Thank you, Mr. President.

I rise for the purpose of an amendment, would the Clerk please call LCO 1073 and may I be given permission to summarize?

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO 1073, which would be designated as Senate Amendment Schedule B, it is offered by Senator

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McKinney of the 28th District, et al.

Senator Frantz.

SEN. FRANTZ:

Thank you. This amendment calls for a two-day a month furlough between now and the end of this fiscal year '09 for all nonclassified employees, thus saving the State and the General Fund \$17.4 billion as indicated in a fiscal note, and I move its adoption.

THE CHAIR:

Thank you, sir.

Will you remark? Will you remark further on Senate Amendment B?

Senate Harp?

SEN. HARP:

Thank you, Mr. President. I stand to oppose this amendment. While I think that it may be a good idea as we begin to address the greater deficit that we know is looming, I believe that now is not the time to move forward on this particular amendment and I would ask if there is available -- I haven't seen it yet -- a fiscal note?

THE CHAIR:

Is that a question posed to Senator Frantz?

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SEN. HARP:

Yes, do you have a --

THE CHAIR:

Senate Frantz.

SEN. FRANTZ:

I may have missed the question. I apologize,
Mr. President.

SEN. HARP:

I was wondering if I could have a copy of your
fiscal note?

SEN. FRANTZ:

Yes, through you, Mr. President, we have a
fiscal note here.

THE CHAIR:

You have a fiscal note, as well.

SEN. HARP:

Okay. Great. Thank you very much.

When the roll is taken -- I ask that the roll
be taken by roll call and, again, I rise to oppose
this. I think that's probably a good idea, as we
move down the road and negotiate further budget
mitigation packages, but it is inappropriate for
this time as the House has probably left. We need
to have a bill available for the Governor and
would urge your rejection of this amendment.

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THE CHAIR:

Thank you, Senator Harp.

A roll call will be ordered.

Will you remark? Will you remark further on Senate Amendment B?

Senate McKinney?

SEN. MCKINNEY:

Thank you, Mr. President.

I rise in support of the amendment and thank Senate Frantz for bringing it forward. And the idea -- you know, sometimes my friends, the best idea are ones that are created by others and adopted by yourself.

This is an idea that actually was instituted in the State of California, California dealing with a \$40 billion budget deficit between -- for this fiscal year alone. Imagine those numbers, and Governor Schwarzenegger worked out a deal where there would be two furloughed days per month.

These are the types of decisions we going to have to make, my friends. This isn't anyone losing their job, but this is uncomfortable to stand and say that people are going to have to take unpaid days. This saves us over \$17 million

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between now and the end of the fiscal year. That's a lot of money, and I dare say, when compared with the Governor's deficit mitigation package and the deficit mitigation package put forth by the Majority that falls about \$55 million shy of hers, it's a pretty significant and real reduction in our expenditures between now and the end of the fiscal year.

This is not the sweeping of an account. This is not the counting of an unallocated lapse. This is a real reduction in expenditures of the State of Connecticut to the tune of \$17.4 million. It doesn't cost anyone their job. It doesn't cost anyone their health care benefits.

It is not easy to stand here and say that people should take these unpaid days off, but it's the type of decision we're going to have to make. And I guess -- and I do appreciate the comments by Senator Harp because, as chair of the Appropriation Committee, I know she understands how difficult these decisions are going to be.

I guess we feel that we need to start making those decisions now. We need to start making them now. And I know we're going to be back in with another deficit mitigation package and maybe

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several deficit mitigation packages to balance the budget before '09, but we need to start makes the decision now. So why not do it. The House will be back in. They can adopt this. If we like it, they'll love it. And we save 17 and a half million dollars, and I urge adoption.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senate McKinney.

Senate Frantz.

SEN. FRANTZ:

Thank you, Mr. President.

Just a few more comments on why we are proposing this amendment and I cannot believe this it's one of the first actions that I'm doing personally as a member of this circle. However, the circumstances call for it.

Approximately 16 years ago, there was a very unusual weather meteorological event that occurred. You all remember it as the perfect storm. You may have seen the movie. You probably read the book. It was the confluence of three different low pressure storm systems coming together -- just about, ironically, about 150 miles east of where we sit tonight -- coming

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together to form what we know today as the perfect storm.

This is what we're facing in an analogous way in the financial world that spills into the economic world that spills into every single person's life whether it's in their company, their own personal finances, whatever the case might be.

We are, in fact, in uncharted waters, and we don't want to be -- if you remember the movie, the Andrea Gail leaving the port of Massachusetts and getting a hundred miles out and receiving weather warnings, radio calls from various other vessels saying turn back, this is not good.

We are in that position right now. We still have some time to make some changes for fiscal year '09. This is a stop-gap measure for years beyond that, '10 and '11. We know we're going to be back. We're going to have to take a good close hard look at many other ways that the government delivers services and goods to the good people of Connecticut, and we'll be back and discussing those.

I am the last person in the world that wants to ask someone to take two days off per month; however, it is something that needs to get done

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here to allow us to be in a much better financial fiscal situation for this fiscal year. With that, I would move adoption of this and ask for a roll call.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Frantz.

Will you remark further? Will you remark further on Senate Amendment B?

If not, Mr. Clerk, please call for a roll call vote. The machine will be open.

THE CLERK:

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

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

THE CHAIR:

Have all Senates voted? If all Senates have voted, I will close the machine.

Clerk, please call the tally.

THE CLERK:

Motion's on adoption, Senate Amendment Schedule B. Total number of voting, 36; those

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voting "yea," 13; those voting "nay," 23; those absent, not voting, zero.

THE CHAIR:

Senate Amendment B fails.

Senate Roraback.

SEN. RORABACK:

Mr. President, I have before me the projections that were presented at our budget forum in November, and the projections we received at that time were that, in fiscal year '10, we were 13.6 percent below what we needed to fund current services, and, in fiscal year '11, we were 16.6 percent below what was needed to fund current services.

Mr. President, I'm fearful that the numbers we received in November were optimistic projections against the backdrop of what's taking place since then. And, in an effort to begin to address the phenomenon that collectively we are together confronting, the Clerk has an amendment which is LCO 1142, which I would ask the Clerk to please call.

THE CHAIR:

Mr. Clerk.

THE CLERK:

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LCO 1142 which will be designated as Senate Amendment Schedule C. It is offered by Senator McKinney of 28th District, et al.

THE CHAIR:

Senate Roraback.

SEN. RORABACK:

Thank you, Mr. President. I move adoption.

THE CHAIR:

On motion's on adoption, would you like to discuss it further, sir?

SEN. RORABACK:

Thank you, Mr. President.

I'm a firm believer that charity begins at home and that we, as legislators, shouldn't be asking of others anything that we're not prepared to submit to ourselves.

Mr. President, no one likes to take a hit with respect to their salary or benefits. But I don't think there's anyone in this circle who thinks that we're going to get through this budget crisis without asking those of us who work for the State of Connecticut to concede something for the good of our State in the short term to get us to a better day.

Mr. President, this amendment asks each and

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every one of us, as elected officials, to have our salaries reduced by 10 percent, not because it won't hurt us, not because it feels good, but rather because it will put us in a position where we can, in good conscience, ask others to make similar sacrifices for the good of our State.

Mr. President, in addition, this amendment says some of the luxuries that we enjoy as elected officials, such as having our travel paid for or as being able to send out a lot of mail to our constituents unsolicited -- which I do think has value, Mr. President, most of us take advantage of those franking privileges -- but is that an essential state service at a time when we face a budget deficit of unprecedented proportions?

I'd respectfully submit that these are things that we can lead by example, by tonight, demonstrating our willingness to take a hit knowing that others will be asked to take it. My guess is everyone in the State of Connecticut is going to take a hit before all is said and done. But why don't we go first. I think it'll put us in a good position to ask others to help. I would urge members to support this amendment and ask that when the vote is taken it be taken by roll.

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THE CHAIR:

Thank you, Senate Roraback.

A roll call vote will be ordered.

Will you remark? Will you remark further?

Senator Harp.

SEN. HARP:

Thank you, Mr. President.

I rise to oppose this amendment. You know, I think it's really interesting. One of the things that the Appropriations Committee does is that we look at contracts that come in and, typically, the average contract, I believe since 2003, has been about 3 percent a year, a little bit less. So basically, what we're asking the Governor and the Lieutenant Governor, as well as ourselves and all of the other constitutional officers, is to take a three-year plus cut in salary. I don't believe that we're going to be asking labor unions to do that and, you know, if you think of the Governor -- I don't know when the Governor or Lieutenant Governor last got a raise, but I don't believe it was last year or maybe it -- was it the year before last? It doesn't really matter but at any rate, I know the Legislature hasn't got a raise in about eight years. So to have a

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three-something -- that is a three year in comparison to unionized employees, and employees, who, frankly, may not get a cut at all, may just take a lay off. I believe is grossly unfair and so to the maker of the amendment, could you please tell me, through you, Mr. President, what the 10 percent was based upon?

THE CHAIR:

Senator Roraback.

SEN. RORABACK:

Thank you, Mr. President.

And I will tell Senator Harp, we had a lot of discussion amongst ourselves as to what number is the right number for us to show that we are prepared to feel the sting as well.

Mr. President, because we only have five months remaining in this fiscal year, the 10 percent reduction that's proposed really amounts to a 5 percent reduction in our annual salary, if you amortize it over the year.

Mr. President, I would gladly, if Senator Harp believes that a lesser number is appropriate -- to me, the most important thing is that we take that gesture, we take that step to say, we're going to take a hit. We'll take the first hit, and once

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we've taken the first hit, then we can look to others to take a hit as well.

So, Mr. President, I think 10 percent is appropriate, but if I can get Senator Harp's support of 5 percent or 4 percent or 3 percent, I will run over and call in other amendment and be back here as fast as I can be. Through you, Mr. President, I hope that answers Senator Harp's question?

THE CHAIR:

Thank you, Senator Roraback.

Senator Harp.

SEN. HARP:

Thank you very much. It does answer my question. It seems to me that this was just something that sounded like a good number but wasn't based upon anything other than the savings. I think this is another thing that can be considered later, but would urge rejection of this amendment at this time.

THE CHAIR:

Thank you, Senator Harp.

Will you remark further?

Senator Witkos.

SEN. WITKOS:

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Thank you, Mr. President.

I rise in support of the amendment that here before us. We've heard many comments that say, well, this is -- these are good amendments but not at this time. There's a clock right outside the door, and it continues to run and get bigger and bigger and bigger. When is the time going to be? It's a deficit clock. We've just had a discussion on previous amendments that we know it's going to get bigger. The deficit's going to get bigger. And we're also told, well, it's a 10 percent -- where does that number come from? And we're -- we haven't got a raise in a long time.

But, as I look around this circle, we all have jobs. There are people out there -- forget about a raise, they're looking as to where their next paycheck's coming from. And we are the leaders. We are the legislative branch of government and if we're going to be asking our follow State employees down the road, further down the road, because that's what we're talking about, the amendments, the furloughs for pay reductions then we need to set the example, as our Governor set the example, by taking a voluntary pay reduction.

I ask all the members of this circle to please

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support this amendment.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Witkos.

Senator Guglielmo.

SEN. GUGLIELMO:

Thank you, Mr. President.

I think anybody who's in the military knows that the second lieutenant leads from the front. He doesn't lead from the rear, and we are the leaders. You know, years ago, in the 80s, I was on the board of a small community bank, and we made some mistakes. And that -- those mistakes put stress on the bank, put stress on our employees.

And we weren't alone. I mean, it wasn't mistakes that we made alone. It was part of a national recession. Real estate values dropped. We got caught short. We weren't in as bad shape as some savings and loans and small banks that went out of business, but we were in distress. So what we did, as a board, was we eliminated our quarterly retainer. We didn't save a lot of money. It didn't add a lot to our bottom line.

In fact, it didn't really make much different

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at all, but what it did make is a psychological difference to the employees of the bank that the people who are running the bank were willing to take responsibility for their errors in judgment, to let them know that we had a little courage, to let them know that we had a little character, not bad stuff, courage, character.

You know, it's like Walt Whitman said, you know, years ago -- I think it was him anyway -- that do the right thing, it'll please your friends and it'll astound your enemies.

So I think it's time for us to do the right thing and lead by example and take this small cut as a symbolic gesture to all those that are going to be taking cuts and have already taken cuts in our economy.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Guglielmo.

Will you remark?

Senator Kane.

SEN. KANE:

Thank you, Mr. President.

I, too, rise in favor of this amendment. I think the entire package we're talking about today

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is a \$132 million, and I want to commend Senator Daily, as Chair of the Finance Committee. She talked a lot about transfer of funds, other revenue, increased revenue, I think the figures are about 77, 78 million dollars. And, then, I believe in Senator Harp's opening remarks, she said that the actual appropriation's reduction was \$4.1 million. So I don't know out of this whole \$132 million have we really reduced spending.

We are doing it in the private sector. I know, myself, owning my own business. You can look at businesses from small, like myself, to rather large, taking into consideration the casinos, I think, were recently in the news of reducing pay to their employees.

As Senator Guglielmo said and Senator Witkos said, we're trying to lead by example. We're trying to set that example. I think opening day, Senator Williams in his eloquent speech said, All hands on deck, and this is the time where we're on deck. And, Senator Witkos, I think at that point said, Well, here I am captain, and, well, here I am and, I think, here we all are, and I think we are on deck. We're ready to participate and the way to do that is by setting that example.

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Senator McKinney, on opening day, suggested that we consolidate committees and that would save a great deal of money. So here we are, we're posing these examples as a legislature to make these kind of drastic changes that we need to make in this dire economic time.

So I, too, support this amendment because, again, going back to the \$4.1 million reduction. This alone, the fiscal note to this is \$1.9 million this year and \$5.3 million next year. So there's a huge fiscal note attached to this. So if we're only saving or cutting or reducing spending by \$4 million, this alone is cutting that in half, 2 of it, 2 million of that \$4 million in this one amendment so I don't know how any one can argue with that, but I am in support of this amendment.

Thank you, Mr. President.

THE CHAIR:

Senator Daily.

SEN. DAILY: Thank you, Mr. President.

A lot has been said about our leading by example and also about the Governor's example, and I think all of this is very true.

The Governor has the luxury of doing her

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actions by press release. We, on the other hand, have to vote for them. And I think that we should do what the Governor has done and take a day without pay or whatever other considerations, but I think the method by which that should be done is by a meeting of our leadership, the six leaders of the two chambers, and work out which way we would proceed, and I hope we will all do that.

And so I encourage you to vote against this amendment and to work towards our leading by example.

Thank you.

THE CHAIR:

Thank you, Senator Daily.

Senator Debicella.

SEN. DEBICELLA:

Thank you, Mr. President.

Through you, Mr. President, questions to the proponent of the bill?

THE CHAIR:

Senator Roraback.

SEN. DEBICELLA:

Thank you, Mr. President.

Through you, in terms of dollar figures, how much for us in the circle would this impact our

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salary for this year, through you, Mr. President?

THE CHAIR:

Senator Roraback.

SEN. RORABACK:

Thank you, Mr. President.

Doing the math in my head, by my calculation, each of us would be asked to forego, approximately, \$1500 in pay for the balance of the fiscal year, through you, Mr. President, to Senate Debicella.

THE CHAIR:

Senate Debicella.

SEN. DEBICELLA:

Thank you, Mr. President. I thank Senator Roraback.

My gosh, \$1500. There are people out there in all of our districts who have lost their jobs, who are wondering how they're going to pay the rent, who are wondering how they're going to pay kid's next college tuition bill. And we debated a lot of different numbers in our caucus rooms. Some were radical. Some, we said, ah, that's ridiculous, that's just making a statement. So we said, well, let's do something that people can live with, \$1500. That's not that much to ask.

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That's a vacation. So we don't take a vacation this year. It's not so much to ask of each of us in this circle to give up a little bit because we're going to be asking a lot of people to give up a lot more.

And so I'd encourage us all to actually do this. And as Senator Daily mentioned, we need our leaders to get together. We can't do it with the House, but if we need to take a break right now and have the President Pro Tem and the Minority leader and Majority leader sit down and talk about this, I think we're willing to do it. If we send this message tonight to say, we're going to sacrifice first before we ask others to. That is leadership, and I'd encourage us all in a bipartisan way to adopt this amendment.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Debicella.

Senator Looney.

SEN. LOONEY:

Thank you, Mr. President.

Speaking in opposition to the amendment and following up with the points made by Senator Harp and Senator Daily.

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First of all, as Senator Harp points out, in effect, the General Assembly, at least, has probably taken, in terms of purchasing power and cost of living, about a 25 percent reduction since the year 2000, since there hasn't been an increase since that time. And, in terms of Senator Daily's point, there is nothing that prevents any relatively affluent or nonaffluent member of the chamber from voluntarily making a deduction, a contribution, back to the State, and people can do that at anytime and would encourage people to do that. And I think that, at some point, we might want to look at a more organized way of doing that as part of an overall package because, as we pointed out, this is going to be part of what's going to be a painful ongoing process of deficit mitigation for the current fiscal year and then facing what we faced for 2010 and 2011.

But, for the moment, I think, that the kind of mandate contained in this amendment is not the best way to proceed. For instance, it would completely remove from all members any transportation allowance that might be a hardship for some to travel significant distances to be here, and there is -- the amount cut here might

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indeed be a hardship for some. Some may not; some would probably feel it very little. Others would find it would impinge greatly upon their ability to continue to serve.

So, at this point, would urge rejection of the amendment.

THE CHAIR:

Thank you, Senator Looney.

Will you remark? Will you remark further on Senate C? Will you remark further?

Senator Williams.

SEN. WILLIAMS:

Thank you, Mr. President.

I also rise to oppose the amendment. I do understand this sentiment and the folks who have spoken in favor of this, the need for a symbolic step. And I also agree with Senator Daily's comments. I'm happy to work with our colleagues on the other side of the aisle toward finding economies that we can. I can tell you we're already doing that. Our own caucus intends on returning a minimum of 5 percent of our own caucus budget back to help plug this deficit gap. I hope that your caucus can join us and return at least 5 percent of your caucus budget back to help plug

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this deficit debt as we go forward.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Will you remark? Will you remark further?

If not, Mr. Clerk, please call for a roll call vote. The machine will be open.

THE CLERK:

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

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

THE CHAIR:

Have all Senators voted? If all Senators have voted, the machine will be locked.

The Clerk will call the tally.

THE CLERK:

Motion's on adoption of Senate Amendment Schedule C. Total number voting, 36; those voting "yea," 13; those voting "nay," 23; those absent, not voting, zero.

THE CHAIR:

Senate Amendment C fails.

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Senate McKinney.

SEN. MCKINNEY:

Thank you, Mr. President. Mr. President, I believe the Clerk is in possession of an amendment to LCO Number 1268. I ask that he call the amendment and seek leave to summarize.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO 1268 should be designated as Senate Amendment Schedule D. It is offered by Senator McKinney of the 28th District.

THE CHAIR:

Senator McKinney.

SEN. MCKINNEY:

Thank you, Mr. President. I move adoption of the amendment.

THE CHAIR:

Acting on approval of the amendment, sir, would you like to remark further?

SEN. MCKINNEY:

I would. Thank you, Mr. President.

This is a fairly simple amendment, and it would call for the striking of over -- just over \$2.9 million in the Contingency Needs account, to

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be precise, 2,924,450.

Now for those of us who've been around for a while, I don't think Senator Williams or I could engage in the eloquent, exciting debate that former Senators Aniskovich and Sullivan had over definition of a contingency fund, a slush fund, and nests that we pluck from. I think, as I recall, Senator Aniskovich refer to them as slush funds, and the Senate President talked about nests that we can pluck from.

But the bottom line is it's \$2.9 million. Governor Rell had \$2 million of the Contingency Needs Fund in the budget that was negotiated for and we all -- I voted for. She is willing to forego the use of that \$2 million.

I actually asked OFA whether that was in the deficit mitigation plans submitted by the Governor or by the Majority and there was some confusion. The confusion was because they've actually counted 2 million in savings against the deficit, but the money's still there. So we need to take that money out.

In going through that exercise, I learned, the good news is that there's an extra 900 thousand 24-something dollars left in there that we should

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sweep. The even better news is, to my Democratic colleagues in the Senate, you are much more fiscally responsible and frugal than your colleagues in the House because they have a balance of \$1500. You have a balance of \$922,000.

In all seriousness, we voted for that budget. I did. It was part of the deal, but we shouldn't be spending that money in this time of fiscal crisis. Admittedly, this is a sacrifice that the Governor's made and that you would be making for your contingency needs account, and we don't have any money in it. So I'm not asking to take anything for myself. If you'd be willing to give me a contingency fund, I would have given it up.

But we've had those debates in the past. We don't need to get exercised and I won't get exercised about what they are. But it is real money. We should sweep it out. In the same manner, as the Governor's offered to give it back, to help close our budget gap. I ask you to give yours back to, similarly, close the budget gap.

Mr. President, I urge adoption of the amendment and ask, when the vote be taken, it be taken by roll call.

THE CHAIR:

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Thank you, sir. A roll call vote will be ordered.

Senator Harp.

SEN. HARP:

Thank you, Mr. President. I rise to oppose the amendment. It was part of a budget agreement and one of the parties has already spent their money. And I think it's really, frankly, something that we should discuss in the future as we move forward and try to deal with this deficit.

But, currently, I don't believe this is something that, at least, should be on the table and would urge rejection of this amendment.

THE CHAIR:

Thank you, ma'am.

Senator Fasano.

SEN. FASANO:

Thank you, Mr. President.

Mr. President, I support the amendment. Everybody's tightening their belts. Everybody is looking to figure out how we can close this gap. I cannot think of an easier method than taking what we all call the slush fund, which is just discretionary money, not earmarked for anything whatsoever, to be used at total discretion, an

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absolute slush fund. And what we're saying is just take that money, 2.9 million, throw it in, close the gap. That is a huge line item. In the budget that's presented here tonight, that is a huge line item, almost \$3 million of unearmarked total discretionary slush fund money and that should be used to close the gap.

If we can't do that easy, easy grab, what are we going to do? The tougher decisions -- the tougher decisions, the program decisions, shrinking government decisions, have a lot of ramifications. This has absolutely no ramifications, other than our greed for that money, our greed as a legislature for that money, the slush fund money.

It's not earmarked, doesn't belong to anybody. No one's going to get hurt. No one was promised it. We're taking it back. No programs are going to get cut. Whimsical. If we can't do that, we're in a lot more trouble than just the numbers.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Fasano.

Will you remark further on Senate D? Will you remark further?

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If not, Mr. Clerk, please call for a roll call vote. The machine will be open.

THE CLERK:

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

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

THE CHAIR:

Have all Senators voted? If all Senators have voted, the machine will be closed.

The Clerk will call the tally.

THE CLERK:

Motion's on adoption, Senate Amendment Schedule D. Total number voting, 36; those voting "yea," 13; those voting "nay" 23; those absent, not voting, zero.

THE CHAIR:

Senate Amendment D fails.

Senate McLachlan.

SEN. MCLACHLAN:

Thank you, Mr. President. I rise for the purposes of an amendment, would the Clerk please call LCO 1262, and may I be given permission to

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summarize.

THE CHAIR:

Mr. Clerk.

THE CLERK:

LCO 1262, it's been designated as Senate Amendment E. It is offered by Senator McKinney of the 28th District, et al.

THE CHAIR:

Senator McLachlan.

SEN. MCLACHLAN:

Thank you, Mr. President.

This amendment increases the authority of the Governor to rescind total appropriations from any fund from 3 percent to 6 percent, and line item rescissions from 5 percent to 10 percent through the end of this fiscal year.

And the reason for this amendment is that it's become very clear that now after nearly 14 hours of deliberations here in the General Assembly today that we are not able to handle the red ink at hand that we are aware of today that we've still fallen short with the proposals on the table. We've fallen short in another \$50 million in deficits that when we leave tonight or, actually, now in the morning, Thursday morning, we

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need to deal with next week. And it's growing exponentially.

And the person in Hartford, according to the media and the residents of Connecticut, that seems to be doing a good job in cutting the deficit is Governor Rell and so this amendment proposes that let her continue to keep working in the finite detail of this very complex State budget and increase her rescission authority to a point that she can continue to fine tune the existing budget. And take the 300-plus, almost \$400 million in rescissions that she managed to pull together and now bring it much closer to the deficits that we're going to be facing in another couple of weeks when the revenue numbers come forth.

And so I urge adoption of this amendment and ask for a roll call vote.

Thank you.

THE CHAIR:

Thank you, Senator McLachlan.

Will you remark?

Senator Harp.

SEN. HARP:

Thank you, Mr. President.

I rise to oppose this amendment. I don't

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believe the Governor has exhausted her current rescission authority in all of the departments. As a matter of fact, in negotiations over this mitigation package, it was recommended by representatives of her office that we engaged in further mitigation by working together and coming up with a program together, all of the caucuses having representation around the table to do budget mitigation.

So giving more authority doesn't necessarily mean that we will actually be closer to reducing our deficit. I think that the collaborative type of response to what is before us is what we will have to engage in and because I don't believe that this will work and, actually, will complicate the matter, I urge rejection.

THE CHAIR:

Thank you, Senator Harp.

Senator Caligiuri.

SEN. CALIGIURI:

Thank you, Mr. President.

Through you, if I may, a question for Senator Harp?

THE CHAIR:

Senate Harp.

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SEN. CALIGIURI:

Through you, Mr. President, I rise in support of the amendment, but I'm curious why Senator Harp says that this will complicate the matter. And I assume that she refers to the matter of working together to solve the deficit that we're facing for this fiscal year, through you, Mr. President.

THE CHAIR:

Senator Harp.

SEN. HARP:

Thank you, Mr. President.

Through you, I think that basically what this will do is give the public the impression that the Governor will actually utilize this extra rescission authority, when, in fact, she hasn't currently utilized all of the rescission authority that she has. I think that it will be pressure on the executive branch when we're really in a time when we need to work collaboratively.

Once we get those new numbers together to address what our, you know, we've seen proposals in these amendments that probably amount to, I don't know, maybe, \$50 million. I've heard from your side today during the debate that we may have a \$1 billion problem after the 20th. So it's going

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to require us coming together, legislative branch and executive branch, working together and this added authority, I don't think will be utilized because the current authority hasn't been and would put pressure on the executive branch to actually feel as if it would be harder to be collaborative that was my thinking at the time.

THE CHAIR:

Senate Caligiuri.

SEN. CALIGIURI:

Thank you, Mr. President. Through you, thank you to Senator Harp for that response.

I respectfully disagree. Because if you follow that logic the fact that she hasn't, that is, the Governor hasn't fully used the authority that she has up to this point, could be an argument in favor of reducing the authority that she has and, yet, I don't think any of us here tonight would think that that would be the right outcome.

The reality is that in order to solve this problem, the Governor and the Legislature are going to have to work together, as they have, as partners, in collaboration, to deal with the massive problem that we face. The other reality

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is that Governor Rell has been a very aggressive partner, to date, in seeking cuts and really playing a tremendously forceful and effective leading role in leading us through the fiscal crisis. She has demonstrated a willingness to do it, and I think that giving her additional authority to do it, especially, in light of the fact that she resides on the frontlines as the head of our executive branch of government and working closely with her department heads. The fact that she resides at the very frontlines of the agencies where ultimately these cuts have to be made puts the Governor and her staff in a perfect position to identify cuts that need to be made sooner rather than later.

This additional authority would simply empower her to do that while at the same time not taking away from us any of our authority, any of our responsibility, and, ultimately, the duty that we have to work together with the Governor to solve this problem. This creates additional opportunity for us to make cuts sooner rather than later and, in my judgment, with no material downside.

And for that reason, I would urge adoption and I thank Senator McLachlan for pushing this issue.

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Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Caligiuri.

Will you remark?

Senator Looney.

SEN. LOONEY:

Yes, thank you, Mr. President.

Speaking in opposition to the amendment, I think as Senator Harp has indicated that the adoption of this amendment would be to some extent an abdication of legislative involvement in the ongoing difficult partnership that we need to have with the Governor in terms of agreeing on further reductions and rescissions.

It also seems to me that given the language of this amendment, it might allow for a more significant cut that might be available, that might be evident at first glance since the amendment refers to a reduction of no more than 6 percent of the total appropriations from any fund and more than 10 percent of any appropriation that refers to the entire appropriation for a given year. So without knowing what the individual balances are in various funds, suppose there was a fund that had spent 90 percent of its

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appropriation to this point, it would mean that the entire remaining balance could be rescinded by the Governor and that might be something that without knowing the particulars that we might object to and might think was too harsh and not something that we would support. So, while it only refers to 6 percent or 10 percent, as opposed to 3 percent or 5 percent, we are pretty far along now in the midpoint of the fiscal year and don't know from fund to fund how much has already been expended and what kind of an impact this would have on remaining balances as a percentage of the overall fund with which we started the fiscal year.

So I would urge opposition to the amendment, Mr. President.

THE CHAIR:

Thank you, Senator Looney.

Will you remark?

Senator McLachlan, for the second time.

SEN. MCLACHLAN:

Thank you, Mr. President.

Just for clarification, the fiscal note of this amendment, pretty clearly, states that grants to towns, which are exempt from the Governor's

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rescission authority under current law, remain unchanged and so they will not be impacted. But for illustrative purposes, 3 percent of the total appropriation equals \$560 million, and 6 percent equals 1.1 billion.

So if we've talking about 5 months of the fiscal year, effectively, that will be in play, clearly, we are looking at somewhere at least, \$500 million that can be offered to the Governor between now and the end of fiscal year for further rescissions and that I offer to this body is a good opportunity to keep the ball moving for deficit mitigation.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Will you remark? Will you remark further on Senate Amendment E? Will you remark?

If not, Mr. Clerk, please call for roll call vote. The machine will be open.

THE CLERK:

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

Immediate roll call has been ordered in the

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Senate. Will all Senators please return to the chamber.

THE CHAIR:

Have all Senators voted? If all Senators have voted, the machine will be locked.

The Clerk will call the tally.

THE CLERK:

Motion's on adoption of Senate Amendment Schedule E. Total number voting, 36; those voting "yea," 12; those voting "nay" 24; those absent, not voting zero.

THE CHAIR:

Senate Amendment E fails.

Will you remark further on House Bill 5095?

Senator Debicella.

SEN. DEBICELLA:

Thank you, Mr. President.

On the underlying bill, you know, we've heard a lot of discussion tonight and I think both sides of the aisle have made the right point that the bottom is falling out. We are facing an unprecedented crisis. Representative Geragosian downstairs said this is probably the worst year since 1991 we're facing as a legislature and he's right.

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The scary part about tonight is this was the easy discussion about the budget. With a larger deficit this year and, at least, \$6 billion deficit for the next two years, what we're doing tonight is the easy part of it. And the bill we have before us tonight, Mr. President, only cuts or rescinds or transfers \$63 million less than what the Governor had proposed. And given the enormity of the task that we're facing, this bill really isn't adequate to face the challenge that the State of Connecticut currently faces. It not only leaves a budget deficit of, at least, 45 million, if not more, depending on how lapses turn out. But we know that in about a week, the deficit's going to be at least a couple hundred million dollars, maybe even a billion dollars greater.

So, Mr. President, I urge rejection of this package tonight because it is not up to the task of closing the budget deficit that we face. And, in the upcoming weeks, we all need to be in this together, Republicans, Democrats, Governor, Legislature, to pull together to come up with the ideas that will close the deficit for this year and start thinking about the years ahead.

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You know, having been with my colleagues for two years now, I am supremely confident that we have the intelligence, that we have the smarts in this circle, on both sides of the aisle to figure this out. We just all need to have the courage and the will to implement the tough decisions that lie ahead.

So, Mr. President, I look forward to that conversation, but, for tonight, I urge rejection of this package.

THE CHAIR:

Thank you, sir.

Will you remark?

Senator Harris.

SEN. HARRIS:

Thank you, Mr. President.

I call the circle's attention to Section 15C of the bill concerning the bottle deposits. In this section, Mr. President, that we passed back in November, it requires deposit initiators to create a report. And it was the intent of this legislature, when passing this provision, to get these reports so that we can understand the entire cost structure of the bottle deposit system.

So what we wanted to see were all of the

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nickels going away from the deposit initiators, all coming back, the handling fees, and other costs, the pick-up costs, for instance, associated with that activity.

It's my understanding that the Department of Environmental Protection, which is charged under this section with creating the form upon which this information is reported, is just seeking the nickels out and the nickels back to the deposit initiator.

So, Mr. President, through you, a question to Senator Daily.

THE CHAIR:

Senator Daily.

Senator Harris.

SEN. HARRIS:

Thank you, Mr. President, through you, is it true, Senator, the purpose, legislative intent, was that the report should also include the handling fees paid, the driver pick-up costs, and the third-party vending fees?

THE CHAIR:

Senator Daily.

SEN. DAILY:

Thank you very much, Mr. President.

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Yes, sir, I would, if I were the industry, want to make sure that all of that information is included. They are entitled under the original legislation to a handling fee which varies for soda and beer, but I would want to make sure that I'd submitted in my report all of those various fees that go into the cost of their doing business.

THE CHAIR:

Senator Harris.

SEN. HARRIS:

Thank you, Mr. President.

I thank Senator Daily for that response and that I would hope also that under Subsection B that when the Department of Environmental Protection has its policies that they promulgate and, of course, finally, the regs, it takes into account those aspects of the report that we would like to hear.

THE CHAIR:

Senator Daily.

SEN. DAILY:

Thank you very much, Mr. President.

And, through you, there's nothing in our language that would require them to take that into

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consideration. Again, if I were industry, I would want to submit that. That the reason that we're taking the escheats is to help fill our budget gaps so they couldn't ever expect there'd be a promise of such action.

THE CHAIR:

Senator Harris.

SEN. HARRIS:

Thank you, Mr. President.

Again, I hope that the intent is clear and that the reports contain all the information.

Mr. President, to Section 1 of the bill concerning money follows the person in the Long-Term Care Reinvestment account. The intent of this particular section is to ensure that since we are not going to be establishing the Long-Term Reinvestment account until July 1 of 2009, that if any money comes in, under money follows the person, prior to that time, prior to the time that the account is set up that those dollars will go to the General Fund.

And I just want to put on the record and, through you, ask a question to Senator Harp.

THE CHAIR:

Senator Harp.

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SEN. HARRIS:

Through you, Mr. President, is it true that the intent is that these monies would be allowed to flow into the General Fund, prior to July 1 of 2009, as long as that was permissible under federal law?

THE CHAIR:

Senator Harp.

SEN. HARP:

Thank you very much, Mr. President.

Yes, as a matter of fact, I think it's -- the language, as amended, tried to make that clear.

THE CHAIR:

Senator Harris.

SEN. HARRIS:

Thank you, Mr. President, and, through you, one more question of Senator Harp.

It's also my understanding that the Office of Policy and Management has opined that they believe that taking those dollars, the money follows the person dollars, into the General Fund prior to setting up the account on July 1 of 2009, is not in violation of federal law?

THE CHAIR:

Senator Harp.

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SEN. HARP:

Thank you, Mr. President.

Through you, it's my understanding that the Office of Policy and Management believes that it is within the rights of the State to take those dollars, but it will be guided by federal law should they learn something differently.

THE CHAIR:

Senator Harris.

SEN. HARRIS:

Thank you, Mr. President.

Thank you, Senator Harp and to Senator Daily.

THE CHAIR:

Thank you, sir. Will you remark further on House Bill 5095?

Senator Fasano.

SEN. FASANO:

Thank you, Mr. President.

I urge rejection of this bill. The reason for it is two-fold. First, it does add more spending. It does -- the \$274,000, roughly, for '09 and then for '10 and '11, it binds us to a larger figure as a result of that.

Mr. President, we can't afford any new spending. We're here for reductions, not

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increases, Mr. President.

There was some talk that there might be HUSKY money that offsets this, although there's nothing in the fiscal notes to suggest that. Who knows how many people are in HUSKY this is going to affect, whether they're eligible, none of that information.

And, maybe this is a good idea, but then that's why we have a public hearing. We have a public hearing so people can come in. We can see the evidence before us, and then we can make a decision. But nobody here has had a public hearing on this issue. That group that has suggested that they needed this help hasn't presented the books and records in front of us, nothing. All we -- we don't have a fiscal note that even suggests that's what going on.

So we've come in here for deficit mitigation plan to reduce the deficit, and we're leaving with increased spending not only in '09 but in future years. That, to me, just makes no sense whatsoever.

We talk about transparency of government. We talk about fairness in contracting. We talk about equality. Here we have someone who bid on the

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job, got the job, changes the rules, and we're going to bail them out.

What about the other bidder? Maybe he would have kept it to the bargain. It just doesn't make sense. It just doesn't fall within the fair play rules that we hold so dear in this chamber.

The second reason why I voice an objection is it just doesn't go far enough. At the end of day, we're still left with a hundred million dollar deficit. And saying we did our job is really not being all that truthful with our constituency. We're here to get rid of the deficit, not just leave stuff on the table at the end of the day. We need to plug the hole that we have identified by OFA and OPM, and we haven't done that, let alone the other numbers that are floating out there that are mindboggling, mindboggling. I don't know how we even get to that. And we don't even have the gumption to take \$2.9 million of slush fund money and throw into the pot where it affects nobody other than us, and we won't do it.

There's nobody who's going to sit outside and protest or call us or e-mail us or get angry with us over 2.9 million, and we won't even do that. And that is really, really easy.

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So, Mr. President, I urge rejection. I accept the notion that we need to get together, but I accept this notion of that we need to get together, not to hear the plan that one side of the aisle is presenting, but to be a part of the plan that is being presented, and that's what's missing. That's what's missing. We've been called together for meetings and saying this is what we're doing; not called together for meetings and say what can we do together. And we should be doing it together because that's the only way you're going to get a solution.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Senator Looney.

SEN. LOONEY:

Thank you, Mr. President.

Speaking in support of the bill, I would like to commend Senator Harp, Senator Daily and others who have worked so hard on this and the reality is that this bill moves us incrementally toward closing that gap. If we pass this bill, we will have less of a gap then if we do not pass the bill.

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It may not solve the entire problem, and we know that there's a continuing tsunami facing us with anticipated more bad news for the rest of this fiscal year and into the next two years, but the reality is that this bill moves us along the path toward closing that gap, solving that problem, and to that extent, it certainly is -- it is positive. It takes responsible steps. It makes reductions, and we have made progress by passing this bill. Were we not to pass this bill tonight, the gap remains larger than it would otherwise be so we're taking positive action, moving in a responsible direction by passing this bill and would urge all members to support it.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Senator McKinney.

SEN. MCKINNEY:

Thank you, Mr. President.

Mr. President, I guess I did not expect a vote against this package when I came in this morning, but I cannot for several reasons, foremost of which is I don't think it's acceptable to say, well, we simply moved the ball down the field

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because we moved it barely inches. And I think we could have and should have done better. I think the people deserve better.

Just very quickly, to remind my colleagues, which I think they already know, but people need to continue to hear this -- we have seen foreclosures and bankruptcies in the State of Connecticut at higher rates that at any time in my life time.

From June to December, there were 12,500 jobs lost in the State of Connecticut. From the middle of October to January, there were 4,000 more jobs lost in the State of Connecticut; that doesn't include the reduction at Pfizer; that doesn't include what is going to be future job losses on Wall Street as much as 25 percent of which will be Connecticut residents they predict; that doesn't include the fact that a corporation in Stamford is moving 350 jobs out of the State and those people, I don't believe, have lost their jobs, but they won't be living in Connecticut having those jobs.

Those foreclosures, those bankruptcies, personal and business, those 17,000 plus people who have lost their jobs, have seen and are experiencing real pain, real pain. And there are

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tens of thousands more across the State of Connecticut who are afraid that their job won't be there next week, who have seen their pension and retirement accounts dwindle. That is what we all know is happening. We see it and hear it every day.

The one thing that I continue to hear from my constituents is that they don't see government making the same tough choices they're making. They don't see help coming from us. They don't see help coming from Washington, where they print money in the hundreds of billions with no accountability, whatsoever.

We can't print that money. We can't spend till the cows come home like they do in Washington. We have to balance our budget. We can't impose further burdens on the people of the State of Connecticut through higher taxes at this time. So if we're not going make those tough decisions now, when are we going to make them?

And I understand that dual track that Senator Williams, I believe, has talked about, working on the budget deficit for '09 and at the same time working on the biennium budget. I understand that there is still time with respect to the biennium

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budget. And I think there is unanimous agreement that we want to work together to get a resolution to the biennium budget sooner rather than later, but we don't have the luxury of time with respect to the 2009 deficit for the current fiscal year. We simply do not have that luxury.

As every day goes by, the decisions we make become harder, and the cuts and rescissions we have to make become more difficult. I was just at a community meeting this past weekend and I used simple numbers because that's why I went to law school. I wasn't good at math. But if you have a program that costs a hundred dollars for the year and you want to cut 10 percent, you cut \$10. But when you've already spent 5 -- when you've already spent 50 of that 100, now, you've got to cut \$20 to get to that 10 percent. It doesn't work. It doesn't work. I probably got my math wrong here tonight, but we've already spent six months of our budget this year and we have -- and we may have as much as a billion dollars left to go.

We're going to spend roughly 7 to 8 billion between now and July 1, and 1 billion of it we're going to have to cut. If we don't cut it, then we have left -- we have left ourselves with two

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choices: the money comes out of the raining day fund, or we raise taxes. We owe it to all of the people in the State of Connecticut, not to let those two decisions happen.

We owe it to them to make those decisions to balance our 2009 deficit now. And if we wait until March or April, there's no way we're going to be able to do it. You can't cut a billion dollars in the last quarter of the year. There's no way you can do it. Especially, when you're unwilling to look -- or can't look, as we can't, without concessions from the union. I didn't mean to say "unwilling," but we can't, unless they come to the table. So all we can do is look at programs. And you just can't do it. You just can't do that much in the last quarter.

So if we take -- if we fail to take action, we are admitted that we're going to allow a massive raid on the rainy day fund. We have about \$1.4 billion there. We're looking at a billion dollars deficit this year, perhaps. We're looking at 6 to 10 billion over the next two years, and most economists say we're going to have a third bad year after that. If we let that rainy day fund be used and raided now, our constituents are

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rightfully going to say where the heck did all the money go? Where did it all go and how did it go away so fast?

So we can't let that happen. If we're going to raise taxes to balance the budget deficit, it's going to have to be retroactively imposed on people, which I would argue is not very fair.

So how do we balance the 2009 budget deficit if we're not going to make real spending cuts right now, right now? I will say that this is, maybe, one of the first times that we've had this type of debate where amendments we have offered -- although defeated, I believe actually have been good for the process in terms of moving the ball forward, a defeated amendment.

Because I did hear Senator Harp say that the two-day furlough might be a good idea. I did hear Senator Daily say the idea of a reduction in our pay -- I believe that's the amendment you were speaking on, Senator -- is something that the leadership should talk about, and I wish we had actually been in discussions negotiating that. Yes, the chairs and ranking members, the chairs were good to reach out to talk to the ranking members, but, candidly, they weren't negotiations.

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Candidly, there wasn't a lot of interest in accepting some of our ideas and there wasn't an interest in accepting our ideas tonight.

It's going to be bad news, folks. We all know that. You know -- my last story, the first three or four months into my job as a lawyer at Cummings & Lockwood in Stamford. A senior partner, who was in charge of seeing how I was doing, came to me and said, Listen, I know all the other partners and all the work they've given to you. I want to see how you're doing.

I said, Well, you know, I'm kind of under water.

And he said, Well, let me tell you what I've done since my third or fourth year in practice and it's worked. Every day I come into the office and I write down all of the things I have to do on a piece of paper, and I start with the thing that I least want to do. That's the hardest to do. That's the most difficult to do. That's the thing I do first and the rest of the day falls in line pretty easy, and I've been doing it every day since.

That's the advice that's actually is going to have to happen right here. We're going to have to

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start with the most difficult decisions. We're going to have to do them first, and we're going to have to do them now. To date, I don't believe we've made those decisions. I don't believe we've demonstrated a willingness to make those decisions and an understanding of the full depth of the problem the people of the State of Connecticut face.

So I stand in opposition to this as a marker to say that we cannot continue future deficit mitigation packages that don't make those big, tough, difficult decisions and move the ball way down the field rather than one yard at a time because we don't have that luxury.

Thank you, Mr. President.

THE CHAIR:

Thank you Senator McKinney.

Senator Williams.

SEN. WILLIAMS:

Thank you, Mr. President.

I rise to support the bill. To thank Senator Harp and Senator Daily and the others who have worked on this. It's not easy. This will not be the last time that we act on deficit mitigation measures for this current year. As has been said,

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things continue to slide in this State and, unfortunately, throughout the country.

Very briefly, I do want to make a specific comment on Section 15 of the bill for purposes of legislative history. It pertains to the bottle deposits. I'm comfortable with the Department of Environmental Protection's interpretation of the so-called special account and the refund value that goes in and is accounted for and also the fact that, under the language here along with statutes that are already law, that any handling fees and other expenses of any kind are not subtracted from the refund value, are not subtracted from the escheats for the purposes of counting the escheats and finding out how much we have or for the purposes of Paragraph D within Section 15 and the rest of Section 15.

We do have a difficult economic crisis in the State of Connecticut. I think that there are two milestones in the not too distant future that are going to be very important. One, a little over two weeks, the Governor will present her budget on February 4th for the next two years. We have reached out to the Governor. We understand this is a very difficult process for her. We have

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talked about moving up our deadlines in terms of our own legislative process, and we look forward to working with our colleagues here in the legislature both sides of the aisle and also with the Governor as she puts this budget together and bringing it to us in the very new future.

Milestone number two will be, ideally, by the end of February in Washington DC when the federal government and the Congress pass a federal stimulus package. It will be critical for us to find out how much federal aid will be coming to Connecticut and how much directly will be assisting us in this budget process.

Thereafter, we will know almost to a certainty what we have to do in order to fill the gap left by the deficit here and whatever dollars to make that up we receive from the federal government. So we have a lot of work to do. We have very important milestones that are coming up in the very near future. And it is a time as a lot of us have said where we need to work together and get this done in a very, very difficult time.

Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

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Will you remark? Will you remark further on House Bill 5095? Will you remark further?

If not, Mr. Clerk, please call for a roll call vote. The machine will be open.

THE CLERK:

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

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

THE CHAIR:

Senator LeBeau. Senator LeBeau.

It's quite all right. We've got all night -- or morning I should say.

Has everyone voted? If everyone's voted, the machine will be closed.

The Clerk will call the tally.

THE CLERK:

Motion is on passage of Emergency Certified Bill 5095 as Amended by House Amendment Schedules A and C.

Total number voting, 36; those voting "yea," 24; those voting "nay," 12; those absent, not voting, zero.

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THE CHAIR:

House Bill 5095 passes.

Senator Looney.

SEN. LOONEY:

Thank you, Mr. President.

Mr. President, I move for a suspension for immediate transmittal for the Governor of House Bill 5095.

THE CHAIR:

Without objections, so ordered, sir.

At this time, I will entertain any points of personal privileges or announcements.

Senator Looney.

SEN. LOONEY:

Thank you, Mr. President.

Since no members are seeking recognition for announcements or points of personal privilege, would move that the Senate stand adjourned, subject to the Call of the Chair.

On motion of Senator Looney of the 11th, the Senate at 12:48 a.m. adjourned subject to the Call of the Chair.

THE CONNECTICUT GENERAL ASSEMBLY

SENATE

JANUARY 15, 2009

The Senate was called to order at 2:49 p.m. in accordance with the provisions of Senate Rule 9(b), and under the authority of the President Pro Tempore and the Senate Minority.

CLERK:

Senate will please come to order. Give your attention to Acting Chaplain, Tom Shields of Newington, who will lead us in prayer.

CHAPLAIN TOM SHIELDS:

Dear Lord, may our blessings be many, our failures be few, as we embrace the future with hope born anew. May we live day to day with nothing to fear. May God bless us and keep us this day. Amen.

CLERK:

Pursuant to Senate Rule 9(b) the Senate is called into Session, by the Office of the Senate Clerk under the authority of the President Pro Tempore and the Senate Minority Leader.

It is hereby moved that Senate Agenda Number 1, dated Thursday, January 15, 2009, is adopted. The items on said Agenda shall be acted upon as indicated and Agenda incorporated into the Senate Journal and Senate Transcript.

SENATE AGENDA NO. 1

(1) COMMUNICATION FROM THE GOVERNOR

(A) JUDICIARY NOMINATIONS - to be referred to the Joint Committee(s) Pursuant to Section

31-276 of the Connecticut General Statutes, I have the honor to nominate, and with your advice and consent reappoint **NANCY E. SALERNO**, of Middlebury, to be a Workers' Compensation Commissioner, to serve for a term of five years from March 3, 2009.

Pursuant to Section 31-276 of the Connecticut General Statutes, I have the honor to nominate, and with your advice and consent reappoint **AMADO J. VARGAS**, of Portland, to be a Workers' Compensation Commissioner, to serve for a term of five years from March 30, 2009.

Pursuant to Section 31-276 of the Connecticut General Statutes, I have the honor to nominate, and with your advice and consent reappoint **ERNIE R. WALKER**, of West Hartford, to be a Workers' Compensation Commissioner, to serve for a term of five years from March 10, 2009.

Pursuant to Section 52-434(a)(1) of the Connecticut General Statutes, I have the honor to nominate for reappointment by you, the Honorable **ELLEN A. PETERS**, of West Hartford, to be a State Referee, to serve for a term of eight years from February 13, 2009.

Pursuant to Article Twenty-Fifth of the Amendments to the Constitution of the State and Sections 51-44a(h) and 51-165 of the Connecticut General Statutes, I have the honor to nominate for reappointment by you, the Honorable **HOLLY A. ABERY-WETSTONE**, of West Hartford, to be a Judge of the Superior Court, to serve for a term of eight years from April 11, 2009.

Pursuant to Article Twenty-Fifth of the Amendments to the Constitution of the State and Sections 51-44a(h) and 51-165 of the Connecticut General Statutes, I have the honor to nominate for reappointment by you,

the Honorable **THAYER BALDWIN, JR.**, of New Haven, to be a Judge of the Superior Court, to serve for a term of eight years from April 11, 2009.

Pursuant to Article Twenty-Fifth of the Amendments to the Constitution of the State and Sections 51-44a(h) and 51-165 of the Connecticut General Statutes, I have the honor to nominate for reappointment by you, the Honorable **EMMET L. COSGROVE**, of New London, to be a Judge of the Superior Court, to serve for a term of eight years from April 11, 2009.

Pursuant to Article Twenty-Fifth of the Amendments to the Constitution of the State and Sections 51-44a(h) and 51-165 of the Connecticut General Statutes, I have the honor to nominate for reappointment by you, the Honorable **THOMAS P. MIANO**, of Hartford, to be a Judge of the Superior Court, to serve for a term of eight years from February 13, 2009.

Pursuant to Article Twenty-Fifth of the Amendments to the Constitution of the State and Sections 51-44a(h) and 51-165 of the Connecticut General Statutes, I have the honor to nominate for reappointment by you, the Honorable **HEIDI G. WINSLOW**, of Newtown, to be a Judge of the Superior Court, to serve for a term of eight years from April 11, 2009.

Pursuant to Article Twenty-Fifth of the Amendments to the Constitution of the State and Sections 51-44a(h) and 51-165 of the Connecticut General Statutes, I have the honor to nominate for reappointment by you, the Honorable **THOMAS F. UPSON**, of Waterbury, to be a Judge of the Superior Court, to serve for a term of eight years from April 11, 2009.

Pursuant to Article Twenty-Fifth of the Amendments to the Constitution of the State

gm/md
SENATE

4
January 15, 2009

and Sections 51-44a(h), 51-165 and 51-198 of the Connecticut General Statutes, I have the honor to nominate for reappointment by you, the Honorable **JOETTE KATZ**, of Fairfield, to be an Associate Judge of the Supreme Court, and a Judge of the Superior Court, to serve for a term of eight years from February 17, 2009.

Pursuant to Article Twenty-Fifth of the Amendments to the Constitution of the State and Sections 51-44a(h), 51-165 and 51-197c of the Connecticut General Statutes, I have the honor to nominate for appointment by you, the Honorable C. **IAN MCLACHLAN**, of Chester, to be a Judge of the Appellate Court and a Judge of the Superior Court, to serve for a term of eight years from the date of confirmation by you in succession to the Honorable Barry Schaller, who reached mandatory retirement age.

- (2) INTRODUCTION OF SENATE AND HOUSE LIST OF BILLS AND RESOLUTIONS (LIST NO. 7) - to be waived and bills to be referred to committee(s) indicated.

No further business, Senate Clerk says Senate stands adjourned.

The Senate at 2:52 p.m. adjourned under provisions of Senate Rule 9(b) subject to the Call of the Chair.

gm/md
SENATE

1
January 16, 2009

THE CONNECTICUT GENERAL ASSEMBLY

SENATE

FRIDAY, JANUARY 16, 2009

The Senate was called to order at 1:03 p.m. in accordance with the provisions of Senate Rule 9(b), and under the authority of the President Pro Tempore and the Senate Minority Leader.

CLERK:

Senate will please come to order and give your attention to the Acting Chaplain, Frank Forzano of South Windsor, who will lead us in prayer.

CHAPLAIN FRANK A. FAZANO:

Divine and powerful spirit that has created all that is. We acknowledge that You are the God of wisdom and justice. We ask that Your presence be felt in our deliberations today, that you be the guiding factor in our lives so that we might bring peace and sanity to a world that is filled with chaos, that the streets of our state would be safe and their homes would be sound and we need the peacefulness of Your influence. So be with us, not just while we're in session but guard and keep each and everyone, all of our families, and all of our people now and forever. Amen.

CLERK:

Pursuant to Senate Rule 9(b) the Senate is called into Session, by the Office of the Senate Clerk under the authority of the President -- President Pro Tempore and the Senate Minority Leader.

It is hereby moved that Senate Agenda Number 1, dated Friday, January 16, 2009, is adopted. The items on

gm/md
SENATE

2
January 16, 2009

said Agenda shall be acted upon as indicated and the Agenda incorporated into the Senate Journal and Senate Transcript.

SENATE AGENDA NUMBER 1

- (1) **REPORT(S) RECEIVED** - to be referred to committee(s) indicated.

Office or the Victim Advocate. 2006 - 2007 Combined Annual Report. Protecting and promoting the rights of crime victims in Connecticut. Received January 15, 2009.

Referred to: Judiciary

- (2) **INTRODUCTION OF SENATE AND HOUSE LIST OF BILLS AND RESOLUTIONS (LIST NUMBER 8)** - to be waived and bills and resolutions to be referred to committee(s) indicated.

CLERK: With no further business on the Clerk's desk, Senate Clerk says the Senate stands adjourned.

The Senate at 1:06 p.m. adjourned under provisions of Senate Rule 9(b) subject to the Call of the Chair.

gdm/mhd
SENATE

1
January 20, 2009

CONNECTICUT GENERAL ASSEMBLY

SENATE

JANUARY 20, 2009

The Senate was called to order at 3:37 p.m. in accordance with the provisions of Senate Rule 9(b), and under the authority of the President Pro Tempore and the Senate Minority.

THE CHAIR:

The Senate will please come to order. Please give your attention to the Acting Chaplain, Renee J. Simmons of Bloomfield, who will lead us in prayer.

ACTING CHAPLAIN RENEE SIMMONS:

Oh God, grant us that peace which the world cannot give, so that we may be obedient to Your commands and under Your protection enjoy peace in our day and freedom from our enemies. Amen.

THE CHAIR:

Pursuant to Senate Rule 9(b) the Senate is called into Session, by the Office of the Senate Clerk's under the authority of the President Pro Tempore and the Senate Minority Leader.

It is hereby moved that Senate Agenda Number 1, dated Tuesday, January 20, 2009 is adopted, the items on said Agenda shall be acted upon as indicated and that the Agenda shall be incorporated into the Senate Journal and Senate Transcript.

SENATE AGENDA NUMBER 1

(1) INTRODUCTION OF SENATE AND HOUSE LIST OF BILLS AND REGULATIONS (LIST NUMBER 9) - to be waived and bills and resolutions to be referred to committee(s) indicated.

gdm/mhd
SENATE

2
January 20, 2009

With no further business remaining on the Clerk's desk, the Senate stands adjourned.

The Senate at 3:40 p.m. adjourned under provisions of Senate Rule 9(b) subject to the call of the chair.

gdm/mhd
SENATE

1
January 21, 2009

THE CONNECTICUT GENERAL ASSEMBLY

SENATE

JANUARY 21, 2009

The Senate was called to order at 12:10 p.m. in accordance with the provisions of Senate Rule 9(b), and under the authority of the President Pro Tempore and the Senate Minority Leader.

THE CHAIR:

The Senate will please come to order. Please give your attention to the Acting Chaplain, Alice Ann Joseph, of West Simsbury, who will lead us in prayer.

ACTING CHAPLAIN ALICE ANN JOSEPH:

Dear Lord, there are many things about tomorrow we don't seem to understand, but we know who holds tomorrow and we know who holds our hands. Amen.

THE CHAIR:

Pursuant to Senate Rule 9(b) the Senate is called into Session, by the Office of the Senate Clerk's under the authority of the President Pro Tempore and the Senate Minority Leader.

It is hereby moved that Senate Agenda Number 1, dated Wednesday, January 21, 2009 is adopted, the items on said Agenda shall be acted upon as indicated and that the Agenda shall be incorporated into the Senate Journal and Senate Transcript.

SENATE AGENDA NUMBER 1

(1) COMMUNICATIONS FROM THE GOVERNOR

January 21, 2009

JUDICIARY NOMINATIONS - to be referred to

the Joint Committee(s)

TO THE HONORABLE GENERAL ASSEMBLY:

Pursuant to Section 52-434(a)(1) of the Connecticut General Statutes, I have the honor to nominate for reappointment by you, the Honorable **RICHARD M. RITTENBAND** of South Windsor, to be a State Referee, to serve for a term of eight years from February 17, 2009.

Pursuant to Article Twenty-Fifth of the Amendments to the Constitution of the State and Sections 51-44a(h) and 51-165 of the Connecticut General Statutes, I have the honor to nominate for reappointment by you, the Honorable **RICHARD E. BURKE** of Madison, to be a Judge of the Superior Court, to serve for a term of eight years from April 11, 2009.

Pursuant to Article Twenty-Fifth of the Amendments to the Constitution of the State and Sections 51-44a(h) and 51-165 of the Connecticut General Statutes, I have the honor to nominate for reappointment by you, the Honorable **BRIAN T. FISCHER** of New Haven, to be a Judge of the Superior Court, to serve for a term of eight years from April 11, 2009.

Pursuant to Article Twenty-Fifth of the Amendments to the Constitution of the State and Sections 51-44a(h) and 51-165 of the Connecticut General Statutes, I have the honor to nominate for reappointment by you, the Honorable **JAMES P. GINOCCHIO** of Goshen, to be a Judge of the Superior Court, to serve for a term of eight years from April 11, 2009.

Pursuant to Article Twenty-Fifth of the Amendments to the Constitution of the State and Sections 51-44a(h) and 51-165 of the Connecticut General Statutes, I have the honor to nominate for reappointment by you,

the Honorable **PATTY JENKINS PITTMAN** of Hamden, to be a Judge of the Superior Court, to serve for a term of eight years from February 17, 2009.

Pursuant to Article Twenty-Fifth of the Amendments to the Constitution of the State and Sections 51-44a(h) and 51-165 of the Connecticut General Statutes, I have the honor to nominate for reappointment by you, the Honorable **NICOLA E. RUBINOW** of West Hartford to be a Judge of the Superior Court, to serve for a term of eight years from February 17, 2009.

Pursuant to Article Twenty-Fifth of the Amendments to the Constitution of the State and Sections 51-44a(h) and 51-165 of the Connecticut General Statutes, I have the honor to nominate for reappointment by you, the Honorable **CARL E. TAYLOR** of West Hartford, to be a Judge of the Superior Court to serve for a term of eight years from April 11, 2009.

Pursuant to Article Twenty-Fifth of the Amendments to the Constitution of the State and Sections 51-44a(h) and 51-165 of the Connecticut General Statutes, I have the honor to nominate for reappointment by you, the Honorable **SUSAN S. REYNOLDS** of Ridgefield to be a Judge of the Superior Court, to serve for a term of eight years from April 11, 2009.

Pursuant to Article Twenty-Fifth of the Amendments to the Constitution of the State and Sections 51-44a(h) and 51-165 of the Connecticut General Statutes, I have the honor to nominate for reappointment by you, the Honorable **CAROL A. WOLVEN** of Hamden to be a Judge of the Superior Court, to serve for a term of eight years from April 11, 2009.

Pursuant to Article Twenty-Fifth of the Amendments to the Constitution of the State

4
January 21, 2009

and Sections 51-44a(h), 51-165 and 51-198 of the Connecticut General Statutes, I have the honor to nominate for reappointment by you, the Honorable **JOETTE KATZ** of Fairfield to be an Associate Judge of the Supreme Court, and a Judge of the Superior Court, to serve for a term of eight years from February 17, 2009.

Pursuant to Article Twenty-Fifth of the Amendments to the Constitution of the State and Sections 51-44a(h), 51-165 and 51-198 of the Connecticut General Statutes, I have the honor to nominate for reappointment by you, the Honorable **FLEMMING L. NORCOTT, JR.** of New Haven to be an Associate Judge of the Supreme Court, and a Judge of the Superior Court, to serve for a term of eight years from February 17, 2009.

Pursuant to Article Twenty-Fifth of the Amendments to the Constitution of the State and Sections 51-44a(h), 51-165 and 51-198 of the Connecticut General Statutes, I have the honor to nominate for reappointment by you, the Honorable **RICHARD N. PALMER** of Cromwell to be an Associate Judge of the Supreme Court, and a Judge of the Superior Court, to serve for a term of eight years from March 17, 2009.

CORRECTED LETTER

Pursuant to Article Twenty-Fifth of the Amendments to the Constitution of the State and Sections 51-44a(h), 51-165 and 51-198 of the Connecticut General Statutes, I have the honor to nominate for appointment by you the Honorable **C. IAN MCLACHLAN** of Chester to be a Judge of the Supreme Court and a Judge of the Superior Court, to serve for a term of eight years from the date of confirmation by you in succession to the Honorable Barry Schaller, who reached mandatory retirement age.

(2) EXECUTIVE AND LEGISLATIVE NOMINATIONS -
to be referred to Senate Committee(s)

TO THE HONORABLE SENATE:

Pursuant to Sections 4-1 a and 20-8a of the Connecticut General Statutes, I have the honor to nominate, and with your advice and consent, appoint **DOUGLAS W. FELLOWS, M.D.** from Farmington, to be a member of the Connecticut Medical Examining Board, as a full-time faculty member of the University of Connecticut Medical School, to serve a term coterminous with my term or until a successor is appointed and has qualified, whichever is longer.

Pursuant to Sections 4-1 a and 20-8a of the Connecticut General Statutes, I have the honor to nominate, and with your advice and consent, appoint **HENRY E. JACOBS, M.D., JD.** from West Hartford, to be a member of the Connecticut Medical Examining Board, as a physician licensed to supervise physicians assistants, to serve a term coterminous with my term or until a successor is appointed and has qualified, whichever is longer.

(3) EXECUTIVE AND LEGISLATIVE NOMINATIONS -
to be referred to Joint Committee(s)

TO THE HONORABLE GENERAL ASSEMBLY:

Pursuant to Sections 4-1 and 51-51k of the Connecticut General Statutes, I have the honor to nominate and, with your advice and consent, appoint the Honorable **JAMES P. GINOCCHIO** from Goshen, to be a member of the Judicial Review Council, as a Judge, to serve a term ending December 1, 2012 or until a successor is appointed and has qualified, whichever is longer in succession to the Honorable Christine Keller.

Pursuant to Sections 4-1 and 22a-261 of the Connecticut General Statutes, I have the honor to nominate, and with your advice and

consent, appoint the Honorable **TIMOTHY C. GRISWOLD** from Old Lyme, to be a member of the Board of Directors of the Connecticut Resources Recovery Authority, as a person with a high level of expertise in the field of energy, to serve a term ending June 30, 2012 or until a successor is appointed and has qualified, whichever is longer, in succession to Edna Karanian.

Pursuant to Sections 4-1 and 51-51k of the Connecticut General Statutes, I have the honor to nominate, and with your advice and consent, appoint **JUSTIN R. CLARK, ESQUIRE** from West Hartford, to be a member of the Judicial Review Council, as an attorney, to serve a term ending December 1, 2012 or until a successor is appointed and has qualified, whichever is longer, in succession to Brian Farnen.

(4) INTRODUCTION OF SENATE AND HOUSE LIST OF BILLS AND RESOLUTIONS (LIST NUMBER 10) - to be waived and bills and resolutions to be referred to committee(s) indicated.

With no further business remaining on the Senate Clerk's desk, the Senate stands adjourned.

The Senate at 12:13 p.m. adjourned under provisions of Senate Rule 9(b) subject to the call of the chair.

gdm/mhd
SENATE

1
January 22, 2009

THE CONNECTICUT GENERAL ASSEMBLY

SENATE

JANUARY 22, 2009

The Senate was called to order at 10:24 a.m. in accordance with the provisions of Senate Rule 9(b) and under the authority of the President Pro Tempore and the Senate Minority Leader.

THE CHAIR:

The Senate will please come to order. Please give your attention to the Acting Chaplain, Tim Appleton of South Windsor, who will lead us in prayer.

ACTING CHAPLAIN TIM APPLETON:

Dear Lord, may we be filled with loving kindness. May we be peaceful and at ease. May we be happy with the things we have. Amen.

THE CHAIR:

Pursuant to Senate Rule 9(b) the Senate is called into Session, by the Office of the Senate Clerk's under the authority of the President Pro Tempore and the Senate Minority Leader.

It is hereby moved that Senate Agenda Number 1, dated Thursday, January 22, 2009 is adopted, the items on said Agenda shall be acted upon as indicated and that the Agenda shall be incorporated into the Senate Journal and Senate Transcript.

SENATE AGENDA NUMBER 1

(1) COMMUNICATIONS FROM THE SENATE
REPUBLICAN MINORITY LEADER:

gdm/mhd
SENATE

2
January 22, 2009

(A) EXECUTIVE AND LEGISLATIVE NOMINATIONS -
to be referred to Joint Committee(s).

CORRECTED LETTER

TO THE HONORABLE GENERAL ASSEMBLY:

Pursuant to the Provisions of Connecticut General Statutes, Section 22a-261 it is my pleasure to nominate, and with your advice and consent, reappoint **MR. THEODORE MARTLAND** of Waterbury, Connecticut, to be a member of the Connecticut Resources Recovery Authority Board of Directors, to serve a term beginning July 1, 2008, and June 30, 2012.

CORRECTED LETTER

TO THE HONORABLE GENERAL ASSEMBLY:

Pursuant to the provisions of Connecticut General Statutes, section 46a-52, it is my pleasure to nominate and with your advice and consent, appoint **MR. MILTON JOHNSON** of Bridgeport, Connecticut, to be a member of the Commission on Human Rights and Opportunities, to serve a term beginning immediately, and ending July 14, 2011.

(2) REPORT(S) RECEIVED - to be referred to committee(s) indicated.

State of Connecticut Department of Administrative Services. Report detailing the composition and fuel usage of the state fleet in accordance with Section 34 of Public Act 07-4. Received January 21, 2009.

gdm/mhd
SENATE

3
January 22, 2009

Referred to: Public Safety and Security and
Transportation

**(2) INTRODUCTION OF SENATE AND HOUSE LIST OF
BILLS AND RESOLUTIONS (LIST NUMBER 11)** - to
be waived and bills and resolutions to be
referred to committee(s) indicated.

With no further business remaining on the Clerk's
desk, the Senate stands adjourned.

The Senate at 10:27 a.m. adjourned under provisions of
Senate Rule 9(b) subject to the call of the chair.

gdm/mhd
SENATE

1
January 23, 2009

THE CONNECTICUT GENERAL ASSEMBLY

SENATE

JANUARY 23, 2009

The Senate was called to order, at 11:01 a.m., in accordance with the provisions of Senate Rule 9(b) and under the authority of the President Pro Tempore and the Senate Minority Leader.

THE CHAIR:

The Senate will please come to order. Please give your attention to the Acting Chaplain, Lois Kelly of Windsor who will lead us in prayer.

ACTING CHAPLAIN LOIS KELLY:

Lord, teach us how to love and work, that every deed we do may be to someone in its turn a service fine and true. Amen.

THE CHAIR:

Pursuant to Senate Rule 9(b) the Senate is called into Session by the Office of the Senate Clerk under the authority of the President Pro Tempore and the Senate Minority Leader.

It is hereby moved that Senate Agenda Number 1, dated Friday, January 23, 2009, is adopted, the items on said Agenda shall be acted upon as indicated, and that the Agenda shall be incorporated into the Senate Journal and Senate Transcript.

SENATE AGENDA NUMBER 1

(1) INTRODUCTION OF SENATE AND HOUSE LIST OF BILLS AND RESOLUTIONS (LIST NUMBER 12) - to be waived and bills and resolutions to be referred to committee(s) indicated.

With no further business remaining on the Clerk's

gdm/mhd
SENATE

2
January 23, 2009

desk, the Senate stands adjourned.

The Senate, at 11:04 a.m., adjourned under provisions of Senate Rule 9(b) subject to the call of the chair.

THE CONNECTICUT GENERAL ASSEMBLY

SENATE

JANUARY 26, 2008

The Senate was called to order, at 10:51 a.m., in accordance with the provisions of Senate Rule 9(b) and under the authority of the President Pro Tempore and the Senate Minority Leader.

THE CHAIR:

The Senate will please come to order. Please give your attention to Acting Chaplain, Carmela Balducci of Deep River, who will lead us in prayer.

ACTING CHAPLAIN CARMELA BALDUCCI:

Father, help us to understand that the freedom You have given us needs living and acting concern; that the world of persons must be touched with love, for neither freedom nor love are ends in themselves, but are a share in Your power of creation. Amen.

THE CHAIR:

Pursuant to Senate Rule 9(b) the Senate is called into Session by the Office of the Senate Clerk under the authority of the President Pro Tempore and the Senate Minority Leader.

It is hereby moved that Senate Agenda Number 1, dated Monday, January 26, 2009, is adopted, the items on said Agenda shall be acted upon as indicated, and that the Agenda shall be incorporated into the Senate Journal and Senate Transcript.

SENATE AGENDA NUMBER 1

(1) REPORT(S) RECEIVED - to be referred to committee(s) indicated.

gdm/mhd
SENATE

2
January 26, 2009

State of Connecticut Judicial Branch Office
of the Chief Court Administrator Court
Support Services Division. Electronic
Monitoring and Supervision of Sex Offenders
submitted pursuant to Section 54-260a of the
Connecticut General Statutes. Received
January 23, 2009.

Referred to: Judiciary

State of Connecticut Soldiers', Sailors' and
Marines' Fund. Quarterly report of the
activities of the Soldiers', Sailors' and
Marines', as required by Section 27-140 of
the Connecticut General Statutes. Received
January 23, 2009.

Referred to: Select Committee on Veterans
Affairs

**(2) INTRODUCTION OF SENATE AND HOUSE LIST OF
BILLS AND RESOLUTIONS (LIST NUMBER 13)** - to
be waived and bills and resolutions to be
referred to committee(s) indicated.

With no further business remaining on the Clerk's
desk, the Senate stands adjourned.

The Senate, at 10:54 a.m., adjourned under provisions
of Senate Rule 9(b) subject to the call of the chair.

THE CONNECTICUT GENERAL ASSEMBLY

SENATE

JANUARY 27, 2009

The Senate was called to order, at 11:28 a.m., in accordance with the provisions of Senate Rule 9(b) and under the authority of the President Pro Tempore and Senate Minority Leader.

THE CHAIR:

The Senate will please come to order. Please give your attention to the Acting Chaplain, Thomas Shields of Newington who will lead us in prayer.

ACTING CHAPLAIN THOMAS SHIELDS:

Almighty God, in these difficult times may our leaders turn to You for guidance. Give them the wisdom to do what is best for the people they serve. Amen.

THE CHAIR:

Pursuant to Senate Rule 9(b), the Senate is called into Session by the Office of the Senate Clerk under the authority of the President Pro Tempore and the Senate Minority Leader.

It is hereby moved that Senate Agenda Number 1, dated Tuesday, January 27, 2009, is adopted. The items on said Agenda shall be acted upon as indicated, and that the Agenda shall be incorporated into the Senate Journal and Senate Transcript.

SENATE AGENDA NUMBER 1

(1) REPORT(S) RECEIVED - to be referred to committee(s) indicated.

Interstate Environmental Commission. 2008 Annual Report as required by Section 25-64 of the Connecticut General Statutes.

gdm/mhd
SENATE

2
January 27, 2009

Received January 26, 2009

Referred to: Environment

**(2) INTRODUCTION OF SENATE AND HOUSE LIST OF
BILLS AND RESOLUTIONS (LIST NUMBER 14)** - to
be waived and bills and resolutions to be
referred to committee(s) indicated.

With no further business remaining on the Clerk's
desk, the Senate stands adjourned.

The Senate, at 11:31 a.m. adjourned under provisions
of Senate Rule 9(b) subject to the call of the chair.

gdm/mhd
SENATE

1
January 28, 2009

THE CONNECTICUT GENERAL ASSEMBLY

SENATE

JANUARY 28, 2009

The Senate was called to order, at 11:47 a.m., in accordance with the provisions of Senate Rule 9(b) and under the authority of the President Pro Tempore and the Senate Minority Leader.

THE CHAIR:

The Senate will please come to order. Please give your attention to the Acting Chaplain, Tim Appleton of South Windsor who will lead us in prayer.

ACTING CHAPLAIN TIM APPLETON:

Oh Lord, give our leaders the wisdom of Solomon and to us, a portion of that wisdom so we may do our part. Amen.

THE CHAIR:

Pursuant to Senate Rule 9(b) the Senate is called into Session by the Office of the Senate Clerk under the authority of the President Pro Tempore and Senate Minority Leader.

It is hereby moved that Senate Agenda Number 1, dated Wednesday, January 28, 2009, is adopted, the items on said Agenda shall be acted upon as indicated, and that the Agenda shall be incorporated into the Senate Journal and Senate Transcript.

SENATE AGENDA NUMBER 1

(1) COMMUNICATION FROM THE GOVERNOR:

(A) EXECUTIVE AND LEGISLATIVE NOMINATIONS -
to be referred to Joint Committee(s)

TO THE HONORABLE GENERAL ASSEMBLY:

Pursuant to Sections 4-1, 4-9 and 22a-261 of the Connecticut General Statutes, I have the honor to nominate and, with your advice and consent, reappoint the Honorable **MICHAEL A. PACE**, from Old Saybrook, to be a member and Chair of the Board of Directors of the Connecticut Resources Recovery Authority as a First Selectman from a municipality with a population of less than 50,000, to serve a term ending June 30, 2012, or until a successor is appointed and has qualified, whichever is longer.

Pursuant to Sections 4-1 and 10a-62 of the Connecticut General Statutes, I have the honor to nominate and, with your advice and consent, appoint **COMMISSIONER MICHAEL P. MEOTTI**, from West Hartford, to be a member of the New England Board of Higher Education to serve a term ending October 23, 2014, or until a successor is appointed and has qualified, whichever is longer.

Pursuant to Section 10a-224(b) of the Connecticut General Statutes, I have the honor to nominate and, with your advice and consent, reappoint **MICHAEL E. MCKEEMAN**, from Middlebury, to be Chair of the Connecticut Higher Education Supplemental Loan Authority to serve a term ending June 30, 2014, or until a successor is appointed and has qualified, whichever is longer.

Pursuant to Sections 4-1 and 10-1 of the Connecticut General Statutes, I have the honor to nominate and, with your advice and consent, reappoint **PATRICIA B. LUKE**, from East Hampton, to be a member of the State Board of Education effective March 1, 2009, to serve a term ending March 1, 2013, or until a successor is appointed and has qualified, whichever is longer.

Pursuant to Sections 4-1 and 10-1 of the Connecticut General Statutes, I have the honor to nominate and, with your advice and

consent, reappoint **THERESA HOPKINS-STATEN**, from West Hartford, to be a member of the State Board of Education effective March 1, 2009, to serve a term ending March 1, 2013, or until a successor is appointed and has qualified, whichever is longer.

Pursuant to Sections 4-1 and 10-1 of the Connecticut General Statutes, I have the honor to nominate and, with your advice and consent, appoint **KATHLEEN P. O'CONNOR, ESQUIRE**, from West Hartford, to be a member of the State Board of Education effective March 1, 2009, to serve a term ending March 1, 2013, or until a successor is appointed and has qualified, whichever is longer, in succession to Donald J. Coolican.

Pursuant to Sections 4-1 and 10-1 of the Connecticut General Statutes, I have the honor to nominate and, with your advice and consent, appoint **LINDA E. MCMAHON**, from Greenwich, to be a member of the State Board of Education ending March 1, 2011, or until a successor is appointed and has qualified, whichever is longer, in succession to Alice Carolan.

Pursuant to Sections 4-1 and 46a-52 of the Connecticut General Statutes, I have the honor to nominate and, with your advice and consent, appoint **REVEREND SHELLEY COPELAND**, from Hartford, to be a member of the Commission on Human Rights and Opportunities to serve a term ending July 14, 2013, or until a successor is appointed and has qualified, whichever is longer, in succession to George Marshall.

Pursuant to Sections 4-1 and 46a-52 of the Connecticut General Statutes, I have the honor to nominate and, with your advice and consent, reappoint **CHERYL L. CLARKE**, from Middletown, to be a member of the Commission on Human Rights and Opportunities to serve a term ending July 15, 2009, or until a successor is appointed and has qualified,

whichever is longer.

(2) EXECUTIVE AND LEGISLATIVE NOMINATIONS -
to be tabled for the calendar.

EXECUTIVE AND LEGISLATIVE NOMINATIONS
COMMITTEE SR NUMBER 10 RESOLUTION CONFIRMING
THE NOMINATION OF **DOUGLAS W. FELLOWS, M.D.**,
OF FARMINGTON, TO BE A MEMBER OF THE
CONNECTICUT MEDICAL EXAMINING BOARD AS A
FULL-TIME FACULTY MEMBER OF THE UNIVERSITY
OF CONNECTICUT MEDICAL SCHOOL.

(3) REPORT(S) RECEIVED - to be referred to
committee(s) indicated.

State of Connecticut State Board of
Education. Quarterly Report on
Paraprofessionals as required by Section
11-4a of the Connecticut General Statutes.
Received January 27, 2009.

Referred to: Education

(4) INTRODUCTION OF SENATE AND HOUSE LIST OF
BILLS AND RESOLUTIONS (LIST NUMBER 15) - to
be waived and bills and resolutions to be
referred to committee(s) indicated.

With no further business remaining on the Clerk's
desk, the Senate stands adjourned.

The Senate, at 11:50 a.m., adjourned under provisions
of Senate Rule 9(b) subject to the call of the chair.

gdm/mhd
SENATE

1
January 29, 2009

THE CONNECTICUT GENERAL ASSEMBLY

SENATE

JANUARY 29, 2009

The Senate was called to order, at 11:06 a.m., in accordance with the provisions of Senate Rule 9(b) and under the authority of the President Pro Tempore and the Senate Minority Leader.

THE CHAIR:

The Senate will please come to order. Please give your attention to the Acting Chaplain, Renee J. Simmons of Bloomfield who lead us in prayer.

ACTING CHAPLAIN RENEE J. SIMMONS:

Dear Lord, for each new morning with its light, for rest and shelter of the night, for health and food, for love and friends for everything Thy goodness sends. Amen.

THE CHAIR:

Pursuant to Senate Rule 9(b) the Senate is called into Session by the Office of the Senate Clerk under the authority of the President Pro Tempore and the Senate Minority Leader.

It is hereby moved that Senate Agenda Number 1, dated Thursday, January 29, 2009, is adopted, the items on said Agenda shall be acted upon as indicated, and that the Agenda shall be incorporated into the Senate Journal and Senate Transcript.

SENATE AGENDA NUMBER 1

(1) **REPORT(S) RECEIVED** - to be referred to committee(s) indicated.

Referred to: Public Health

gdm/mhd
SENATE

2
January 29, 2009

State of Connecticut Division of Criminal Justice. Annual Wiretap Report as required by Section 11-4a of the Connecticut General Statutes. Received January 28, 2009.

Referred to: Public Safety and Security

(2) INTRODUCTION OF SENATE AND HOUSE LIST OF BILLS AND RESOLUTIONS (LIST NUMBER 16) - to be waived and bills and resolutions to be referred to committee(s) indicated.

With no further business remaining on the Clerk's desk, the Senate stands adjourned.

The Senate, at 11:09 a.m., adjourned under provisions of Senate Rule 9(b) subject to the call of the chair.

gbr/med
SENATE

1
January 30, 2009

THE CONNECTICUT GENERAL ASSEMBLY

SENATE

JANUARY 30, 2009

The Senate was called to order, at 10:08 a.m., in accordance with the provisions of Senate Rule 9(b) and under the authority of the President Pro Tempore and the Senate Minority Leader.

THE CHAIR:

The Senate will please come to order. Please give your attention to Acting Chaplain Lois Kelly of Windsor who will lead us in prayer.

ACTING CHAPLAIN LOIS KELLY:

Dear God, we thank You for the great resources of this land and for the freedom which has been its heritage. Amen.

THE CHAIR:

Pursuant to Senate Rule 9(b), the Senate is called into Session by the Office of the Senate Clerk under the authority of the President Pro Tempore and the Senate Minority Leader.

It is hereby moved that Senate Agenda Number 1, dated Friday, January 30, 2009, is adopted, the items on said Agenda shall be acted upon as indicated, and that the Agenda shall be incorporated into the Senate Journal and the Senate Transcript.

SENATE AGENDA NUMBER 1

(1) EXECUTIVE AND LEGISLATIVE NOMINATIONS -
to be tabled for the calendar.

EXECUTIVE AND LEGISLATIVE NOMINATIONS
COMMITTEE SR NO. 11 RESOLUTION CONFIRMING
THE NOMINATION OF HENRY E. JACOBS,

gbr/med
SENATE

2
January 30, 2009

M.D., J.D., OF WEST HARTFORD TO BE A MEMBER OF THE CONNECTICUT MEDICAL EXAMINING BOARD, AS A PHYSICIAN LICENSED TO SUPERVISE PHYSICIAN ASSISTANTS.

(2) REPORT(S) RECEIVED - to be referred to committee(s) indicated.

Center for Social Research. Nurturing Families Network Fatherhood Involvement Study Six-Month Interim Report as required by Section 17a-56 of the Connecticut General Statutes. Received January 29, 2009.

Referred to: Human Services and Select Committee on Children

Advisory Commission on Intergovernmental Relations. Compendium of Statutory and Regulatory Mandates on Municipalities in Connecticut as required by Section 2-79a of the Connecticut General Statutes. Received January 29, 2009.

Referred to: Planning and Development

Office of Military Affairs. Annual Report for 2008 as required by Section 11-4a of the Connecticut General Statutes. Received January 29, 2009.

Referred to: Select Committee on Veterans Affairs

(3) INTRODUCTION OF SENATE AND HOUSE LIST OF BILLS AND RESOLUTIONS (LIST NUMBER 17) - to be waived and bills and resolutions to be referred to committee(s) indicated.

With no further business remaining on the Clerk's desk, the Senate stands adjourned.

The Senate, at 10:11 a.m., adjourned under provisions of Senate Rule 9(b) subject to the call of the chair.

gdm/med
SENATE

1
February 2, 2009

THE CONNECTICUT GENERAL ASSEMBLY

SENATE

FEBRUARY 2, 2009

The Senate was called to order, at 11:03 a.m., in accordance with the provisions of Senate Rule 9(b) and under the authority of the Senate Pro Tempore and the Senate Minority Leader.

THE CHAIR:

The Senate will please come to order. Please give your attention to the Acting Chaplain, Renee J. Simmons, of Bloomfield who will lead us in prayer.

ACTING CHAPLAIN RENEE J. SIMMONS:

Oh God, help us to use the goods of this earth wisely and to distribute them equally among our people.
Amen.

THE CHAIR:

Pursuant to Senate Rule 9(b), the Senate is called into Session by the Office of the Senate Clerk under the authority of the President Pro Tempore and the Senate Minority Leader.

It is hereby moved that Senate Agenda Number 1, dated Monday, February 2, 2009, is adopted, the items on said Agenda shall be acted upon as indicated, and that the Agenda shall be incorporated into the Senate Journal and Senate Transcript.

SENATE AGENDA NUMBER 1

(1) COMMUNICATION FROM THE GOVERNOR:

(A) EXECUTIVE AND LEGISLATIVE NOMINATIONS -
to be referred to Joint Committee(s).

TO THE HONORABLE GENERAL ASSEMBLY:

Pursuant to Sections 4-9a and 32-35 of the Connecticut General Statutes, I have the honor to nominate and, with your advice and consent, appoint **JOAN MCDONALD**, from Hartford, to be Chair of the Board of Directors of Connecticut Innovations, Incorporated, to serve a term coterminous with my term or until a successor is appointed and has qualified, whichever is longer.

(2) COMMUNICATION FROM THE SENATE MAJORITY LEADER:

(A) EXECUTIVE AND LEGISLATIVE NOMINATIONS -
to be referred to Joint Committee(s).

TO THE HONORABLE GENERAL ASSEMBLY:

I am writing as temporary secretary of the advisory committee of the Office of the Healthcare Advocate to inform you that, pursuant to Connecticut General Statutes 38a-1042(b), sixty days have passed since the Governor's receipt of our list of qualified candidates for the position of Healthcare Advocate. Accordingly, since the Governor has not reappointed Mr. Lembo within the required sixty day time frame from the list we provided, the advisory committee is required and pleased to refer Mr. Kevin P. Lembo's name directly to the General Assembly for confirmation as the Healthcare Advocate.

On November 12, 2008, the Governor wrote to the advisory committee notifying us of the pending expiration of Mr. Lembo's term as Healthcare Advocate. As required by Connecticut General Statutes 38a-1042(b), on November 28, 2008, I wrote on behalf of a unanimous advisory committee in submitting the name of Kevin P. Lembo for reappointment as the Healthcare Advocate. In that letter, attached for your review, I reported on Mr. Lembo's accomplishments and his positioning

gdm/med
SENATE

3
February 2, 2009

of the Office of the Healthcare Advocate as a leader in health policy.

On behalf of the advisory committee, we urge your swift confirmation of **KEVIN P. LEMBO** as the Healthcare Advocate.

(3) REPORT(S) RECEIVED - to be referred to committee(s) indicated.

State of Connecticut Department of Developmental Services. FY2009 second quarter report for New Residential and Day Support/Placement Activities. Received February 2, 2009.

Referred to: Appropriations and Public Health.

Department of Economic and Community Development. Annual Report for Fiscal Year 2007-2008 as required by Section 32-1m of the Connecticut General Statutes. Received February 2, 2009.

Referred to: Select Committee on Housing and Planning and Development.

(4) INTRODUCTION OF SENATE AND HOUSE LIST OF BILLS AND RESOLUTIONS (LIST NUMBER 18) - to be waived and bills and resolutions to be referred to committee(s) indicated.

With no further business remaining on the Clerk's desk, the Senate stands adjourned.

The Senate, at 11:06 a.m., adjourned under provisions of Senate Rule 9(b) subject to the call of the Chair.

gdm/med
SENATE

1
February 3, 2009

THE CONNECTICUT GENERAL ASSEMBLY

SENATE

FEBRUARY 3, 2009

The Senate was called to order, at 10:18 a.m., in accordance with the provisions of Senate Rule 9(b) and under the authority of the President Pro Tempore and the Senate Minority Leader.

THE CHAIR:

The Senate will please come to order. Please give your attention to Acting Chaplain Frank A. Forzano of South Windsor who will lead us in prayer.

ACTING CHAPLAIN FRANK A. FORZANO:

Almighty God, in these difficult times, may our leaders turn to You for guidance. Give them the wisdom to do what is best for the people they serve. Amen.

THE CHAIR:

Pursuant to Senate Rule 9(b), the Senate is called into Session by the Office of the Senate Clerk under the authority of the President Pro Tempore and the Senate Minority Leader.

It is hereby moved that Senate Agenda Number 1, dated Tuesday, February 3, 2009, is adopted, the items on said Agenda shall be acted upon as indicated, and that the Agenda shall be incorporated into the Senate Journal and Senate Transcript.

SENATE AGENDA NUMBER 1

(1) COMMUNICATION(S) FROM THE GOVERNOR:

(A) JUDICIARY NOMINATIONS - to be referred to the Joint Committee.

January 21, 2009
corrected

gdm/med
SENATE

2
February 3, 2009

TO THE HONORABLE GENERAL ASSEMBLY:

Pursuant to Article Twenty-Fifth of the Amendments to the Constitution of the State and Sections 51-44a(h) and 51-165 of the Connecticut General Statutes, I have the honor to nominate for reappointment by you, the Honorable **RICHARD E. BURKE**, of Madison, to be a Judge of the Superior Court, to serve for a term of eight years from April 11, 2009.

February 2, 2009

TO THE HONORABLE GENERAL ASSEMBLY:

Pursuant to Article Twenty-Fifth of the Amendments to the Constitution of the State and Sections 51-44a(h) and 51-165 of the Connecticut General Statutes, I have the honor to nominate for appointment by you, **GERARD I. ADELMAN, ESQUIRE**, of Meriden, to be a Judge of the Superior Court, to serve for a term of eight years from the date of confirmation by you, in succession to the Honorable John J. Langenbach, who reached the mandatory retirement age.

Pursuant to Article Twenty-Fifth of the Amendments to the Constitution of the State and Sections 51-44a(h) and 51-165 of the Connecticut General Statutes, I have the honor to nominate for appointment by you, **MARY-MARGARET D. BURGDORFF, ESQUIRE**, of West Hartford, to be a Judge of the Superior Court, to serve for a term of eight years from the date of confirmation by you, in succession to the Honorable Lois Tanzer, who elected senior judge status.

Pursuant to Article Twenty-Fifth of the Amendments to the Constitution of the State

February 3, 2009

and Sections 51-44a(h) and 51-165 of the Connecticut General Statutes, I have the honor to nominate for appointment by you, **CORRINE L. KLATT, ESQUIRE**, of Meriden, to be a Judge of the Superior Court, to serve for a term of eight years from the date of confirmation by you, in succession to the Honorable Kevin Tierney, who reached mandatory retirement age.

Pursuant to Article Twenty-Fifth of the Amendments to the Constitution of the State and Sections 51-44a(h) and 51-165 of the Connecticut General Statutes, I have the honor to nominate for appointment by you, **VERNON T. OLIVER**, of Portland, to be a Judge of the Superior Court, to serve for a term of eight years from the date of confirmation by you, in succession to the Honorable Robert T. Resha, who elected senior judge status.

Pursuant to Article Twenty-Fifth of the Amendments to the Constitution of the State and Sections 51-44a(h) and 51-165 of the Connecticut General Statutes, I have the honor to nominate for appointment by you, **SHEILA A. OZALIS, ESQUIRE**, of Newtown, to be a Judge of the Superior Court, to serve for a term of eight years from the date of confirmation by you, in succession to the Honorable Carmen L. Lopez, who resigned from the bench.

Pursuant to Article Twenty-Fifth of the Amendments to the Constitution of the State and Sections 51-44a(h) and 51-165 of the Connecticut General Statutes, I have the honor to nominate for appointment by you, **JOSE A. SUAREZ, ESQUIRE**, of West Hartford, to be a Judge of the Superior Court, to serve for a term of eight years from the date of confirmation by you, in succession to the Honorable Everett H. Madin, Jr., who

February 3, 2009

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passed away.

Pursuant to Article Twenty-Fifth of the Amendments to the Constitution of the State and Sections 51-44a(h) and 51-165 of the Connecticut General Statutes, I have the honor to nominate for appointment by you, **WILLIAM J. WENZEL, ESQUIRE**, of Fairfield, to be a Judge of the Superior Court, to serve for a term of eight years from the date of confirmation by you, in succession to the Honorable Kevin E. Booth, who resigned from the bench.

Pursuant to Article Twenty-Fifth of the Amendments to the Constitution of the State and Sections 51-44a(h) and 51-165 of the Connecticut General Statutes, I have the honor to nominate for appointment by you, **DAWNE G. WESTBROOK, ESQUIRE**, of Glastonbury, to be a Judge of the Superior Court, to serve for a term of eight years from the date of confirmation by you, in succession to the Honorable Jonathan J. Kaplan, who elected senior judge status.

Pursuant to Article Twenty-Fifth of the Amendments to the Constitution of the State and Sections 51-44a(h) and 51-165 of the Connecticut General Statutes, I have the honor to nominate for appointment by you, **GLENN A. WOODS, ESQUIRE**, of Middletown, to be a Judge of the Superior Court, to serve for a term of eight years from the date of confirmation by you, but not earlier than February 24, 2009, in succession to the Honorable Robert F. McWeeney, who elected senior judge status.

(2) REPORT(S) RECEIVED - to be referred to committee(s) indicated.

State of Connecticut Board of Education.
Youth Service Bureaus' Impact on Referral
and/or Diversity of Children and Youth from
the Justice System. Received February 2,
2009.

Referred to: Education.

State of Connecticut Auditors of Public Accounts. Monthly Report cumulative for the months of December, 2008, and January, 2009. Received February 2, 2009.

Referred to: Appropriations and Finance
Revenue and Bonding.

State of Connecticut Division of Criminal Justice. Office of the Chief State's Attorney, the Annual Ex Parte Orders Report for the calendar year 2008, as required by Section 54-47aa(g), of the Connecticut General Statutes. Received February 2, 2009.

Referred to: Judiciary.

State of Connecticut Auditors of Public Accounts. Report on the operations of the Office of Auditors of Public Accounts, as required by Section 2-92 of the Connecticut General Statutes. Received February 2, 2009.

Referred to: Appropriations and Finance
Revenue and Bonding.

**(3) INTRODUCTION OF SENATE AND HOUSE LIST OF
BILLS AND RESOLUTIONS (LIST NUMBER 19)** - to
be waived and bills and resolutions to be
referred to the committee(s) indicated.

With no further business remaining on the Clerk's desk, the Senate stands adjourned.

The Senate, at 10:21 a.m., adjourned under provisions of Senate Rule 9(b) subject to the call of the chair.

rgd/gbr
SENATE

1
February 4, 2009

THE CONNECTICUT GENERAL ASSEMBLY

SENATE

FEBRUARY 4, 2009

The Senate was called to order at 12:00 p.m., the President in the Chair.

RABBI PHILIP LAZOWSKI:

Our thought for today is from Psalm 55, Verse 1.

Listen to my prayer, oh, God, do not ignore my pleas. Hear me and answer me. End of quote.

Let us pray.

Gracious God, as we pause together in prayer, grant us strength where there is weakness; grant us faith where there is doubt, grant us love where there is hate.

May our horizons be filled with hope in anticipation of Your blessing as the Senators tackle the hard and difficult task before them, namely, the budget. Nourish them with vigor and compassion. Give them confidence and assurance to provide for the needs of all.

Bless our President, our Governor, our Nation and our State, and keep our leaders in Your care. For our defenders of freedom, especially those in harm's way,

rgd/gbr
SENATE

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February 4, 2009

keep them safe.

Hear us as we pray, and let us all say Amen.

THE CHAIR:

Thank you, Rabbi.

At this time, Senator Boucher, could you please come up and join us in the Pledge of Allegiance.

SENATOR BOUCHER:

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.

THE CHAIR:

At this time the -- I'll entertain points of personal privilege.
Senator McKinney.

SENATOR MCKINNEY:

Thank you, Mr. President.

Mr. President, I rise for two brief points of personal privilege.

THE CHAIR:

Please proceed, sir.

SENATOR MCKINNEY:

The first is, I would like to introduce and welcome to the State Senate Tom Hermann. Tom is the first selectman of Easton and is here to listen to the

rgd/gbr
SENATE

3
February 4, 2009

Governor's speech, budget address today, and I wanted to welcome him to the Senate circle.

The other, Mr. President, is to pass along some sad news from the town of Fairfield. Yesterday we lost one of the great people ever to grace this earth in Jacqui Durrell.

Jacqui Durrell was the first selectwoman of the town of Fairfield for ten years and a former State Representative for one term from the town of Fairfield. And she, like -- passed away at age 81, and like many women, was a trailblazer.

She was the first woman to chair the Fairfield Board of Education, our first woman first selectmen. But more importantly than those firsts, in her tenure as first selectwoman of Fairfield, she opened the first suburban homeless shelter in the state of Connecticut, Operation Hope, which serves so many people in need today. She opened the first suburban group home for the mentally ill in Fairfield, Connecticut, and was instrumental in opening up a home for people with AIDS in Fairfield, Connecticut. A number of great firsts for a great lady.

Those of us who live in Fairfield and have lived in Fairfield know that she was more than just our

rgd/gbr
SENATE

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February 4, 2009

first selectwoman, but she was at absolutely everything there was to do in town. She and her late husband, Dick, were involved in countless charities, most which surrounded the city of Bridgeport and the town of Fairfield. And it's with great sadness that I note her passing and would ask for a brief moment of silence.

THE CHAIR:

Thank you, Senator McKinney.

Will everyone please rise for a moment of silence.

[Senate at ease.]

THE CHAIR:

Thank you.

Senator Williams.

SENATOR WILLIAMS:

Thank you, Mr. President. There's sometimes, when the news that we receive is so startling, so tragic that words fail us, and this is one such instant. It is especially true when the news involves the loss of life of a young person. Our thoughts and prayers today and going forward are with the Gaffey

rgd/gbr
SENATE

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February 4, 2009

family, and Mr. President, I would ask for a moment of silence for the life of Thomas Gaffey, Jr.

THE CHAIR:

Everyone, please rise, please.

[Senate at ease.]

THE CHAIR:

Thank you. Mr. Clerk, is there any business on the desk?

THE CLERK:

Mr. President, Clerk is in possession of Senate Agendas Numbered 1 and 2 for Wednesday, February 4, 2009, and copies have been distributed.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President. Good morning, or good afternoon.

THE CHAIR:

Good afternoon, sir.

SENATOR LOONEY:

Mr. President, I move all items on Senate Agendas Numbers 1 and 2 dated Wednesday, February 4, 2009, to be acted upon as indicated, and that the agendas be

incorporated by reference into the Senate journal and the Senate transcript.

THE CHAIR:

Hearing and seeing no objection, so ordered, sir.
Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President.

Mr. President, having adopted Senate Agendas Numbered 1 and 2, on Senate Agenda Number 2, appears under introduction of Senate Resolutions, Senate Resolution Number 12. I would ask the Clerk to please call and read that resolution.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Calling from Senate Agenda Number 2, Senate Resolution Number 12, LCO 2982, resolution raising a committee to inform the House of Representatives that the Senate is ready to meet in Joint Convention, introduced by Senator Looney. Resolved by the Senate that a committee of three senators be appointed to wait upon the House of Representatives, and inform that body that the Senate is ready to meet with the House of Representatives in Joint Convention.

rgd/gbr
SENATE

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February 4, 2009

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.
Mr. President, move adoption of the resolution.

THE CHAIR:

Motion is on adoption.

Seeing none.
I will try your minds.

All those in favor signify by saying aye.

SENATORS:

Aye.

THE CHAIR:

All opposed, nays. The ayes have it. The
resolution is adopted.

I will appoint a committee, Senator Daley,
Senator Harp and Senator Kane to inform the House of
Representatives the Senate is ready to meet in Joint
Convention.

At this time, while the committee is doing its
work, the Senate will stand at ease.

[Senate at ease.]

THE CHAIR:

rgd/gbr
SENATE

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February 4, 2009

The House of Representatives is ready to meet so we will still adjourn, and if we can meet downstairs in Joint Committee. Senator Looney.

SENATOR LOONEY:

Yes, Mr. President.

Mr. President, the House is ready to meet. I believe our committee has also reported, and would move that we stand -- adjourn for the Joint Convention.

THE CHAIR:

The Senate will stand adjourned. We'll go down to the Joint Convention.

On motion of Senator Looney of the 11th, the Senate at 12:09 p.m. adjourned subject to call of the Chair.

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SENATE

1
February 5, 2009

THE CONNECTICUT GENERAL ASSEMBLY

SENATE

FEBRUARY 5, 2009

The Senate was called to order, at 12:41 p.m., in accordance with the provisions of Senate Rule 9(b) and under the authority of the President Pro Tempore and the Senate Minority Leader.

THE CHAIR:

The Senate will please come to order. Please give your attention to Acting Chaplain Tom Shields of Newington who will lead us in prayer.

ACTING CHAPLAIN TOM SHIELDS:

O Lord, grant us the blessings and protection of Thy bountiful nature, in order that we may aid our Legislators in fulfilling the duties of their offices, and may achieve peace and prosperity for all the people of this State. Amen.

THE CHAIR:

Pursuant to Senate Rule 9(b) the Senate is called into Session by the Office of the Senate Clerk under the authority of the President Pro Tempore and Senate Minority Leader.

It is hereby moved that Senate Agenda Number 1, dated Thursday, February 5, 2009, is adopted, the items on said Agenda shall be acted upon as indicated, and that the Agenda shall be incorporated into the Senate Journal and Senate Transcript.

SENATE AGENDA NUMBER 1

- (1) COMMUNICATION FROM THE GOVERNOR:
- (A) JUDICIARY NOMINATIONS - to be referred to Judiciary

TO THE HONORABLE GENERAL ASSEMBLY:

February 5, 2009

Pursuant to Article Twenty-Fifth of the Amendments to the Constitution of the State and Sections 51-44a(h) and 51-165 of the Connecticut General Statutes, I have the honor to nominate for reappointment by you, the **GEORGE N. THIM** of Trumbull to be a Judge of the Superior Court, to serve for a term of eight years from May 6, 2009.

Pursuant to Article Twenty-Fifth of the Amendments to the Constitution of the State and Sections 51-44a(h) and 51-165 of the Connecticut General Statutes, I have the honor to nominate for reappointment by you, the **HONORABLE ANGELO L. dos SANTOS** of Eastford to be a Judge of the Superior Court, to serve for a term of eight years from May 10, 2009.

Pursuant to Article Twenty-Fifth of the Amendments to the Constitution of the State and Sections 51-44a(h) and 51-165 of the Connecticut General Statutes, I have the honor to nominate for reappointment by you, the **HONORABLE PETER EMMETT WIESE** of Avon to be a Judge of the Superior Court, to serve for a term of eight years from May 18, 2009.

Pursuant to Sections 51-50i, 51-165 and 51-198 of the Connecticut General Statutes, I have the honor to nominate for appointment by you, the **HONORABLE FRANCIS J. FOLEY, III** of Hanover, to be a Senior Judge of the Connecticut Superior Court, to serve for a term of eight years from May 19, 2009.

REPORT(S) RECEIVED - to be referred to committee(s) indicated.

Department of Children and Families.
Connecticut Juvenile Training School
Annual Report as Required by Section
17a-6b of the Connecticut General
Statutes.

February 5, 2009

Referred to: Select Committee on
Children and Judiciary

- (3) **SENATE RESOLUTION FAVORABLY REPORTED** -
to be tabled for the calendar and
printing.

PURSUANT TO JOIN RULE 31

APPROPRIATIONS COMMITTEE

SR NO. 8 RESOLUTION PROPOSING APPROVAL
OF A STIPULATED AGREEMENT BETWEEN THE
STATE OF CONNECTICUT AND THE
CONNECTICUT STATE EMPLOYEES
ASSOCIATION, P-4, BARGAINING UNIT.

- (4) **SENATE BILL(S) FAVORABLY REPORTED WITH
CHANGE OF REFERENCE** - to be referred to
committee(s) indicated.

SELECT COMMITTEE ON AGING
SB NO. 452 AN ACT CONCERNING FUNDING
FOR ADULT DAY CARE CENTERS

Referred to: Human Services

SELECT COMMITTEE ON AGING
SB NO. 453 AN ACT CONCERNING FINANCIAL
ASSISTANCE TO THE STATE'S ASSISTED
LIVING PILOT PROJECTS.

Referred to: Human Services

INSURANCE AND REAL ESTATE COMMITTEE
SB NO. 461 AN ACT EXEMPTING THE
INSURANCE FUND FROM THE SPENDING CAP.

Referred to: Appropriations

- (5) **INTRODUCTIONS OF SENATE AND HOUSE LIST
OF BILLS AND RESOLUTIONS (LIST NO. 21)**
- to be waived and bills and
resolutions to be referred to
committee(s) indicated.
- (6) **BUSINESS FROM THE HOUSE**

February 5, 2009

- (A) **HOUSE BILL(S) FAVORABLY REPORTED WITH CHANGE OF REFERENCE** - to be referred to committee(s) indicated.

SELECT COMMITTEE ON AGING

HB NO. 5298 AN ACT INCREASING THE ASSET LIMITATIONS UNDER THE STATE-FUNDED CONNECTICUT HOME CARE PROGRAM FOR THE ELDERLY.

Referred to: Human Services

- (B) **JUDICIARY NOMINATIONS** - to be tabled for the calendar.

JUDICIARY COMMITTEE

HJ NO. 21 RESOLUTION CONFIRMING THE NOMINATION OF THE **HONORABLE HEIDI G. WINSLOW** OF NEWTOWN TO BE A JUDGE FO THE SUPERIOR COURT.

JUDICIARY COMMITTEE

HJ NO. 22 RESOLUTION CONFIRMING THE NOMINATION OF THE **HONORABLE THAYER BALDWIN, JR.**, OF NEW HAVEN TO BE A JUDGE OF THE SUPERIOR COURT.

JUDICIARY COMMITTEE

HJ NO. 23 RESOLUTION CONFIRMING THE NOMINATION OF THE **HONORABLE HOLLY A. ABERY-WETSTONE** OF WEST HARTFORD TO BE A JUDGE OF THE SUPERIOR COURT.

JUDICIARY COMMITTEE

HJ NO. 24 RESOLUTION CONFIRMING THE NOMINATION OF THE **HONORABLE EMMET L. COSGROVE** OF NEW LONDON TO BE A JUDGE OF THE SUPERIOR COURT.

JUDICIARY COMMITTEE

HJ NO. 25 RESOLUTION CONFIRMING THE NOMINATION OF THE **HONORABLE JOETTE KATZ** OF FAIRFIELD TO BE AN ASSOCIATE JUDGE OF THE SUPREME COURT AND A JUDGE OF THE SUPERIOR COURT.

JUDICIARY COMMITTEE

HJ NO. 26 RESOLUTION CONFIRMING THE NOMINATION OF THE **HONORABLE THOMAS F.**

February 5, 2009

UPSON OF WATERBURY TO BE A JUDGE OF
THE SUPERIOR COURT.

JUDICIARY COMMITTEE

HJ NO. 27 RESOLUTION CONFIRMING THE
NOMINATION OF THE **HONORABLE THOMAS P.
MIANO** OF HARTFORD TO BE A JUDGE OF THE
SUPERIOR COURT.

JUDICIARY COMMITTEE

HJ NO. 28 RESOLUTION CONFIRMING THE
NOMINATION OF THE **HONORABLE ELLEN A.
PETERS** OF WEST HARTFORD TO BE A STATE
REFEREE.

JUDICIARY COMMITTEE

HJ NO. 29 RESOLUTION CONFIRMING THE
NOMINATION OF **NANCY E. SALERNO** OF
MIDDEBURY TO BE A WORKERS' COMPENSATION
COMMISSIONER.

JUDICIARY COMMITTEE

HJ NO. 30 RESOLUTION CONFIRMING THE
NOMINATION OF **AMADO J. VARGAS** OF
PORTLAND TO BE A WORKERS' COMPENSATION
COMMISSIONER.

JUDICIARY COMMITTEE

HJ NO. 31 RESOLUTION CONFIRMING THE
NOMINATION OF **ERNIE R. WALKER** OF WEST
HARTFORD TO BE A WORKERS' COMPENSATION
COMMISSIONER.

JUDICIARY COMMITTEE

HJ NO. 32 RESOLUTION CONFIRMING THE
NOMINATION OF THE **HONORABLE FLEMMING L.
NORCOTT.**, OF NEW HAVEN TO BE AN
ASSOCIATE JUDGE OF THE SUPREME COURT
AND A JUDGE OF THE SUPERIOR COURT.

JUDICIARY COMMITTEE

HJ NO. 33 RESOLUTION CONFIRMING THE
NOMINATION OF THE **HONORABLE RICHARD N.
PALMER** OF CROMWELL TO BE AN ASSOCIATE
JUDGE OF THE SUPREME COURT AND A JUDGE
OF THE SUPERIOR COURT.

JUDICIARY COMMITTEE

HJ NO. 34 RESOLUTION CONFIRMING THE
NOMINATION OF THE **HONORABLE RICHARD E.**

February 5, 2009

BURKE OF MADISON TO BE A JUDGE OF THE
SUPERIOR COURT.

JUDICIARY COMMITTEE

HJ NO. 35 RESOLUTION CONFIRMING THE
NOMINATION OF THE **HONORABLE BRIAN T.
FISCHER** OF NEW HAVEN TO BE A JUDGE OF
THE SUPERIOR COURT.

JUDICIARY COMMITTEE

HJ NO. 36 RESOLUTION CONFIRMING THE
NOMINATION OF THE **HONORABLE JAMES P.
GINOCCHIO** OF GOSHEN TO BE A JUDGE OF
THE SUPERIOR COURT.

JUDICIARY COMMITTEE

HJ NO. 37 RESOLUTION CONFIRMING THE
NOMINATION OF THE **HONORABLE PATTY
JENKINS PITTMAN** OF HAMDEN TO BE A JUDGE
OF THE SUPERIOR COURT.

JUDICIARY COMMITTEE

HJ NO. 38 RESOLUTION CONFIRMING THE
NOMINATION OF THE **HONORABLE SUSAN S.
REYNOLDS** OF RIDGEFIELD TO E A JUDGE OF
THE SUPERIOR COURT.

JUDICIARY COMMITTEE

HJ NO. 39 RESOLUTION CONFIRMING THE
NOMINATION OF THE **HONORABLE NICOLA E.
RUBINOW** OF WEST HARTFORD TO BE A JUDGE
OF THE SUPERIOR COURT.

JUDICIARY COMMITTEE

HJ NO. 40 RESOLUTION CONFIRMING THE
NOMINATION OF THE **HONORABLE CAROL A.
WOLVEN** OF HAMDEN TO BE A JUDGE OF THE
SUPERIOR COURT.

JUDICIARY COMMITTEE

HJ NO. 41 RESOLUTION CONFIRMING THE
NOMINATION OF THE **HONORABLE CARL E.
TAYLOR** OF WEST HARTFORD TO BE A JUDGE
OF THE SUPERIOR COURT.

JUDICIARY COMMITTEE

HJ NO. 42 RESOLUTION CONFIRMING THE
NOMINATION OF THE **HONORABLE RICHARD M.
RITTENBAND** OF SOUTH WINDOR TO BE A
STATE REFEREE.

(C) EXECUTIVE AND LEGISLATIVE NOMINATIONS -
to be tabled for the calendar

**EXECUTIVE AND LEGISLATIVE NOMINATIONS
COMMITTEE**

HJ NO. 17 RESOLUTION CONFIRMING THE
NOMINATION OF **KEVIN M. DELGOBBO** OF
NAUGATUCK TO BE A COMMISSIONER OF THE
PUBLIC UTILITIES CONTROL AUTHORITY.

**EXECUTIVE AND LEGISLATIVE NOMINATIONS
COMMITTEE**

HJ NO. 19 RESOLUTION CONFIRMING THE
NOMINATION OF THE **HONORABLE JAMES P.
GINOCCHIO** OF GOSHEN TO BE A MEMBER OF
THE JUDICIAL REVIEW COUNCIL, AS A
JUDGE.

**EXECUTIVE AND LEGISLATIVE NOMINATIONS
COMMITTEE**

HJ NO. 20 RESOLUTION CONFIRMING THE
NOMINATION OF **JUSTIN R. CLARK, ESQUIRE,**
OF WEST HARTFORD TO BE A MEMBER OF THE
JUDICIAL REVIEW COUNCIL, AS AN
ATTORNEY.

With no further business remaining on the Clerk's
desk, the Senate stands adjourned.

The Senate, at 12:44 p.m., adjourned under
provisions of Senate Rule 9(b) subject to the
call of the chair.

THE CONNECTICUT GENERAL ASSEMBLY

SENATE

FEBRUARY 6, 2009

The Senate was called to order, at 10:51 a.m., in accordance with the provisions of Senate Rule 9(b) and under the authority of the President Pro Tempore and the Senate Minority Leader.

THE CHAIR:

The Senate will please come to order. Please give your attention to Acting Chaplain Carmela Balducci, of Deep River, who will lead us in prayer.

ACTING CHAPLAIN CARMELA BALDUCCI:

All of you should be like-minded, sympathetic, loving toward one another, kindly disposed, and humble. Do not return evil for evil or insult for insult. Return a blessing instead. This you have been called to do, that you may receive as your inheritance. Amen.

THE CHAIR:

Pursuant to Senate Rule 9(b) the Senate is called into Session by the Office of the Senate Clerk under the authority of the President Pro Tempore and Senate Minority Leader.

It is hereby moved that Senate Agenda Number 1, dated Friday, February 6, 2009, is adopted, the items on said Agenda shall be acted upon as indicated, and that the Agenda shall be incorporated into the Senate Journal and Senate Transcript.

SENATE AGENDA NUMBER 1

(1) COMMUNICATION FROM THE GOVERNOR:

(A) JUDICIARY NOMINATIONS - to be referred to the Joint Committee(s)

WITHDRAWAL

Pursuant to Section 2-44 of the Connecticut General Statutes, I hereby

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February 6, 2009

withdraw the nomination of **WILLIAM DYSON**, of New Haven, to be a member of the Board of Pardons and Paroles

- (2) **EXECUTIVE AND LEGISLATIVE NOMINATIONS** - to be tabled for the calendar.

**EXECUTIVE AND LEGISLATIVE NOMINATIONS
COMMITTEE SJ NO. 27** RESOLUTION CONFIRMING THE NOMINATION OF **REVEREND SHELLEY COPELAND** OF HARTFORD TO BE A MEMBER OF THE COMMISSION OF HUMAN RIGHTS AND OPPORTUNITIES.

**EXECUTIVE AND LEGISLATIVE NOMINATIONS
COMMITTEE SJ NO. 28** RESOLUTION CONFIRMING THE NOMINATION OF **MILTON JOHNSON** OF BRIDGEPORT TO BE A MEMBER OF THE COMMISSION OF HUMAN RIGHTS AND OPPORTUNITIES.

**EXECUTIVE AND LEGISLATIVE NOMINATIONS
COMMITTEE SJ NO. 29** RESOLUTION CONFIRMING THE NOMINATION OF **THERESA HOPKINS-STATEN** OF WEST HARTFORD TO BE A MEMBER OF THE STATE BOARD OF EDUCATION.

**EXECUTIVE AND LEGISLATIVE NOMINATIONS
COMMITTEE SJ NO. 30** RESOLUTION CONFIRMING THE NOMINATION OF **CHERYL L. CLARKE** OF MIDDLETOWN TO BE A MEMBER OF THE COMMISSION OF HUMAN RIGHTS AND OPPORTUNITIES.

**EXECUTIVE AND LEGISLATIVE NOMINATIONS
COMMITTEE SJ NO. 31** RESOLUTION CONFIRMING THE NOMINATION OF **LINDA E. MCMAHON** OF GREENWICH TO BE A MEMBER OF THE STATE BOARD OF EDUCATION

- (3) **REPORT(S) RECEIVED** - to be referred to committee(s) indicated.

State of Connecticut Department of Correction. Inmate disciplinary reports filed, Pursuant to Public Act 04-146, Section 1. Received February 5, 2009.

Referred to: Judiciary and Labor and
Public Employees

- (4) INTRODUCTION OF SENATE AND HOUSE LIST OF
BILLS AND RESOLUTIONS (LIST NO. 30) - to
be waived and bills and resolutions to be
referred to committee(s) indicated.

With no further business remaining on the Clerk's
desk, the Senate stands adjourned.

The Senate, at 10:54 a.m., adjourned under
provisions of Senate Rule 9(b) subject to the call
of the chair.

THE CONNECTICUT GENERAL ASSEMBLY

SENATE

FEBRUARY 9, 2009

The Senate was called to order, at 11:23 a.m., in accordance with the provisions of Senate Rule 9(b) and under the authority of the President Pro Tempore and the Senate Minority Leader.

THE CHAIR:

The Senate will please come to order. Please give your attention to Acting Chaplain Alice Ann Joseph of West Simsbury, who will lead us in prayer.

ACTING CHAPLAIN ALICE ANN JOSEPH:

Dear Lord, just as the winter turns to spring, our lives have changing seasons too; so when a gloomy forecast comes, help us to remember You have plans for us. Amen.

THE CHAIR:

Pursuant to Senate Rule 9(b) the Senate is called into Session by the Office of the Senate Clerk under the authority of the President Pro Tempore and Senate Minority Leader.

It is hereby moved that Senate Agenda Number 1, dated Monday, February 9, 2009, is adopted, the items on said Agenda shall be acted upon as indicated, and that the Agenda shall be incorporated into the Senate Journal and Senate Transcript.

SENATE AGENDA NUMBER 1

- (1) **SENATE BILL(S) FAVORABLY REPORTED WITH CHANGE OR REFERENCE** - to be referred to committee(s) indicated.

INSURANCE AND REAL ESTATE COMMITTEE
HB NO. 5670 AN ACT EXEMPTING MUNICIPALITIES FROM THE INSURANCE PREMIUM TAX.

Referred to: Finance, Revenue and Bonding

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- (2) **REPORT(S) RECEIVED** - to be referred to committee(s) indicated.

State of Connecticut Department of Correction. Rights of Inmates with Mental Illness in accordance with Public Act 07-216. Received February 6, 2009.

Referred to: Judiciary and Public Safety and Appropriations

- (3) **INTRODUCTION OF SENATE AND HOUSE LIST OF BILLS AND RESOLUTIONS (LIST NO. 23)** - to be waived and bills and resolutions to be referred to committee(s) indicated.

With no further business remaining on the Clerk's desk, the Senate stands adjourned.

The Senate, at 11:26 a.m., adjourned under provisions of Senate Rule 9(b) subject to the call of the chair.

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THE CONNECTICUT GENERAL ASSEMBLY

SENATE

FEBRUARY 10, 2009

The Senate was called to order, at 11:37 a.m., in accordance with the provisions of Senate Rule 9(b) and under the authority of the President Pro Tempore and the Senate Minority Leader.

THE CHAIR:

The Senate will please come to order. Please give your attention to Acting Chaplain Renee J. Simmons of Bloomfield, who will lead us in prayer.

ACTING CHAPLAIN RENEE J. SIMMONS:

May the whole world enjoy good health, long life, prosperity, happiness and peace. Amen.

THE CHAIR:

Pursuant to Senate Rule 9(b) the Senate is called into Session by the Office of the Senate Clerk under the authority of the President Pro Tempore and Senate Minority Leader.

It is hereby moved that Senate Agenda Number 1, dated Tuesday, February 10, 2009, is adopted, the items on said Agenda shall be acted upon as indicated, and that the Agenda shall be incorporated into the Senate Journal and Senate Transcript.

SENATE AGENDA NUMBER 1

(1) COMMUNICATION FROM THE GOVERNOR

- (A) EVECUTIVE AND LEGISLATIVE NOMINATIONS - to be referred to Joint Committee(s)**

TO THE HONORABLE GENERAL ASSEMBLY:

Pursuant to Sections 4-1 and 31-280a of the Connecticut General Statutes, I have the honor to nominate and, with your advice and consent, reappoint **ROCCO J. CALO**, from Newtown, to be a member of the Advisory Board of the Workers' Compensation

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Commission, as a representative of employees, to serve a term ending December 31, 2012 or until a successor is appointed and has qualified, whichever is longer.

- (2) **COMMUNICATION FROM THE SPEAKER OF THE HOUSE
- JIM AMMAN**
- (A) **EXECUTIVE AND LEGISLATIVE NOMINATIONS** - to be referred to Joint Committee(s)

June 24th, 2008

TO THE HONORABLE GENERAL ASSEMBLY:

Pursuant to the provisions of Section 13b-212b of the Connecticut General Statutes, it is my honor to nominate and submit to you, for your advice and consent, the name of **ROGER J. CIRELLA**, of Ansonia, Connecticut, to be a member of the Metro North New Haven Rail Commuter Council, to serve a term due to expire on June 30, 2009

- (3) **COMMUNICATION FROM THE HOUSE MINORITY LEADER
- LAWRENCE F. CAFERO, JR**
- (A) **EXECUTIVE AND LEGISLATIVE NOMINATIONS** - to be referred to Joint Committee(s)

June 30th, 2008

TO THE HONORABLE GENERAL ASSEMBLY:

Pursuant to Connecticut General Statutes, Section 13b-212b, it is my pleasure to nominate, and with your advice and consent, Mr. **CONNOR MURPHY**, of Ridgefield, Connecticut to be a member of the Metro North New Haven Rail Commuter Council, to serve a term beginning July 1, 2009 and ending June 30, 2012.

- (4) **SENATE RESOLUTION FAVORABLY REPORTED** - to be tabled for the calendar

JUDICIARY COMMITTEE
SJ NO. 32 RESOLUTION CONFIRMING THE
NOMINATION OF PAMELA RICHARDS OF IVORYTON TO

BE A MEMBER OF THE BOARD OF PARDONS AND
PAROLES.

JUDICIARY COMMITTEE

SJ NO. 33 RESOLUTION CONFIRMING THE
NOMINATION OF **KELLY SMAYDA** OF TOLLAND TO BE
A MEMBER OF THE BOARD OF PARDONS AND
PAROLES.

JUDICIARY COMMITTEE

SJ NO. 34 RESOLUTION CONFIRMING THE
NOMINATION OF **FOYE A. SMITH** OF HARTFORD TO
BE A MEMBER OF THE BOARD OF PARDONS AND
PAROLES.

JUDICIARY COMMITTEE

SJ NO. 35 RESOLUTION CONFIRMING THE
NOMINATION OF **ROBERT B. SMITH** OF SOUTHINGTON
TO BE A MEMBER OF THE BOARD OF PARDONS AND
PAROLES.

JUDICIARY COMMITTEE

SJ NO. 36 RESOLUTION CONFIRMING THE
NOMINATION OF **JOHN R. O'CONNOR** OF WEST HAVEN
TO BE A MEMBER OF THE BOARD OF PARDONS AND
PAROLES.

JUDICIARY COMMITTEE

SJ NO. 37 RESOLUTION CONFIRMING THE
NOMINATION OF **ROBERT A. MURPHY** OF MADISON TO
BE A MEMBER OF THE BOARD OF PARDONS AND
PAROLES.

JUDICIARY COMMITTEE

SJ NO. 38 RESOLUTION CONFIRMING THE
NOMINATION OF **JULIA WASSERMAN** OF SANDY HOOK
TO BE A MEMBER OF THE BOARD OF PARDONS AND
PAROLES.

JUDICIARY COMMITTEE

SJ NO. 39 RESOLUTION CONFIRMING THE
NOMINATION OF **JENNIFER ZACCAGNINI** OF
WATERTOWN TO BE A MEMBER OF THE BOARD OF
PARDONS AND PAROLES.

JUDICIARY COMMITTEE

SJ NO. 40 RESOLUTION CONFIRMING THE
NOMINATION OF **REMI ACOSTA, JR.**, OF WATERBURY
TO BE A MEMBER OF THE BOARD OF PARDONS AND
PAROLES.

JUDICIARY COMMITTEE

SJ NO. 41 RESOLUTION CONFIRMING THE
NOMINATION OF **DAVID J. MAY** OF EAST HAMPTON
TO BE A MEMBER OF THE BOARD OF PARDONS AND
PAROLES.

- (5) INTRODUCTION OF SENATE AND HOUSE LIST OF
BILLS AND RESOLUTIONS (LIST NO. 24) - to be
waived and bills and resolutions to be
referred to committee(s) indicated

THE CHAIR: With no further business remaining on
the Clerk's desk, the Senate stands adjourned.

The Senate, at 11:40 a.m., adjourned under
provisions of Senate Rule 9(b) subject to the call
of the chair.

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THE CONNECTICUT GENERAL ASSEMBLY

SENATE

FEBRUARY 11, 2009

The Senate was called to order at 1:00 p.m., the President in the Chair.

THE CHAIR:

Direct your attention to our guest chaplain, Benny Auger.

GUEST CHAPLAIN BERNARD AUGER:

Oh, God of truth, be our teacher this day as we seek to find the ways that lead to life, as You dreamed we might have.

In the midst of times that bewilder and challenge, grant us wisdom and serenity. We bring to You this day, and every day three deep prayers and wishes for the living of our days, to know You more clearly, to love You more clearly, and to follow You more nearly each and every moment of our life.

May we come to know your ways in the very marrow of our bones, and in the heart of our hearts, that Your ways of justice and compassion become our ways. May we love You so completely that we begin to love the things and the people You love with a love so wide, and a heart so understanding, that we become

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Your hands of enacted love in the world.

May we follow You so nearly that, when this day is done, we can, without hesitation, turn it completely over to You, asking You to bless and sanctify the living of this day with Your grace and peace.

Be with Your servants, in this place, in all things great and small so that small things become great, and great things become possible.

Architect of all goodness, bless our senators and their staff this day. Bless their loved ones and their families, and make their homes sanctuaries of love and peace, where they may find the spiritual resources to meet the challenges and pressures of their duties here in the sacred task of governance.

We ask these things in Your holy and awesome name. Amen.

THE CHAIR:

Thank you, Chaplain Auger.

Senator Coleman, could you please lead us in the Pledge?

SENATOR COLEMAN:

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

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liberty and justice for all.

THE CHAIR:

Thank you, Senator. At this time, the chair will entertain points of personal privileges or any announcements. Not seeing any, Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President. Good afternoon, Mr. President.

THE CHAIR:

Good afternoon, sir.

SENATOR LOONEY:

Mr. President, I believe the Clerk is in possession of Senate Agenda Number 1, for today's session.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Mr. President, Clerk is in possession of Senate Agenda Number 1, for Wednesday, February 11, 2009, copies of which have been distributed.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President.

Mr. President, I move all items on Senate Agenda

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Number 1, dated Wednesday, February 11, 2009, to be acted upon as indicated, and that the agenda be incorporated by reference into the Senate journal and the Senate transcript.

THE CHAIR:

Seeing no objection, so ordered, sir.

SENATOR LOONEY:

Yes. Thank you, Mr. President. Mr. President, would proceed now to the marking of today's calendar.

Mr. President, under calendar page 1, under Judicial Nominations, Calendar Number 25 and Calendar Number 26 should both be marked go. On calendar page 2, all of the items on calendar page 2, Calendars 27, 28, 29, 30 and 31, also marked go. On calendar page 3, continuing with judicial nominations and workers' compensation nominations, Calendar 32, 33, 34, 35 and 36 all are marked go. On calendar page 4, likewise, Calendars 37, 38, 39, 40 and 41, all marked go. And on calendar page 5, also Calendars 42, 43, 44, 45 and 46, all marked go.

Continuing with judicial nominations, on calendar page 6, on that calendar page, page 6, Calendar 55. Beginning with Calendar 55, Mr. President, the items that are not starred on calendar pages 6, and calendar page 7, including nominations for the Board of Pardons

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and Paroles -- would ask for suspension, so that the body might take up those nominations today when reached on the calendar.

THE CHAIR:

The motion is on suspension of rules. Seeing no objection, sir, so ordered.

SENATOR LOONEY:

Yes. Thank you, Mr. President.

The rules having been suspended, would mark all of the items on calendar page 6, Calendars 55, 56, 57, 58 and 59, all marked go.

And the items on calendar page 7, Calendar 60, 61, 62, 63 and 64 also marked go, pursuant to the suspension.

Moving to calendar page 8, under Executive and Legislative Nominations, would mark the three items on calendar page 8 as go. Calendar Number 20, Calendar 21, Calendar 22.

On calendar page 9, all of the items on calendar page 9, Calendars 23, 47, 48 and 49, all marked go. And on calendar page 10, would mark all of the items on calendar page 10 as a go. And that is Calendars 50, 51, 52, 53 and 54. Would mark all of those items go, Mr. President. Thank you.

THE CHAIR:

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Thank you, sir. Mr. Clerk?

THE CLERK:

Calling from Senate calendar for Wednesday, February 11, 2009, calendar page 1, Judicial Nominations. Calendar Number 25, House Joint Resolution Number 21, RESOLUTION CONFIRMING THE NOMINATION OF THE HONORABLE HEIDI G. WINSLOW OF NEWTOWN TO BE A JUDGE OF THE SUPERIOR COURT, favorable report of the Committee on Judiciary.

THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

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

THE CHAIR:

Acting on approval of the resolution, sir, would you like to remark further?

SENATOR McDONALD:

Yes I would, Mr. President. And Mr. President, before I do, I should just note for members of the circle, and any audience that might be watching these proceedings, that we have today, an extraordinarily -- extraordinary number of judicial nominees before us,

and we are going to be moving through our business in an expeditious way, but I hope that the brevity of my comments while I bring out these nominations, in no way diminishes the contributions that these nominees have made over the last eight years. And in some cases over the last several decades, because we have an extraordinary group of individuals who have been renominated by the Governor. And I hope the brevity of my comments doesn't insult them in any way. They only deserve our respect and accolades by members of the circle.

Having said that, Mr. President, Judge Winslow is a resident of Newtown, Connecticut. She is a graduate of Wellesley College and the University of Connecticut School of Law, and I commend her to the circle.

THE CHAIR:

Thank you, Senator McDonald. Will you remark further on House Joint Resolution 21? Will you remark further? Senator McDonald.

SENATOR McDONALD:

Mr. President, if there's no objection, might this item be placed on the Consent Calendar?

THE CHAIR:

Without objection, so ordered sir. Mr. Clerk?

THE CLERK:

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Calendar Number 26, House Joint Resolution
Number 22, RESOLUTION CONFIRMING THE NOMINATION OF THE
HONORABLE THAYER BALDWIN, JR., OF NEW HAVEN TO BE A
JUDGE OF THE SUPERIOR COURT, favorable report of the
Committee on Judiciary.

THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

Mr. President, I move acceptance of the Joint
Committee's favorable report and adoption of the
resolution.

THE CHAIR:

On acceptance and adoption of the resolution,
sir, would you like to remark further?

SENATOR McDONALD:

Yes, Mr. President.

Mr. President, Judge Baldwin is a resident of New
Haven. He currently presides in the Waterbury
Juvenile Court. Has a long and distinguished career
in public service. He is a graduate of the Yale
University and Georgetown University Law Center, and
has made contributions to the city of New Haven that
I'm sure others might want to comment on. But I would
only acknowledge that, as a former corporation counsel
of my city, I certainly respect the fact that he

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served two distinct tours of duty as corporation
counsel for the City of New Haven.

THE CHAIR:

Thank you, Senator McDonald. Would you remark
further? Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President. Speaking in
support of the nomination, seconding the comments of
the chairman, Senator McDonald. Judge Ted Baldwin has
had an extraordinary career in the law and in public
service since his graduation from Georgetown law
center in 1965 -- returned to New Haven then, and
where he had attended Yale as an undergrad.

He has -- did serve two separate terms as
corporation counsel for the City of New Haven, once in
the 1970s during the administration of Mayor Frank
Logue. And again, in the 1990s in the administration
of Mayor John DeStefano. He's a very thoughtful,
thoughtful attorney. In addition to that, for a
period of time, he was -- served with the State of
Connecticut as director of health systems regulation
in the early 1980s. He's a -- was a very thoughtful
attorney in private practice, was someone who was
looked to as a leader in the legal community in New
Haven.

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For the last eight years that he has been on the bench he has developed a particular interest in serving in the -- in juvenile court, currently sitting in Waterbury -- is a bright, thoughtful, committed to public service, and we're fortunate to have him continuing on the bench. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Looney. Senator Harp.

SENATOR HARP:

Thank you very much. I rise to also support the nomination of Thayer Baldwin as Judge. He actually was right around the corner from me and is, of course, then my constituent. And I have known him for many years, and worked with him when he was corporation counsel for the City of New Haven.

I think that one of the things that distinguishes him is his temperament. And he is someone who has been committed to juvenile justice systems. He has been a juvenile court judge for many, many years. And for many judges, they think that when they are assigned to juvenile, that that is sometimes a punishment. For him, it is a way, I believe, to actualize what he believes is a core area of justice on behalf of the young people of our state. I am thrilled that he has been renominated, and I look

forward to him continuing his services to the people of the state.

THE CHAIR:

Thank you, Senator Harp. Will you remark further? Senator McDonald.

SENATOR McDONALD:

Mr. President, if there's no objection, might this item to be placed on the Consent Calendar?

THE CHAIR:

Seeing no objection, so ordered. Mr. Clerk.

THE CLERK:

Calendar page 2, Calendar Number 27, House Joint Resolution Number 23, RESOLUTION CONFIRMING THE NOMINATION OF THE HONORABLE HOLLY A. ABERY-WETSTONE OF WEST HARTFORD TO BE A JUDGE OF THE SUPERIOR COURT, favorable report of the Committee on Judiciary.

THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

Mr. President, I move acceptance of the Joint Committee's favorable report and adoption of the resolution.

THE CHAIR:

Acting on acceptance and adoption of the resolution, would you like to remark further, sir?

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SENATOR McDONALD:

Yes, Mr. President. Judge Abery-Wetstone is a resident of West Hartford, Connecticut. She currently presides in Rockville -- in Tolland Superior Court in Rockville. She is a graduate of St. Joseph College in West Hartford, and received her law degree from the Western New England College School of Law.

THE CHAIR:

Thank you, Senator McDonald.

Will you remark? Will you remark further on House Joint resolution Number 23? Senator McDonald.

SENATOR McDONALD:

Mr. President, if there's no objection, might this item be placed on the Consent Calendar?

THE CHAIR:

Seeing no objection, so ordered. Mr. Clerk.

THE CLERK:

Calendar Number 28, House Joint Resolution Number 24, RESOLUTION CONFIRMING THE NOMINATION OF THE HONORABLE EMMET L. COSGROVE OF NEW LONDON TO BE A JUDGE OF THE SUPERIOR COURT, favorable report of the Committee on Judiciary.

THE CHAIR:

Act -- Senator McDonald.

SENATOR McDONALD:

Thank you, Mr. President. Mr. President, I move acceptance of the Joint Committee's favorable report and adoption of the resolution.

THE CHAIR:

Acting on acceptance and adoption of the resolution, would you remark further, sir?

SENATOR McDONALD:

Thank you, Mr. President. Judge Cosgrove is a resident of New London, Connecticut. He currently presides in the New Haven Superior Court. He is a graduate of Georgetown University, where he also received his law degree. I have to say that he impressed the committee greatly, and we have heard that he is a very fine jurist. And I'm sure other members of the circle can attest to that fact.

THE CHAIR:

Thank you, Senator McDonald. Would you remark further? Senator Stillman.

SENATOR STILLMAN:

Thank you, Mr. President. I too rise to urge the nomination -- go forward for Judge Cosgrove. He's a well-respected member of the community of southeastern Connecticut. He has a wonderful reputation -- very strong family within the community, well-respected, has done a great job in his position. And I urge his

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support. Thank you, sir.

THE CHAIR:

Thank you, Senator Stillman. Will you remark?
Will you remark further? Senator McDonald.

SENATOR McDONALD:

Mr. President, if there's no objection, might
this item be placed on the Consent Calendar?

THE CHAIR:

Seeing no objection, so ordered. Mr. Clerk.

THE CLERK:

Calendar Number 29, House Joint Resolution
Number 25, RESOLUTION CONFIRMING THE NOMINATION OF THE
HONORABLE JOETTE KATZ OF FAIRFIELD TO BE AN ASSOCIATE
JUDGE OF THE SUPREME COURT AND A JUDGE OF THE SUPERIOR
COURT, favorable report of the Committee on Judiciary.

THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

Thank you, Mr. President. Mr. President, I move
acceptance of the Joint Committee's favorable report
and adoption of the resolution.

THE CHAIR:

On acceptance and adoption of the resolution,
will you remark further, sir?

SENATOR McDONALD:

I would like to, Mr. President. Mr. President, Justice Katz is a resident of Fairfield, Connecticut. She has been in the service of the State of Connecticut since she was first appointed to the bench in 1989. She previously served as a Superior Court judge. She received her undergraduate degree from Brandeis University and received her law degree from the University of Connecticut's School of Law. When Justice Katz began in the practice of law, she did serve in the -- both the private and public sector, and as a public defender.

I have to say, Mr. President, that Justice Katz has distinguished herself in so many ways over so many years on the bench. It's quite remarkable. And I believe that when she was first appointed, she was one of the youngest jurists ever selected to serve in the state of Connecticut. I suspect that is because she has a very keen intellect and inquisitive mind, and a very sharp pen.

Mr. President, Justice Katz has not only been serving as an associate justice of the Supreme Court, but she has served in innumerable ways to the betterment of the bench and bar in Connecticut. She has served as the chairman of the -- for the evidence

code in Connecticut. And I commend her to the circle, and thrilled that she will hopefully be reconfirmed for another eight years on the Supreme Court of our state. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator McDonald. Will you remark? With you remark further? Senator Kissel.

SENATOR KISSEL:

Thank you very much Mr. President. I also rise in support of Justice Katz's renomination. Although, I will say at the public hearing, her views regarding the imposition of the death penalty in the state of Connecticut and my views regarding the imposition of the death penalty in Connecticut are not necessarily on the same page.

Also, I would bring to my colleagues' attention the fact that, in response to the extensive questionnaire that is given to candidates for renomination to the Supreme Court, that it can't be said that justice Katz is a strict constructionist when it comes to constitutional interpretation. And some of my colleagues may be sensitive to that particular response to that questionnaire.

Nonetheless, in her answers to me, on the Judiciary Committee, I found that she's a very

thoughtful jurist and certainly has the best interests of the people of the state of Connecticut at heart. And with that on the record, I'll be supporting her renomination. Thank you very much Mr. President.

THE CHAIR:

Thank you, Senator Kissel. Senator Caligiuri.

SENATOR CALIGIURI:

Thank you, Mr. President. I rise in opposition to this nomination, and my opposition is not based on Justice Katz's qualifications or on her accomplishments and credentials. She is highly credentialed. She has served the State with honor and with distinction. But especially when it comes to appellate level judges, I believe that judicial philosophy and constitutional interpretation philosophy really matters. And justice Katz is one of a handful of justices who believe in her own words, although I'm paraphrasing, that the Constitution ought to be interpreted as a living, breathing document that evolves over time.

And while I understand that is a theory of constitutional interpretation that many respected jurists hold, it is my opinion that that is the most dangerous judicial philosophy that one could have. Because at the end of the day, it has the impact of

relativizing the Constitution and rendering it subject to the opinion of whoever it is sitting in the bench, at that particular moment in time. And I think the Constitution ought to be a standard that is a constant standard around which legislation revolves, not something that becomes whatever it is -- the judge at the moment in time, that he or she is interpreting the Constitution decides it ought to mean, given the views and values and mores prevailing at the time.

I think that is a dangerous theory of constitutional interpretation. I think it ultimately hurts our democracy and it takes power away from the people and from the Legislature. And it is for that reason that I will be voting against Justice Katz.
Thank you, sir.

THE CHAIR:

Thank you, Senator Caligiuri. Will you remark further on the resolution? Senator Coleman.

SENATOR COLEMAN:

Thank you, Mr. President. Mr. President, I rise in support of the nomination, and notwithstanding the comments of Senator Caligiuri, whose opinion I respect greatly, I think we all should be proud that we have a person of Justice Katz's caliber serving on our Supreme Court.

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I think that the depth of her thought and the degree of her intellect are qualities and characteristics that distinguish her greatly -- and she's a great asset, in my opinion, to the State of Connecticut. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Coleman. Senator McKinney.

SENATOR MCKINNEY:

Thank you, Mr. President. Mr. President, I rise in support of renomination of Justice Katz, and just to remark briefly, I've gotten to know Justice Katz quite well over the years. She's a constituent and someone I consider a friend. And although, I wouldn't say that were I on the Supreme Court, I would have reached the same decision as she on all the cases, I know firsthand that all of her decisions are well thought out, well reasoned.

She has one of the stronger intellects I've ever come across. I think she is a credit to the Supreme Court and the State of Connecticut, and would urge my colleagues to support her renomination. Thank you.

THE CHAIR:

Thank you, Senator McKinney. Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President. Also speaking in support of the renomination of Justice Katz.

She has indeed had a very distinguished career. Prior to her appointment to the bench, she was chief of the appellate division of the public defender's office so, she has lived and breathed issues related to the criminal law, in particular, in her practice before becoming a judge. And when she was first appointed to the Superior Court of the state, as she was one of the youngest judges ever appointed -- was also very young at her appointment to the State Supreme Court. And she has -- her service there has been uniformly excellent over the years.

She has -- her decisions are thoughtful, well reasoned. Obviously, there may be some who have philosophical differences with her approach, but she is truly one of the bright lights of the State Supreme Court in the state of Connecticut. We're fortunate to have her there, and continuing to serve there. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Looney. Will you remark further on House Joint Resolution Number 25? If not, Mr. Clerk, please call for a roll call vote. The machine will be open.

THE CLERK:

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

THE CHAIR:

Have all senators voted? If all senators have voted, please check your vote. The machine will be closed. The clerk will call a tally.

THE CLERK:

Motion is on adoption House Joint Resolution Number 25: Total number voting 34, those voting yea 27, those voting nay 7, those absent/not voting 2.

THE CHAIR:

House Joint Resolution Number 25 passes. Senator McKinney.

The Senate will stand at ease.

(Senate at ease.)

SENATOR MCKINNEY:

Thank you, Mr. President. Mr. President, I apologize -- believes that there was a member of the Senate in the circle who was unable to vote. Can I,

being on the prevailing side, move for a
reconsideration of the matter before us?

THE CHAIR:

The motion is on reconsideration -- hold on please. We're going to have to clear the board here, for one second. Please stand by.

The motion is on reconsideration. Is there any objection on that reconsideration? If not, we will reconsider the vote on House Joint Resolution Number 25.

We will -- hold on. I will open the machine again. Please vote.

THE CLERK:

The Senate is now voting by roll call. Will all senators please return to the chamber. The Senate is voting by roll call. Will all senators please return to the chamber.

THE CHAIR:

Have all senators voted? If all senators have voted, please check your vote. The machine will be locked. The clerk will call the tally.

THE CLERK:

Motion is on adoption of House Joint Resolution Number 25: Total number voting 35, those voting yea 28, those voting nay 7, those absent/not voting 1.

THE CHAIR:

House Joint resolution Number 25 passes, again.

Mr. Clerk.

THE CLERK:

Calendar Number 30, House Joint Resolution
Number 26, RESOLUTION CONFIRMING THE NOMINATION OF THE
HONORABLE THOMAS F. UPSON OF WATERBURY TO BE A JUDGE
OF THE SUPERIOR COURT, favorable report of the
Committee on Judiciary.

THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

Thank you, Mr. President. I move acceptance of
the Joint Committee's favorable report on adoption of
the resolution.

THE CHAIR:

On acceptance and adoption, sir, would you like
to remark further?

SENATOR McDONALD:

Yes, Mr. President.

Judge Upson is a resident of Waterbury,
Connecticut where he also presides in the Superior
Court there. He is a graduate of Washington and
Jefferson College, and received his law degree from
the University of Connecticut School of Law. Many

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members of this Chamber will remember his service to the State of Connecticut in the Senate, and we are thrilled that he is embarking upon his second term as a judge of the Superior Court.

THE CHAIR:

Thank you, Senator McDonald. Senator Hartley.

SENATOR HARTLEY:

Thank you, Mr. President. I rise in support of the renomination of Thomas Upson, better known as Tim Upson, and must recall that it -- Senator Upson occupied this seat. He was the Senator from the 15th District for a number of years. I was a member of the House and had worked with him while I was in the House. I have done many a parade with him, worked on many issues. Tim has always been a passionate and engaged individual at whatever he does, and that is no exception as he has his tenure on the bench.

He currently is also -- is sitting on the community court in Waterbury, and I know for a fact the work that he has done there, how it has extended beyond just his work every day on the bench to affect the individuals and the families who come before him in trying to make such a difference.

So it is with great pride that I rise in support of Thomas Upson's renomination, and ask my colleagues

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to join me in doing so. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Hartley. Senator Prague.

SENATOR PRAGUE:

Thank you, Mr. President. I, too, rise to support the renomination of Judge Upson. I remember when Tim sat over there, he was a great senator, always had a great sense of humor, a sense of fairness, a sense of dignity. And I'm really proud that he's a judge. And I know he's doing a great job. Thank you.

THE CHAIR:

Thank you, Senator Prague. Senator Handley.

SENATOR HANDLEY:

Thank you, Mr. President. I rise in support of this reappointment of Judge Upson.

The first day I arrived in this chamber, which was now 14 year -- I don't know. A long time ago, 14 years ago -- Tim Upson took me under his wing that day and showed me where I should go for various things that I needed to take care of, including the back stairs to find your way down -- up and down the floors.

And it was an act of great kindness and great thoughtfulness. And it occurred -- it has occurred to

me that, as a judge, I'm sure he brings, not only his intelligence and his charm and his wit, but also that thoughtfulness and kindness to the work of being a judge. So I'm delighted to know that I have a chance to thank him one more time.

THE CHAIR:

Thank you, Senator Handley. Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President. Just adding comments of support for the nomination and renomination of Judge Tim Upson.

He is exactly, as a judge, as he was as a beloved colleague with us, kindhearted, generous, quickwitted, treats everyone in this courtroom as they would hope to be treated -- will come away from an experience in Judge Upson's court with a sense that justice is handled well and evenhandedly in the state of Connecticut.

He is really a treasure in the Superior Court just as he was in the General Assembly. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Looney. Senator Caligiuri.

SENATOR CALIGIURI:

Thank you, Mr. President. Also in support of

this nomination, I associate myself with the remarks that have been made already, especially of my colleague, Senator Hartley -- and would just add, that while he was in the Senate and before that time, Judge Upson was a tremendous force in our community. He was active in a number of civic organizations.

And what I'm so happy to have seen since he's joined the bench is that he remains a real, visible and viable force for good in the Greater Waterbury community. He remains deeply committed to that community, and does whatever he can consistent with his duties as a judge to continue to serve the people of his beloved home of Waterbury and the surrounding towns. And he is really a model for all of us, in terms of continued commitment to service to our community in many different capacities.

And for that reason, it'll be an honor for me to vote for Judge Upson. Thank you, sir.

THE CHAIR:

Thank you, Senator Caligiuri. Senator Kissel.

SENATOR KISSEL:

Thank you very much, Mr. President. I'd like to associate myself with the remarks of my colleagues in support of Judge Upson.

We all, who had the pleasure of serving with him

here in the circle, remember what a good compatriot he was in debating the issues of the day. And certainly, I was lucky enough to serve with him for any number of years on the Judiciary Committee. Indeed, back in the 1990s, he served as the cochair of the Judiciary Committee and, I will say took me under his wing. Then, when we lost the majority on our side of the aisle, he was the ranking senator on the Judiciary Committee, and when he -- was decided to retire from the circle, I was lucky enough to assume that roll.

I will say this, as much as I could, you know, when I've been debating, whether I could bring back some happy, funny stories of Senator Upson, but if he's watching this late at night, tonight on the CT Network, we'll let those go for now.

But in a colloquy that I had with him at the Judiciary Committee hearing, I will say this. I asked him about the state of the judicial branch and working with his colleagues. And there's one thing that's in the transcript that I think is worth noting. He says, I guess it was my father who was always called Judge. I never thought I was worthy of being one.

And in this day and age, when members of the public look to their government for a little bit of humility and a little bit of practicality in having

one's feet down to earth, when we look to our leaders, whether it's in the financial industry, business or government -- and so few individuals can say, I made a mistake or so few individuals show any sense of humility regarding the good God's blessings that they have, to have Tim Upson say right there before us all, after serving eight full years on the bench, I still feel like I don't deserve to be a judge, that's the kind of person we need to have on the bench. That's the kind of person who -- no matter who comes before him in his day-to-day jurisprudence, they're going to get a fair shake out of him. And I can only say that we should look to that for other candidates that come before us.

And so, there's so much -- so many other things that I could say about Judge Upson, but I believe that the people of Connecticut are extraordinarily well served by his dedication to public service, whether as once -- aspects, he had served in the federal government in a variety of roles, whether it was here as one of our colleagues, here in the Senate chamber, or now, on the bench -- strongly support the renomination of Thomas Tim Upson to be a Superior Court judge. Thank you, Mr. President.

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Thank you, Senator Kissel. Senator McKinney.

SENATOR MCKINNEY:

Thank you, Mr. President. I too, rise in support of this renomination for a former colleague and someone who has served well in the Superior Court.

I just thought I would share with my friend, Senator Handley, that I too, spent my first term with former Senator Upson. And in addition, in our caucus, to sometimes showing us new senators where to go, he would also tell us, often, where to go. So, just thought I would share that with the circle.

But, no. He has done us a great service for the State of Connecticut on the bench, and I urge his renomination.

THE CHAIR:

Thank you, Senator McKinney. Senator LeBeau.

SENATOR LeBEAU:

I didn't want to break a protocol and speak after Senator McKinney.

THE CHAIR:

You're going to have to jump up quicker, pal.

SENATOR LeBEAU:

No. I know. I'm just not jumpy enough here. But, I did want to say some -- add some words of praise for former Senator Upson and Judge Upson. And

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I was telling Senator Handley, I remember specifically listening to Tim, standing there, and having a debate with himself over a bill. First he took one side, and then he took the other. And he finally concluded, I'm not sure what I'm going to do, and he sat down. And I thought that was great. It showed an open mind. It showed a sense of fairness, and it showed a -- really, grappling with an issue to try to come up with the right answer. And I'm sure as a judge, he occasionally has to grapple, like he did that day. And I'm sure that that fairness comes through for the people that are in front of him. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator LeBeau. Will you remark further? Senator McDonald.

SENATOR McDONALD:

Thank you, Mr. President. If there's no objection, might this item be placed on the Consent Calendar?

THE CHAIR:

Seeing no objection, so ordered, sir. Senator Coleman. Oh, I'm sorry -- Mr. Clerk.

THE CLERK:

Calendar Number 31, House Joint resolution

Number 27, RESOLUTION CONFIRMING THE NOMINATION OF THE HONORABLE THOMAS P. MIANO OF HARTFORD TO BE A JUDGE OF THE SUPERIOR COURT, favorable report of the Committee on Judiciary.

THE CHAIR:

Senator Coleman.

SENATOR COLEMAN:

Thank you, Mr. President.

Mr. President, I'd ask that the journal please reflect that I am absenting myself from consideration of this nominee, pursuant to Rule 15.

THE CHAIR:

It will be noted. Thank you, sir.

SENATOR COLEMAN:

Thank you, Mr. President.

THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

Thank you, Mr. President. Mr. President, I move acceptance of the Joint Committee's favorable report and the adoption of the resolution.

THE CHAIR:

Acting on acceptance and adoption of the resolution, will you remark further, sir?

SENATOR McDONALD:

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Thank you Mr. President. Mr. President, Judge Miano is a resident of Wethersfield, Connecticut. He has been a judge of the Superior Court for more than 24 years. He currently presides in Hartford Superior Court. And I have to say that Judge Miano has had a long and distinguished career.

It can't be easy being a judge of the Superior Court, particularly hearing some of the types of cases that he has heard over time. And I should say, Mr. President, that we had occasion in the Judiciary Committee to explore with Judge Miano one of the cases that was very controversial. And I was impressed by Judge Miano's forthrightness and willingness to share with the committee some of the difficult intellectual and legal ideas that he went through in determining an appropriate sentence for an individual in a case that he described to us.

I think many of us on the Judiciary Committee may have come out on a different side from the case that he described, but there was no doubt that he, honestly and with integrity, evaluated the case as best he could with the information he had and came out with a decision that he thought was just and equitable under the circumstances.

Again, many of us may have disagreed with that

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decision, but I think it's very important for Legislators on the Judiciary Committee and in the Senate and House not to be judges who judge from afar on particular cases. That's why we allow those judges to work through all of the very difficult details that are presented in particular cases. What I was most impressed by, however, was the honesty and integrity with which Judge Miano approached his task. And I have to say, after 24 years of hearing very difficult cases, it must still be hard every day to wake up and view each case as if it was the first case that they have ever heard.

So with that, Mr. President, I urge members of the circle to support this renomination. And I hope that Judge Miano will continue to serve the State of Connecticut with the same amount of integrity and thoughtfulness that he has demonstrated over the last 24 years.

THE CHAIR:

Thank you, Senator McDonald. Will you remark?
Senator Fonfara.

SENATOR FONFARA:

Thank you, Mr. President. I rise in support of the renomination of Judge Miano. Not only is Judge Miano a constituent of mine in the town of

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Wethersfield, but someone who I've had the pleasure of knowing for several years prior to him becoming a judge in the Superior Court in Hartford, when he was a prosecutor. And, I think Senator McDonald has described him in the same manner that I've known him all these years -- a thoughtful person who takes his job very seriously -- very fair person and, I believe, a credit to the bench and a credit to, if I might say, the town that -- one of the towns that I represent, of Wethersfield. Thank you to the President.

THE CHAIR:

Thank you, Senator Fonfara. Senator McKinney.

SENATOR MCKINNEY:

Thank you, Mr. President.

Mr. President, a little over a month ago, as we were sworn in, I stood here in the belief that I would stand up and vote against the renomination of Judge Miano. In fact, at the time, I believed that I would talk to and urge and counsel my colleagues also to oppose his renomination. I felt that way based on a decision he reached in a case, and without getting into too much of the details, in a case that involved the possession of child pornography of an individual in the state of Connecticut, and a suspended sentence that Judge Miano meted out, and a sentence that was

deemed so out of line with the protection of the public, that the U.S. Attorney's Office took the extraordinary -- rare step of seeking a waiver to charge the individual under the same fact pattern. Indeed they did, and that individual is now sentenced in federal prison for, I believe, three to four years.

But I thought before I did that, and I should at least sit down and meet with Judge Miano, because I believe, and I think Senator McDonald referenced it, and we've talked about this in the past -- that we need to maintain the independence of the judicial branch. That we do not want our judges looking over their shoulders at what politicians may say at a press conference or in the circle about one decision that they make and that no one decision, no matter how wrong I think that decision was, should be reason to disqualify a judge, unless the underpinnings of that decision show no competency or an inability to fairly mete out justice. And in my very lengthy conversation with Judge Miano, I found him to be extremely forthright. I was happy that he did not back down and say you know what, Senator, on second thought, I made a mistake, or, maybe I should reconsider that, because I don't want judges to believe that, based on a position I have or anyone in this Legislature would

have that they would necessarily think that their decision was wrong.

But I wanted to understand how he reached that decision, and what I found was a judge who struggled mightily with a very ugly set of fact patterns, a judge who had a history, in part A, to reflect back on who used that history in practice on the bench to reach a very difficult decision.

It is a decision that, to this day, and probably for every day I have left, will think was severely wrong, but I think it was a decision that he reached in the proper way. And I think what my conversation with Judge Miano showed is that the fault is not on Judge Miano, but the fault is, in many ways, on our judicial system.

And just briefly, although I'm probably getting a little bit far away here -- we have had discussions in the past about mandatory minimums in some of our sexual predator laws. And I don't know that our judiciary does a good enough job of helping judges become educated and up to speed with some of the things that's happening out there in the real world. And, I think, maybe it's incumbent upon us to work with the judiciary to do a better job. One of the things that Judge Miano said at the time of

sentencing, and now, is not fully understanding how the Internet, how child pornography can be harmful to kids as much as direct touching of kids. And I think a better understanding of how the internet and how these things work would understand that there is tremendous harm to young kids. So I don't necessarily fault him, but I fault, perhaps, a branch which has not done enough in terms of educating the members of the judiciary on what's happening.

So I stand here in support of Judge Miano. Although, I think the decision was wrong, I think he has shown a history of competence on the bench. His judicial reasoning was -- his reasoning was well reasoned and within the bounds of what I think we expect out of our judges. I don't expect to agree with every decision, but I do expect competence, and he is clearly extremely competent to serve for another eight years on the bench. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator McKinney. Will you remark?
Will you remark further? Senator McDonald.

SENATOR McDONALD:

Mr. President, if there's no objection might this item be placed --

SENATOR GUGLIELMO:

Yeah. I'd like a roll call, Mr. President.

THE CHAIR:

Would anyone else like to speak on the nomination? If not, Mr. Clerk, will you please call for a roll call vote. The machine will be open.

THE CLERK:

Immediate roll call has been ordered in the Senate. Will all senators please return to the chamber. Immediate roll call has been ordered in the Senate. Will all senators please return to the chamber.

THE CHAIR:

Have all senators voted? If all senators have voted, please check your vote. The machine will be locked. The Clerk will call the vote.

THE CLERK:

Motion is on adoption of House Joint Resolution Number 27: Total number voting 34, those voting yea 32, those voting nay 2, those absent/not voting 2.

THE CHAIR:

House Joint Resolution Number 27 passes. Senator Harris.

SENATOR HARRIS:

Thank you, Mr. President. For a point of personal privilege.

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THE CHAIR:

Please proceed, sir.

SENATOR HARRIS:

Thank you, Mr. President.

Mr. President, this is a wonderful institution. And the circle here, we thrive and survive on precedent. And I'm trying to follow in the steps of one of my quick friends and colleague, Senator Roraback, and I have an announcement to make that, on Saturday night, I asked Lucy Morin, my partner, the woman I love, to marry me and she said, Yes. So, I wanted to let everyone else know.

THE CHAIR:

Congratulations, sir, Senator Harris, to you and your fiancée. Senator Roraback.

SENATOR RORABACK:

Thank you, Mr. President. For a point of personal privilege.

THE CHAIR:

Please proceed, sir.

SENATOR RORABACK:

Senator Harris, I -- my wife, Kara and I extend our congratulations to you and your betrothed. If you're lucky, we're being broadcast by CT-N, in which case, tonight you can e-mail your remarks around the

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globe, and all of your friends will have the chance to watch you making this very exciting announcement.

Congratulations to you. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Roraback. Are there any other points of personal privilege? If not, we'll return to the call of the calendar. Mr. Clerk.

THE CLERK:

Calendar page 3, Calendar Number 32, House Joint Resolution Number 28, RESOLUTION CONFIRMING THE NOMINATION OF THE HONORABLE ELLEN A. PETERS OF WEST HARTFORD TO BE A STATE REFEREE, favorable report of the Committee on Judiciary.

THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

Thank you, Mr. President. Mr. President, I move acceptance of the Joint Committee's favorable report and adoption of the resolution.

THE CHAIR:

On acceptance and adoption of the resolution, sir, will you remark further?

SENATOR McDONALD:

Yes, Mr. President. It would be my honor to.

Mr. President, it's an extraordinary opportunity

for me to bring out this nomination, because Justice Peters did more in her legal life than I suspect many of us could ever hope to achieve. In fact, she had distinguished herself in ways that would, by themselves, have been enough for a lifetime, even before I was born. But the fact of the matter is, Mr. President, that Justice Peters went on from being a faculty member at Yale Law School to -- straight to the Connecticut Supreme Court, which by itself, was an extraordinary feat. And during her time as the Chief Justice of the Connecticut Supreme Court, she authored some of the most important precedents in our state's history.

It is truly -- been a remarkable career for her. And when she appeared before our committee, she demonstrated the humility and the brevity that I think we want all judges to embrace, whether they are in active service to the State or as a trial referee, such as Justice Peters.

Since her attainment of the age of 70, Chief Justice Peters has been working almost full time. And I suspect that long after many of us have left this chamber she will still be at her desk, authoring incisive, insightful and brief opinions for the benefit of, not only the litigants before her, but

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those of us who are students of the law.

Mr. President, Chief Justice Peters has contributed to the development of the law not only in the state of Connecticut, but her opinions, her casebooks, her work before she ascended to the bench has been used around the country and, I daresay, around the world as examples of good judicial writing -- thoughtful opinions. And frankly, Mr. President, it is truly something for me to be able to be here and bring forth her nomination for another eight-year term.

THE CHAIR:

Thank you, Senator McDonald. Will you remark?
Senator Kissel.

SENATOR KISSEL:

Thank you very much, Mr. President. I also stand here in support of Justice Peters, and her continued work for the judicial branch.

I can state that I haven't always agreed with the decisions that she's rendered on behalf of the Supreme Court in her stellar career, but she is an incredibly kind and thoughtful individual, someone very scholarly and thoughtful in achieving analysis and conclusions that she has reached. All and all, we would be very hard pressed to find another individual willing to be

so selfless in serving of the people of the state of Connecticut.

And it's my understanding that she definitely helped pave the way for women in the judicial branch -- set some precedent there, as well. And if my recollection serves me that she actually -- she and her family had to flee Nazi Germany way back when. And so I think that the recollections, even though she was very young at the time, a nation facing that kind of turmoil and fascism and destruction, I think, has made her very sensitive to the underdog when it comes to cases that come before the courts. And, as a general rule, that serves us all well and I -- happy to support her. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Kissel.

Will you remark further? Will you remark further on House Joint Resolution Number 28? Senator McDonald.

SENATOR McDONALD:

Thank you, Mr. President. If there's no objection; might this item be placed on the Consent Calendar?

THE CHAIR:

Seeing none, so ordered, sir. Mr. Clerk.

THE CLERK:

Calendar Number 33, House Joint Resolution
Number 29, RESOLUTION CONFIRMING THE NOMINATION OF
NANCY E. SALERNO OF MIDDLEBURY TO BE A WORKERS'
COMPENSATION COMMISSIONER, favorable report of the
Committee on Judiciary.

THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

Thank you, Mr. President. I move acceptance of
the Joint Committee's favorable report and adoption of
the resolution.

THE CHAIR:

Acting on acceptance and adoption, sir, would you
remark further?

SENATOR McDONALD:

Yes, Mr. President. Commissioner Salerno is a
resident of Middlebury, Connecticut. She currently
hears cases in Hartford. She is a graduate of the
American University, and she received her law degree
from Quinnipiac University School of Law. And I
commend her to the circle.

We were very impressed by her. We have been
impressed by her service previous to this, and we
certainly think she should be reappointed to another

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term as a workers' compensation commissioner.

THE CHAIR:

Thank you, Senator McDonald. Will you remark further on House Joint Resolution Number 29? Will you remark further? Senator McDonald.

SENATOR McDONALD:

Mr. President, if there's no objection, might this item be placed on the Consent Calendar?

THE CHAIR:

Seeing no objection, so ordered. Mr. Clerk.

THE CLERK:

Calendar Number 34, House Joint Resolution Number 30, RESOLUTION CONFIRMING THE NOMINATION OF AMADO J. VARGAS OF PORTLAND TO BE A WORKERS' COMPENSATION COMMISSIONER, favorable report of the Committee on Judiciary.

THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

Thank you, Mr. President. Mr. President, Commissioner Vargas -- I'm sorry. Mr. President --

THE CHAIR:

Let's go look at the rewind button for you. Zip.

Senator McDonald.

SENATOR McDONALD:

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Mr. President, I move acceptance of the Joint Committee's favorable report and adoption of the resolution.

THE CHAIR:

Acting on acceptance and adoption, sir, will you remark further?

SENATOR McDONALD:

As I was saying, Mr. President, Commissioner Vargas is a resident of Portland, Connecticut. He currently hears workers' compensation cases in New Britain. He is a graduate of the Adelphi University, and received his law degree from Temple University.

THE CHAIR:

Thank you, Senator McDonald. Will you remark? Will you remark further on House Joint Resolution Number 30? Senator McDonald.

SENATOR McDONALD:

Mr. President, if there's no objection, might this item be placed on the Consent Calendar?

THE CHAIR:

Seeing no objection, so ordered. Mr. Clerk.

THE CLERK:

Calendar Number 35, House Joint Resolution Number 31, RESOLUTION CONFIRMING THE NOMINATION OF

ERNIE R. WALKER OF WEST HARTFORD TO BE A WORKERS'
COMPENSATION COMMISSIONER, favorable report of the
Committee on Judiciary.

THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

Mr. President, I move acceptance of the Joint
Committee's favorable report and adoption of the
resolution.

THE CHAIR:

On acceptance and adoption of the resolution sir,
will you remark further?

SENATOR McDONALD:

Mr. President, Commissioner Walker is a resident
of West Hartford, Connecticut. He received his
undergraduate degree from Central Connecticut State
University, and received his law degree from the
University of Connecticut School of Law.

And the committee was favorably impressed with
his credentials and his experience as a workers'
compensation commissioner, and commends him to the
circle.

THE CHAIR:

Thank you, Senator McDonald. Will you remark?
Will you remark further on House Joint Resolution

Number 31? Will you remark, Senator McDonald?

SENATOR McDONALD:

Mr. President, if there's no objection, might
this item be placed on the Consent Calendar?

THE CHAIR:

Seeing none, so ordered, sir. Mr. Clerk.

THE CLERK:

Calendar Number 36, House Joint Resolution
Number 32, RESOLUTION CONFIRMING THE NOMINATION OF THE
HONORABLE FLEMMING L. NORCOTT, JR., OF NEW HAVEN TO BE
AN ASSOCIATE JUDGE OF THE SUPREME COURT AND A JUDGE OF
THE SUPERIOR COURT, favorable report of the Committee
on Judiciary.

THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

Thank you, Mr. President. Mr. President, I move
acceptance of the Joint Committee's favorable report
and adoption of the resolution.

THE CHAIR:

On acceptance and adoption, sir, would you remark
further?

SENATOR McDONALD:

I will, Mr. President.

Mr. President, Justice Norcott has distinguished

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himself, as many of the other nominees have, but he has done so over, perhaps, a more extended period of time than any other nominee we have heard thus far today.

Justice Norcott first ascended to the bench in 1979. He's a resident of New Haven, Connecticut. He is a graduate of Columbia University, where he also received his law degree.

Mr. President, Justice Norcott is a prolific writer on the bench. And he is a man of few words in public, but his words resonate from the pages of the Connecticut reporter. And he indicated to us that he anticipates turning 70 years old, the mandatory retirement age for a justice of the Supreme Court, within about four years. And I do hope that over the next four years, at least, and perhaps, further beyond that, that Justice Norcott will continue to illuminate us and the law with his research and his writing. And I commend him to the circle.

THE CHAIR:

Thank you, Senator McDonald. Senator Kissel.

SENATOR KISSEL:

Thank you very much Mr. President, and I also rise in support of Justice Flemming Norcott.

Again, for some of my colleagues in the circle,

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they may have some concerns that he views the Constitution as a living document, and probably wouldn't be considered a strict constructionist. Nonetheless, his responses to our questions on the Judiciary Committee were very thoughtful -- quite a bit of attention to detail. And certainly, as an individual committed to the judicial branch in fairness in all that he has done, he has evinced a pattern of change in his life that he freely expressed to us from -- and I don't want to paraphrase, but perhaps more radical roots when he was young and in college.

And to now, be in the prime of his life and be giving so much back to the people of the state of Connecticut, I think, we're indeed blessed to have him on the state's highest court and I'm happy to support his renomination. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Kissel. Senator Caligiuri.

SENATOR CALIGIURI:

Thank you, Mr. President. I rise in opposition to this nomination, and just for the sake of the record, it's for the same reasons concerning judicial philosophy and an approach to constitutional interpretation that I articulated earlier with respect

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to Justice Katz. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Caligiuri.

Will you remark? Will you remark further on House Joint resolution Number 32? Will you remark further? If not, Mr. Clerk, please call for a roll call vote. The machine will be open.

THE CLERK:

Immediate roll call has been ordered in the Senate. Will all senators please return to the chamber. Immediate roll call has been ordered in the Senate. Will all senators please return to the chamber.

THE CHAIR:

Have all senators voted? If all senators have voted, please check your vote. The machine will be locked. The clerk will call the tally.

THE CLERK:

Motion is on adoption of House Joint Resolution Number 32: Total number voting 35, those voting yea 28, those voting nay 7, those absent/not voting 1.

THE CHAIR:

House Joint Resolution Number 32 passes.

Mr. Clerk.

THE CLERK:

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Calendar page 4, Calendar Number 37, House Joint Resolution Number 33, RESOLUTION CONFIRMING THE NOMINATION OF THE HONORABLE RICHARD N. PALMER OF CROMWELL TO BE AN ASSOCIATE JUDGE OF THE SUPREME COURT AND A JUDGE OF THE SUPERIOR COURT, favorable report of the Committee on Judiciary.

THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

Thank you, Mr. President. Mr. President, I move acceptance of the Joint Committee's favorable report and adoption of the resolution.

THE CHAIR:

On acceptance and adoption of the resolution, sir, would you like to remark further?

SENATOR McDONALD:

Yes, I would, Mr. President. Mr. President, this has actually been quite an extraordinary year. I think between the prior nominees and today's nominees, we are appointing a majority of the Connecticut Supreme Court, but it is certainly a privilege to put forth before the Chamber the nomination of Justice Palmer. Justice Palmer is a resident of Cromwell, Connecticut, and he is a distinguished jurist on the bench. He has served the State of Connecticut at both

the State and federal level for years prior to becoming a justice of the Supreme Court.

After a short period of time in private practice, Mr. President, Justice Palmer went to the office of the United States Attorney's office where he was an assistant U.S. attorney. He returned for a brief period of time to the private practice of law, but then heard once again, the calling of public service, and he went back to the U.S. Attorney's Office, where over several years, he took upon increasingly significant roles, including as the chief of the criminal division of the United States Attorney's office. He went on to become the Deputy United States Attorney for the District of Connecticut. And in fact, ultimately became the United States Attorney in 1991.

He -- having attained perhaps the highest level of criminal prosecution in the federal system, wanted to conquer yet more barriers and became the Chief State's Attorney for the state of Connecticut in 19 -- in late 1991 where he served until 1993.

Mr. President, over wide array of issues, and over a long arc of time, Justice Palmer has really distinguished himself, and we should be proud that the State of Connecticut can still call upon him for yet

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another eight years of public service. I urge all of my colleagues to support this nomination. Justice Palmer is a brilliant jurist and just a very fine and decent person.

THE CHAIR:

Senator Kissel.

SENATOR KISSEL:

Thank you very much Mr. President. I stand in support of the renomination of Justice Palmer. Had many occasions to speak with him regarding different issues, quite often, informally -- found him to be extremely thoughtful.

In looking at his resume and his legal career, I think one would be hard pressed to find one with a more varied and impeccable background, especially as it pertains to law enforcement. Nonetheless, I am mindful that some of my colleagues, in examining his responses to questions, might find that he, too, is not necessarily a strict constructionist, does believe that the Constitution is a organic living document.

Although, I will state that, on his responses to the questionnaire, he did acknowledge that the underpinnings, philosophically and jurisprudentially, and the mindset of the framers of the Constitution should be looked to first before then reexamining how

it should be interpreted in our modern and evolving age.

So, with that being stated, I think that he's made incredible contributions to the state of Connecticut -- continues to want to be an extraordinary jurist. And I think the people of the state of Connecticut would be very well served by having him on our highest court. And I -- happy to support his renomination. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Kissel. Senator Caligiuri.

SENATOR CALIGIURI:

Thank you, Mr. President. Just for the sake of the record, I'll be -- I will be voting against this nomination for the reasons that I described earlier with respect to Justices Norcott and Justice Katz.

Thank you.

THE CHAIR:

Thank you, Senator Caligiuri. Will you remark? Will you remark further on House Joint Resolution Number 33? If not, Mr. Clerk, please call for a roll call vote. The machine will be open.

THE CLERK:

Immediate roll call has been ordered in the Senate. Will all senators please return to the

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chamber. Immediate roll call has been ordered in the Senate. Will all senators please return to the chamber.

THE CHAIR:

Have all senators voted? If all senators have voted, please check your vote. I will close the machine. The clerk will call the tally.

THE CLERK:

Motion is on adoption of House Joint Resolution Number 33: Total number voting 35, those voting yea 28, those voting nay 7, those absent/not voting 1.

THE CHAIR:

House Joint Resolution Number 33 passes.

Mr. Clerk.

THE CLERK:

Calendar Number 38, House Joint Resolution Number 34, RESOLUTION CONFIRMING THE NOMINATION OF THE HONORABLE RICHARD E. BURKE OF MADISON TO BE A JUDGE OF THE SUPERIOR COURT, favorable report of the Committee on Judiciary.

THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

Thank you, Mr. President. Mr. President, I move acceptance of the Joint Committee's favorable report

and adoption of the resolution.

THE CHAIR:

On acceptance and adoption of the resolution,
will you remark further, sir?

SENATOR McDONALD:

Yes, Mr. President.

Mr. President, Judge Burke is a resident of
Madison, Connecticut. He is a graduate of Marquette
University, and received his law degree from Tulane
University's School of Law. And I commend him to the
circle.

THE CHAIR:

Thank you, Senator McDonald. Will you remark?
Senator Meyer.

SENATOR MEYER:

Thank you, Mr. President.

I've gotten to know Judge Burke a bit. He's a
remarkable man. He had a very distinguished private
practice, and was actually admitted to practice in
eight states in the United States. He practiced both
in New York and in Connecticut.

Before he went to Superior Court, he served as
both a state magistrate and a probate judge in New
Canaan. He's done well in his first term, and I urge
that we all get together and support him for a second

term. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Meyer. With you remark further on House Joint Resolution Number 34? Will you remark? If not, Senator McDonald.

SENATOR McDONALD:

Mr. President, if there's no objection, might this item be placed on the Consent Calendar.

THE CHAIR:

Seeing none, so ordered. Mr. Clerk.

THE CLERK:

Calendar Number 39, House Joint Resolution Number 35, RESOLUTION CONFIRMING THE NOMINATION OF THE HONORABLE BRIAN T. FISCHER OF NEW HAVEN TO BE A JUDGE OF THE SUPERIOR COURT, favorable report of the Committee on Judiciary.

THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

Thank you, Mr. President. Mr. President, I move acceptance of the Joint Committee's favorable report on adoption of resolution.

THE CHAIR:

On acceptance and adoption of the resolution, will you remark further, sir?

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SENATOR McDONALD:

Yes, Mr. President.

THE WITNESS:

Mr. President, Judge Fischer is a resident of New Haven, and I am well informed that he enjoys his time as a Superior Court judge, presiding in Meriden, where he hopes to stay for many years to come.

Mr. President, Judge Fischer is a graduate of the University of Richmond, and received his law degree from Weidner University School of Law.

THE CHAIR:

Thank you, Senator McDonald. Will you remark?
Remark further? Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President, speaking in support of Judge Fischer's renomination.

Your Honor -- I've known Brian Fischer for a long time. Mr. President, he was a distinguished private practice attorney. Like Judge Baldwin, he also distinguished himself as a municipal attorney, was corporation counsel for the city of West Haven for a significant period of time -- very thoughtful, had a very diverse and successful private practice of law in addition to his work as a municipal attorney.

And he is also someone of extraordinary judgment

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and temperament. And the way he presides in court and the thoughtful -- his approach -- thoughtful approach to cases is something that we hope the state of Connecticut will benefit from for a long time. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Looney. Will you remark? Will you remark further on House Joint Resolution Number 35? Senator McDonald.

SENATOR McDONALD:

Mr. President, if there's no objection, might this item be placed on the Consent Calendar?

THE CHAIR:

Seeing none, so ordered. Mr. Clerk.

THE CLERK:

Calendar Number 40, House Joint Resolution Number 36, RESOLUTION CONFIRMING THE NOMINATION OF THE HONORABLE JAMES P. GINOCCHIO OF GOSHEN TO BE A JUDGE OF THE SUPERIOR COURT, favorable report of the Committee on Judiciary.

THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

Mr. President, I move acceptance of the Joint Committee's favorable report and adoption of the

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resolution.

THE CHAIR:

Acting on acceptance and adoption of the resolution, sir, will you remark further?

SENATOR McDONALD:

Thank you, Mr. President.

Judge Ginocchio hails from the hills of Litchfield County, in lovely Goshen, Connecticut, and is a Superior Court judge in Litchfield County. He is a graduate of the University of Bridgeport School of Law. And I have to say, Mr. President, that we were impressed by his testimony before the committee, and I commend him to the circle.

THE CHAIR:

Thank you, Senator McDonald. Will you remark? Will you remark further on House Joint Resolution Number 36? Senator McDonald.

SENATOR McDONALD:

Mr. President, if there's no objection, might this item be placed on the Consent Calendar?

THE CHAIR:

Seeing no objection, so ordered. Mr. Clerk.

THE CLERK:

Calendar Number 41, House Joint Resolution Number 37, RESOLUTION CONFIRMING THE NOMINATION OF THE

HONORABLE PATTY JENKINS PITTMAN OF HAMDEN TO BE A
JUDGE OF THE SUPERIOR COURT, favorable report of the
Committee on Judiciary.

THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

Thank you, Mr. President. Mr. President, I move
acceptance of the Joint Committee's favorable report
and adoption of the resolution.

THE CHAIR:

Acting on acceptance and adoption of the
resolution, will you remark further, sir?

SENATOR McDONALD:

Yes, I would like to Mr. President.

Mr. President, Judge Pittman is a resident of
Wallingford, Connecticut. She received her
undergraduate degree from Duke University and her law
degree from North Carolina Central University School
of Law, after some time at the University of
Connecticut school of law, as well.

Mr. President, Judge Pittman has really handled
some extraordinarily difficult cases in her time, as
have all of our jurists, but she has always approached
her work in a very professional, dignified way with
thoughtful analysis, and I have always been an admirer

of her opinions.

As has always been stated in the circle today, I don't always agree with them, but I do think that they are guided by her understanding of the law as it exists at the time that she renders her opinions. I commend her to the circle.

THE CHAIR:

Thank you, Senator McDonald. Will you remark?
Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. Speaking in support of Judge Pittman's renomination, as an attorney, before becoming a judge, she was known as one leading expert in family law in the bar in greater New Haven. She has sat in family law a good part of her career as a judge.

As Senator McDonald said, is known as a very thoughtful, very incisive, very capable judge. And we're fortunate to have her continuing on the bench.

THE CHAIR:

Thank you, Senator Looney. Will you remark?
Will you remark further on House Joint Resolution Number 37? Senator McDonald.

SENATOR McDONALD:

Mr. President, if there's no objection, might

this item be placed on the Consent Calendar.

THE CHAIR:

Seeing none, so ordered, sir. Mr. Clerk.

THE CLERK:

Calendar page 5, Calendar Number 42, House Joint Resolution Number 38, RESOLUTION CONFIRMING THE NOMINATION OF THE HONORABLE SUSAN S. REYNOLDS OF RIDGEFIELD TO BE A JUDGE OF THE SUPERIOR COURT, favorable report of the Committee on Judiciary.

THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

Thank you, Mr. President. Mr. President, I move acceptance of the Joint Committee's favorable report and adoption of the resolution.

THE CHAIR:

Acting on acceptance and adoption, will you remark further, sir?

SENATOR McDONALD:

I will, Mr. President.

Mr. President, Judge Reynolds is a resident of Ridgefield, Connecticut. She currently presides in Danbury Superior Court. She received her undergraduate degree from the City University of New York and received her law degree from Pace University

School of Law.

Mr. President, though Judge Reynolds currently presides in Danbury, she has had occasion to traverse many different courthouses around the state and spent some time in the Norwalk Superior Court, as well.

I have to say that there were some expressions of concern at the time that Judge Reynolds took up her seat in Norwalk, but that was, I suspect, because she is a very forceful judge and has strong opinions about the administration of justice.

And during her time in Norwalk, and thereafter, I think she has come to understand that not only must a judge run a tight docket, but must be respectful of those who are bringing cases before the court, and understanding that there are many institutional pressures on all aspects of the administration of justice, not only those from the bench, but from case flow coordinators and prosecutors, and defense lawyers who are struggling to work through the system on a very expedient basis, but mindful of the fact that the rights of litigants need to be honored, as well.

So, having said that, Mr. President, I am assured that Judge Reynolds is going to be a fine jurist for the next eight years, and I commend her to the circle.

THE CHAIR:

Thank you, Senator McDonald. Will you remark further? Senator Boucher.

SENATOR BOUCHER:

I thank you, thank you very much, and I would like to stand in support of this nomination and underscore the sentiments and comments just made by this distinguished chair of this committee.

And having been very familiar with the events that you just mentioned, I think things have worked out very well indeed, and we will be well served by the continued service of this fine judge. Thank you.

THE CHAIR:

Thank you, Senator Boucher. Will you remark? Will you remark further on House Joint Resolution Number 38? Senator McDonald.

SENATOR McDONALD:

Mr. President, if there's no objection, might this item be placed on the Consent Calendar?

THE CHAIR:

Seeing no objection, so ordered. Mr. Clerk.

THE CLERK:

Calendar Number 43, House Joint Resolution Number 39, RESOLUTION CONFIRMING THE NOMINATION OF THE HONORABLE NICOLA E. RUBINOW OF WEST HARTFORD TO BE A JUDGE OF THE SUPERIOR COURT, favorable report of the

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Committee on Judiciary.

THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

Mr. President, I move acceptance of the Joint Committee's favorable report and adoption of the resolution.

THE CHAIR:

On acceptance and adoption of the resolution, will you remark further, sir?

SENATOR McDONALD:

Yes, Mr. President.

Mr. President, Judge Rubinow is a resident of West Hartford, Connecticut. She currently presides in the juvenile docket of the Middletown Superior Court. She is a graduate of Barnard College, received a master's degree from Brown University and her law degree from the University of Connecticut School of Law.

Mr. President, it's my pleasure to put her name before this chamber, and urge adoption of this resolution.

THE CHAIR:

Thank you, Senator McDonald. Will you remark further on House Joint Resolution Number 39? Will you

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remark further? Senator McDonald.

SENATOR McDONALD:

Mr. President, if there's no objection, might
this item be placed the Consent Calendar?

THE CHAIR:

Seeing no objection, so ordered. Mr. Clerk.

THE CLERK:

Calendar Number 44, House Joint Resolution
Number 40, RESOLUTION CONFIRMING THE NOMINATION OF THE
HONORABLE CAROL A. WOLVEN OF HAMDEN TO BE A JUDGE OF
THE SUPERIOR COURT, favorable report of the Committee
on Judiciary.

THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

Thank you, Mr. President. Mr. President, I move
acceptance of the Joint Committee's favorable report
and adoption of the resolution.

THE CHAIR:

Acting on acceptance and adoption of the
resolution, sir, would you like to remark further?

SENATOR McDONALD:

Yes, Mr. President.

Mr. President, Judge Wolven is a resident of
Hamden, Connecticut. She currently presides in

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Bridgeport. Like -- apparently, like a number of our judges, she calls her spouse a judge, as well. She is married to Judge Dennis Eveleigh, and she is a graduate of the University of Connecticut School of Law. And Mr. President, I certainly wish her well over the next eight years, and hope the members of the circle will support this nomination.

THE CHAIR:

Thank you, Senator McDonald. Will you remark?
Will you remark further? Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President, speaking in support of the nomination.

Judge Carol Wolven was a distinguished legal practitioner in the city of New Haven prior to her appointment as a judge. She has done very well as a judge of the Superior Court, and we look forward to continued service for many, many years from this talented jurist.

THE CHAIR:

Thank you, Senator Looney. Will you remark?
Will you remark further on House Joint Resolution Number 40? Senator McDonald.

SENATOR McDONALD:

Mr. President, if there's no objection, might

this item be placed on the Consent Calendar?

THE CHAIR:

Without objection, so ordered, sir. Mr. Clerk.

THE CLERK:

Calendar Number 45, House Joint Resolution
Number 41, RESOLUTION CONFIRMING THE NOMINATION OF THE
HONORABLE CARL E. TAYLOR OF WEST HARTFORD TO BE A
JUDGE OF THE SUPERIOR COURT, favorable report of the
Committee on Judiciary.

THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

Mr. President, I move acceptance of the Joint
Committee's favorable report and adoption of the
resolution.

THE CHAIR:

Acting on acceptance and adoption of the
resolution, sir, will you remark further?

SENATOR McDONALD:

Thank you, Mr. President.

Mr. President, Judge Taylor is a resident of West
Hartford Connecticut, and he currently presides in the
GA, here in Hartford. Mr. President, as members of
this circle must know, that is one of the most
difficult assignments in the state of Connecticut, but

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by all accounts, Judge Taylor has done a very good job during his tenure over the last eight years.

He is a graduate of Wesleyan University, as well as a recipient of his jurist doctorate from the University of Connecticut School of Law.

THE CHAIR:

Thank you, Senator McDonald. Will you remark? Will you remark further on House Joint Resolution Number 41? Will you remark further? If not, Senator McDonald.

SENATOR McDONALD:

Mr. President, if there's no objection, might this item be placed on the Consent Calendar?

THE CHAIR:

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

THE CLERK:

Calendar Number 46, House Joint Resolution Number 42, RESOLUTION CONFIRMING THE NOMINATION OF THE HONORABLE RICHARD M. RITTENBAND OF SOUTH WINDSOR TO BE A STATE REFEREE, favorable report of the Committee on Judiciary.

THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

Mr. President, I move acceptance of the Joint

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Committee's favorable report and adoption of the resolution.

THE CHAIR:

On acceptance and adoption of the resolution, will you remark further, sir?

SENATOR McDONALD:

I will, Mr. President.

Judge Rittenband is a resident of South Windsor, Connecticut. He currently serves as a judge trial referee, and sits in Hartford Superior Court. He was originally sworn in as a judge in 1992. He's a graduate of the University of Pennsylvania and received his law degree from the University of Connecticut School of Law.

And I have to thank Judge Rittenband for his thoughtful comments before the Judiciary Committee. They were very helpful to us in understanding some of the difficulties that judges face, and I appreciate his forthright and extensive remarks.

THE CHAIR:

Thank you, Senator McDonald. Will you remark? Will you remark further on House Joint Resolution Number 42? Will you remark further? Senator McDonald.

SENATOR McDONALD:

Mr. President, if there's no objection, might,
this item be placed on the Consent Calendar?

THE CHAIR:

Seeing no objection, so ordered. Mr. Clerk.

THE CLERK:

Calendar page 6, Calendar Number 55, Senate Joint
Resolution Number 32, RESOLUTION CONFIRMING THE
NOMINATION OF PAMELA RICHARDS OF IVORYTON TO BE A
MEMBER OF THE BOARD OF PARDONS AND PAROLES, favorable
report of the Committee on Judiciary.

THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

Thank you, Mr. President. Mr. President, I move
acceptance of the Joint Committee's favorable report
and adoption of the resolution.

THE CHAIR:

On acceptance and adoption of the resolution,
sir, will you remark further?

SENATOR McDONALD:

Yes, Mr. President.

Mr. President, I should just note for members of
the circle that we've finished the nominations for
judges of the Superior Court, and some workers'
compensation commissioners.

This -- the following nominations deal with the Board of Pardons and Parole. And many members will recall that we passed legislation recently which expanded the board, and this is our first opportunity to bring forth nominations advanced by the Governor to fill these positions.

Obviously, Mr. President, given not only what they have done over a long period of time, but what they need to do over the next few years, this board fulfills an extraordinarily important role. I want to really commend the Governor for advancing nominations for this board that are some of the very best people, I think, to fill these positions. And it's a pleasure, Mr. President, to bring forth this nomination of Pamela Richards to be a member of the Board of Pardons and Parole.

THE CHAIR:

Thank you, Senator McDonald. Will you remark further? Will you remark further on House Joint -- Senate Joint Resolution Number 32? Will you remark further? If -- Senator McDonald.

SENATOR McDONALD:

Mr. President, if there's no objection, might this item be placed on the Consent Calendar?

THE CHAIR:

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Seeing none, so ordered. Mr. Clerk.

THE CLERK:

Calendar 56, Senate Joint Resolution Number 33,
RESOLUTION CONFIRMING THE NOMINATION OF KELLY SMAYDA
OF TOLLAND TO BE A MEMBER OF THE BOARD OF PARDONS AND
PAROLES, favorable report of the Committee on
Judiciary.

THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

Mr. President, I move acceptance of the Joint
Committee's favorable report and adoption of the
resolution.

THE CHAIR:

On acceptance and adoption of the resolution,
will you remark further, sir?

SENATOR McDONALD:

Thank you, Mr. President.

Kelly Smayda is a graduate of Roger Williams
University. And she was a -- the Deputy Warden of the
Department of Corrections until -- from 1986 until
2006. We certainly believe that, given her prior
professional experience, it -- she will be a great
asset to the Board of Pardons and Parole.

THE CHAIR:

Thank you, Senator McDonald. Will you remark further? Will you remark further on Senate Joint Resolution Number 33? Will you remark? If not, Senator McDonald.

SENATOR McDONALD:

Mr. President, if there's no objection, might this item be placed on the Consent Calendar?

THE CHAIR:

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

THE CLERK:

Calendar 57, Senate Joint Resolution Number 34, RESOLUTION CONFIRMING THE NOMINATION OF FOYE A. SMITH OF HARTFORD TO BE A MEMBER OF THE BOARD OF PARDONS AND PAROLES, favorable report of the Committee on Judiciary.

THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

Mr. President, I move acceptance of the Joint Committee's favorable report and adoption of the resolution.

THE CHAIR:

Acting on acceptance and adoption of the resolution, will you remark further, sir?

SENATOR McDONALD:

Thank you, Mr. President. Mr. President, Foye Smith is a graduate of Clark College -- received a master's degree from Central Connecticut State University, a law degree from Temple University, and not having completed her education there, went on to receive a Ph.D. from Clark Atlanta University.

She, prior to her current interim position on the Board of Pardons and Parole, was a member of the office of the Chief Public Defender for several years, and worked in various other legal capacities that we think will serve her well, and the State, on the Board of Pardons and Parole.

THE CHAIR:

Thank you, Senator McDonald. Will you remark further on Senate Joint Resolution Number 34? Senator Coleman.

SENATOR COLEMAN:

Thank you, Mr. President.

Attorney Smith is a resident of my district. She's relatively young, energetic and insightful -- these and other qualities, I'm sure she will bring to bear in her role as a member of this board.

I just want to take the opportunity to congratulate her and to thank her for her service, not only in this capacity, but for all that she's done in

the community where she resides. Thank you, Mr.
President.

THE CHAIR:

Thank you, Senator Coleman. Will you remark
further on Senate Joint Resolution Number 34? Senator
McDonald.

SENATOR McDONALD:

Mr. President, if there's no objection, might
this item be placed on the Consent Calendar?

THE CHAIR:

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

THE CLERK:

Calendar Number 59, Senate Joint Resolution
Number 36, resolution confirming the nomination of
John R. O'Connor of West Haven to be a member of the
Board of Pardons -- correction.

Calendar Number 58, Senate Joint Resolution
Number 35, RESOLUTION CONFIRMING THE NOMINATION OF
ROBERT B. SMITH OF SOUTHLINGTON TO BE A MEMBER OF THE
BOARD OF PARDONS AND PAROLES, favorable report of the
Committee on Judiciary.

THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

Thank you, Mr. President. I move acceptance of

the Joint Committee's favorable report and adoption of the resolution.

THE CHAIR:

On acceptance and adoption of the resolution, will you remark further, sir?

SENATOR McDONALD:

Yes, Mr. President. Mr. President, Mr. Smith is a graduate of Columbia International University, and a recipient of a master's degree in -- from Trinity Seminary, and is a assistant pastor at Faith Baptist Church in Southington, Connecticut.

He, prior to his current appointment, was a youth and -- I'm sorry, a counselor at Manson Youth Institution. And given his counseling background and his understanding of the Department of Corrections, we believe he will be a very fine member of the Board of Pardons and Parole.

THE CHAIR:

Thank you, Senator McDonald. Will you remark? Remark further on Senate Joint Resolution Number 35? Will you remark? If not, Senator McDonald.

SENATOR McDONALD:

Mr. President, if there's no objection, might this item be placed on the Consent Calendar?

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Seeing no objection, so ordered. Mr. Clerk.

THE CLERK:

Calendar Number 59, Senate Joint Resolution
Number 36, RESOLUTION CONFIRMING THE NOMINATION OF
JOHN R. O'CONNOR OF WEST HAVEN TO BE A MEMBER OF THE
BOARD OF PARDONS AND PAROLES, favorable report of the
Committee on Judiciary.

THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

Thank you, Mr. President. I move acceptance of
the Joint Committee's favorable report and adoption of
the resolution.

THE CHAIR:

On acceptance and adoption of the resolution,
will you remark further, sir?

SENATOR McDONALD:

Thank you, Mr. President.

Mr. President, as some of the other nominees you
will see -- come from different backgrounds that all
bring a unique perspective to the Board of Pardons and
Parole, whether through the Department of Corrections
or as a counselor, so too, does Mr. O'Connor bring a
unique background that I think will serve the board
well.

Prior -- most recently he is the assistant to the mayor of West Haven, but really the reason, I think, he is before us is that for approximately ten years, Mr. O'Connor served as a -- as the United States Marshal for the United States Department of Justice here in Connecticut. We believe that his background there, his understanding of criminal justice and the role that a board of pardons and parole can play in the administration of criminal justice will be very helpful to the entire state.

THE CHAIR:

Thank you, Senator McDonald. Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President, speaking in support of the nomination.

As Senator McDonald said, John O'Connor has had an extraordinary career in law enforcement, in addition to his distinguished service as the United States Marshal for Connecticut for about a decade. Prior to that, he had a very distinguished and lengthy career in the New Haven Police Department, rising to a high-ranking commander position before his retirement. So he is someone who is much decorated, much respected and admired as an outstanding police commander in the city. And then follow that up with another

extraordinary second career as United States Marshal.

So he is certainly well qualified to serve on the Board of Pardons and Paroles, and he is also someone with very good, practical and compassionate judgment. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Looney. Will you remark further on House Joint Resolution Number 36? Senator McDonald.

SENATOR McDONALD:

Mr. President, if there's no objection, might this item be placed on the Consent Calendar?

THE CHAIR:

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

THE CLERK:

Calendar page 7, Calendar Number 60, Senate Joint Resolution Number 37, RESOLUTION CONFIRMING THE NOMINATION OF ROBERT A. MURPHY OF MADISON TO BE A MEMBER OF THE BOARD OF PARDONS AND PAROLES, favorable report of the Committee on Judiciary.

THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

Mr. President, I move acceptance of the Joint

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Committee's favorable report and adoption of the resolution.

THE CHAIR:

On acceptance and adoption, sir, will you remark further?

SENATOR McDONALD:

Yes, Mr. President. Mr. President, Mr. Murphy received his bachelor's degree from St. John's University, and received his MBA from Pace Graduate School.

For approximately 26 years, Mr. President, Mr. Murphy was a special agent for the Federal Bureau of Investigation, and most recently, served as a -- as an investigator for one of the best-known private investigative and security operations in the country.

Mr. President, we believe that, given his law-enforcement background, and his private sector service, he would be a wonderful addition to the board.

THE CHAIR:

Thank you, Senator McDonald. Senator Meyer.

SENATOR MEYER:

Thank you, Mr. President.

When Senator McDonald complimented Governor Rell on the quality of her nominations to the Board of

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Pardon and Paroles, that compliment is really epitomized by this particular nominee. Bob Murphy is a -- an exceptionally well-qualified person for this job. He's been doing it for seven months now. He loves it. He applies himself daily and nightly to the job, as he told the Judiciary Committee. And he comes with his wealth of experience -- 26 years in the FBI, and four years in one of the world's greatest investigation firms, Kroll Incorporated.

So, for all those reasons, I urge all my colleagues to enthusiastically support this nomination. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Meyer. Will you remark? Will you remark further on Senate Joint Resolution Number 37? Senator McDonald.

SENATOR McDONALD:

Mr. President, if there's no objection, might this item be placed on the Consent Calendar?

THE CHAIR:

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

THE CLERK:

Calendar number 61, Senate Joint Resolution Number 38, RESOLUTION CONFIRMING THE NOMINATION OF JULIA WASSERMAN OF SANDY HOOK TO BE A MEMBER OF THE

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BOARD OF PARDONS AND PAROLES, favorable report of the
Committee on Judiciary.

THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

Mr. President, I move acceptance of Joint
Committee's favorable report and adoption of the
resolution.

THE CHAIR:

Acting on acceptance and adoption, sir, would you
remark further?

SENATOR McDONALD:

Mr. President, what do you say? It's Julia.

We all know Julia Wasserman as a tremendous
individual. I have to say that many of us, perhaps
were very, very saddened to hear that she was not
going to run for reelection to the House of
Representatives, but I am thrilled to have her named
before this chamber so that we can support her in her
next stage of public service to the State of
Connecticut.

Mr. President, I'm not going to belabor the
point. I think Julia Wasserman is a fabulous
selection. And I think that she is going to bring the
same wit and grace to the Board of Pardons and Parole

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as she did to the General Assembly.

THE CHAIR:

Thank you, Senator McDonald. Senator Kissel.

SENATOR KISSEL:

Thank you very much, Mr. President.

I also stand in strong support of the nomination of Julia Wasserman, our former colleague from the House of Representatives -- what a nice lady and what a keen mind and attention to detail. If anybody has served with -- I want to say Representative Wasserman -- I guess it's always a fitting -- one knows that she will fret over every little piece of information in these individuals' background, and if it's all not there, she'll make sure that someone goes and gets the documentation so that it is all there.

And I had the distinct pleasure of serving with her when she was cochair of the Program Review and Investigations Committee, last year, as the ranking member of the committee. And she spent an awful lot of time on very small details to make sure that the overall bill and the overall proposal was done correctly. And if ever we needed an individual with that kind of attention to detail and that sensitivity to human beings, it certainly is Representative Wasserman, not the least of which is that she had the

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Garner Correctional Institute in her district -- represented it well. I know that I went down there and toured that facility. And she was more than helpful in giving to me as much information as I needed regarding those correctional issues.

So here is an individual -- I won't reveal her age, but someone who most other folks probably would be heading to one of the southern climes to enjoy warmer weather. She's up and running, and she wants to give more to the people of the state of Connecticut, and we are so blessed to have her. Thank you very much, Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Thank you, Mr. President, and I enthusiastically join in support of Julia Wasserman.

She is a treasure of Connecticut in many ways. I served with her for a couple of years as cochairs of the Program Review and Investigations, as Senator Kissel pointed out. And she has got the kind of inquiring mind that will make a big difference in the Board of Pardons and Paroles. She will be -- she's got a little cynicism in her. This is a good job to have a little cynicism in. And when she told me last

year that she was not running for reelection as a State Representative, we started talking about the Board of Pardons and Paroles, and she was kind of feeling my -- out my interest in her doing that, and I became immediate supporter.

And she's got the kind of personality, the kind of character, the kind of inquisitiveness that will make a big difference on that board. And I will say too, that continuing to serve at the age of 84 is fantastic. Sorry, John -- but I want it out there. I want people in Connecticut to know that we're not through at 84. And Julia Wasserman is a wonderful example of that. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Meyer. Will you remark?
Senator Stillman.

SENATOR STILLMAN:

Thank you, Mr. President. I, too, rise in support of the nomination of Julia Wasserman.

I think she will be a breath of fresh air for that Board of Pardons and Paroles. I served with her in the House for many, many years. I sat almost entire -- opposite of her in that large House chamber downstairs. And she is a force to be reckoned with. And she is someone who cares so much about people,

their future, and the future of the people of the state of Connecticut.

I was just -- first of all, I was surprised to see that she was even interested, but I thought, wow, what a great fit. I think that her interaction with the other members of the board will certainly go a long way towards resolving difficult issues and making good decisions. And I wholeheartedly support her nomination. Thank you, sir.

THE CHAIR:

Thank you, Senator Stillman. Senator Harp.

SENATOR HARP:

Thank you, Mr. President. I, too, rise to support the nomination of Julia Wasserman for this very, very important position.

I sat with Julia on the Appropriations Committee for 16 years until this term. And as she always sat next to me, she was always very well informed, and she really, absolutely understood two things probably better than anyone else.

She understood and understands public health. Most people don't know that she is a public health professional with a master's degree in public health. But her work has actually carved out and developed our public health system here in our state.

She also understands human nature and how the State works and what works best. And I think that combination of skills will bode well for this system that was in such dire straits until we changed it. So I look forward to her service, and I'm glad she was appointed.

THE CHAIR:

Thank you, Senator Harp. Senator Prague.

SENATOR PRAGUE:

Thank you, Mr. President. I, too, rise to support this nomination of Julia Wasserman to the Board of Pardons and Parole.

I think she'll do an excellent job. You know, she always looks at details. She was never flustered. She always was very thoughtful. Whenever she spoke, she spoke after she had thought about an issue.

I think she'll probably do an -- I'll think she'll be outstanding in this position, and I'm really glad to see this nomination. Thank you.

THE CHAIR:

Thank you, Senator Prague. Will you remark?
Senator Boucher.

SENATOR BOUCHER:

Thank you, Mr. President. I too, cannot help, but rise to sing the praises of a dear, trusted

colleague in the House, like other members of the circle that have served with this fine individual, who we are going to be benefiting from her wisdom, as we all did when we were given much, much advice. And we sorely miss that.

And I'm very pleased to see that the State of Connecticut will benefit from that long-standing wisdom -- and I won't mention the age. Thank you.

THE CHAIR:

Thank you, Senator Boucher. Senator Roraback.

SENATOR RORABACK:

Thank you, Mr. President.

When Representative Wasserman served in the House of Representatives, I would always think that if you were to ask people in a room which individual here is not a legislator, they would turn and point to Julia Wasserman, just because she had such a nice way about her, Mr. President.

I think similarly, if you were to say which individual would you not think is serving on the State Board of Pardons and Parole, one might point to Julia Wasserman as someone who is not a likely candidate. But I think the reason that we're all so enthusiastic about the prospect of having her serve, it's because behind that unlikely package of Julia lies a brain and

a heart and a sensitivity to responsibility which few people possess.

So I'm delighted to support her nomination and thank her for her service. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Roraback. Senator LeBeau.

SENATOR LeBEAU:

Very briefly, Mr. President -- the remarks of Senator Roraback, I think, just really summarized and others have summarized the wonderful person that Julia Wasserman is.

I've had the pleasure of serving with her on the Program Review Committee for a couple of stints. And there's really -- hasn't been -- nobody in this General Assembly who has served better than her. Thank you very much.

THE CHAIR:

Thank you, Senator LeBeau. Will you remark?
Senator McKinney.

SENATOR MCKINNEY:

Thank you, Mr. President. Mr. President I rise in support of this nomination and would -- just to be very brief, Julia is someone who I miss dearly in this building.

As one who's represented the great town of

Newtown for, now, my 11th year, which is Julia's hometown, I would just share with the members of the circle that there are very few people who ever will be as beloved in their hometown as Julia Wasserman is. She is one of the brightest people to ever serve.

Senator Roraback said, Not many people would look at Julia Wasserman and say there's a State Legislator. She's overqual -- she was overqualified as are you, Mr. President.

But her -- the decision that she made not to seek reelection this past election was a difficult one, because she has served so well and so honorably in this building and made such an impact on our state, but especially her town of Newtown.

And so, I am delighted that, although she is not continuing her public service in the State Legislature, she will continue her public service to the people of the state of Connecticut -- and would like to thank the Governor for her nomination. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator McKinney. Will you remark further on Senate Joint Resolution Number 38? Senator McDonald.

SENATOR McDONALD:

That you, Mr. President. If there's no objection, might this item be placed on the Consent Calendar?

THE CHAIR:

Seeing none, so ordered. Mr. Clerk.

THE CLERK:

Calendar page 7, Calendar Number 62, Senate Joint Resolution Number 39, RESOLUTION CONFIRMING THE NOMINATION OF JENNIFER ZACCAGNINI OF WATERTOWN TO BE A MEMBER OF THE BOARD OF PARDONS AND PAROLES, favorable committee report from the Judiciary Committee.

THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

Thank you, Mr. President. Mr. President I move acceptance of the Joint Committee's favorable report and adoption of the resolution.

THE CHAIR:

On acceptance and adoption, will you remark further, sir?

SENATOR McDONALD:

Thank you, Mr. President.

Mr. President, I'm pleased to bring forth this nomination. Ms. Zaccagnini -- how am I doing, Mr. President?

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THE CHAIR:

Molto bene.

SENATOR McDONALD:

Thank you, Mr. President -- is a graduate of Central Connecticut State University and received her master's degree from the University of New Haven.

Prior to this appointment, Mr. President, she worked at the Department of Children and Families, both as a social worker and then as a supervisor, and prior to that, as a residential monitor at an alternative incarceration center in Waterbury.

Mr. President, we believe that her qualifications will add yet another perspective on this board that will be well served on the board.

THE CHAIR:

Thank you, Senator McDonald. Will you remark further? Senator Kane.

SENATOR KANE:

Thank you, Mr. President.

As a graduate of Central Connecticut, and a resident of Watertown, I do hereby support Jennifer's appointment, but more importantly, she is a member of the church I belong to.

She has a wonderful family in town. She does a lot for the community and -- especially active in

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Watertown, and I wholeheartedly support her appointment today. Thank you.

THE CHAIR:

Thank you, Senator Kane. Will you remark further? Senator McDonald.

SENATOR McDONALD:

If there's no objection, Mr. President, might this item be placed on the Consent Calendar?

THE CHAIR:

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

THE CLERK:

Calendar page 7, Calendar Number 63, Senate Joint Resolution Number 40, RESOLUTION CONFIRMING THE NOMINATION OF REMI ACOSTA, JR., OF WATERBURY TO BE A MEMBER OF THE BOARD OF PARDONS AND PAROLES, favorable report of the Judiciary Committee.

THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

Thank you, Mr. President. I move acceptance of the Joint Committee's favorable report and adoption of the resolution.

THE CHAIR:

On acceptance and adoption, sir, will you remark further?

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SENATOR McDONALD:

Thank you, Mr. President. I will.

Mr. Acosta is -- was the executive director of the Hispanic Coalition of Greater Waterbury and previously served as an administrator in the Department of Corrections and, for a time, about seven years, I believe, was a warden in the Department of Corrections, and I commend him to the circle.

THE CHAIR:

Thank you, Senator McDonald. Will you remark further on Senate Joint Resolution Number four zero -- number 40? Senator McDonald.

SENATOR McDONALD:

Mr. President, if there's no objection, might this item be placed on the Consent Calendar.

THE CHAIR:

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

THE CLERK:

Calendar page 7, Calendar Number 64, Senate Joint Resolution Number 41, RESOLUTION CONFIRMING THE NOMINATION OF DAVID J. MAY OF EAST HAMPTON TO BE A MEMBER OF THE BOARD OF PARDONS AND PAROLES, favorable report of the Judiciary Committee.

THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

Mr. President, I move acceptance of the Joint Committee's favorable report and adoption of the resolution.

THE CHAIR:

On acceptance and adoption, sir, will you remark further?

SENATOR McDONALD:

I will, Mr. President.

Mr. President, members of the circle may regret that this is the last nomination I have to bring up today, but I certainly appreciate everybody's patience while we go through these important nominations.

Mr. President, Mr. May is a graduate of Eastern Connecticut State University and has had a number of different careers that all speak highly of this nomination. He previously was -- I'm sorry. He works for the judicial branch in -- as a temporary juvenile detention manager. He previously worked as the program director of the Youth Continuum and held various positions within the Department of Corrections over an extended period of time, including as a counselor, as a deputy warden, as a director, and then ultimately, as a warden.

THE CHAIR:

Thank you, Senator McDonald. Will you remark further on Senate Joint Resolution Number 41? Will you remark further? If not, Senator McDonald.

SENATOR McDONALD:

Thank you, Mr. President. Mr. President, if there's no objection, might this item be placed on the Consent Calendar?

THE CHAIR:

Seeing none, so ordered. Mr. Clerk.

THE CLERK:

Mr. President, calendar page 8, Calendar Number 20, Senate Resolution Number 10, RESOLUTION CONFIRMING THE NOMINATION OF DOUGLAS W. FELLOWS, M.D., OF FARMINGTON TO BE A MEMBER OF THE CONNECTICUT MEDICAL EXAMINING BOARD, AS A FULL-TIME FACULTY MEMBER OF THE UNIVERSITY OF CONNECTICUT MEDICAL SCHOOL, favorable report of the Committee on Executive Nominations.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President I move acceptance of the Senate committee's favorable report and urge adoption of the resolution.

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Thank you, Senator Looney. Will you remark further on acceptance and adoption of the resolution, sir?

SENATOR LOONEY:

Yes. Thank you, Mr. President.

Mr. President, Dr. Douglas Fellows is from Farmington. He has his bachelor degree in physical therapy from the University of Connecticut, a master's in anatomy from Ohio State University, and his MD degree from the Boston University School of Medicine.

His professional background includes a 30-year career in the Army Medical Department, served as a radiology consultant to the Surgeon General, holds medical licenses in Connecticut, Maryland, Massachusetts -- multiple publications, presentations, invited lectures and military and civilian committees, and offices. And he is very well motivated, and looks forward to his service on the Connecticut Medical Examining Board.

THE CHAIR:

Thank you, Senator Looney. Will you remark further on Senate Resolution Number 10? Will you remark further? Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President. If there's no

objection, would move to place this item on the
Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered. Mr. Clerk.

THE CLERK:

Calendar Number 21, Senate Resolution Number 11,
RESOLUTION CONFIRMING THE NOMINATION OF HENRY E.
JACOBS, M.D., J.D., OF WEST HARTFORD TO BE A MEMBER OF
THE CONNECTICUT MEDICAL EXAMINING BOARD, AS A
PHYSICIAN LICENSED TO SUPERVISE PHYSICIANS ASSISTANTS,
favorable report of the Committee on Executive and
Legislative Nominations.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President. Mr. President, I
move acceptance of the Senate committee's favorable
report and adoption of the resolution.

THE CHAIR:

On acceptance and adoption of the resolution,
will you remark further, sir?

SENATOR LOONEY:

Yes. Thank you, Mr. President.

Mr. President, Dr. Jacobs resides in West
Hartford. He has the unusual distinction of having

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both a medical and law degree, his MD from UConn Medical School, and his JD degree from Western New England law school 30 years later.

He's lived in Hartford for 60 years, has served in many capacities in Connecticut medicine -- include being a senior attending physician in OB/GYN at Hartford Hospital, attending staff at UConn Dempsey Hospital, attending staff at Hartford Surgical Center.

As an attorney, he is consulted on standard of care and prepared an amicus memorandum for the Connecticut State Medical Society on the issues of absolute versus qualified immunity. In peer review, he is someone who has a very distinguished background and is certainly well qualified to serve on the medical examining board.

THE CHAIR:

Thank you, Senator Looney. Will you remark?
Will you remark further on Senate Resolution
Number 11? Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. If there's no
objection, would move to place this item on the
Consent Calendar.

THE CHAIR:

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

THE CLERK:

Calendar Number 22, Senate Joint Resolution
Number 25, RESOLUTION CONFIRMING THE NOMINATION OF
COMMISSIONER MICHAEL P. MEOTTI OF WEST HARTFORD TO BE
A MEMBER OF THE NEW ENGLAND BOARD OF HIGHER EDUCATION,
favorable report of the Committee on Executive and
Legislative Nominations.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President. Mr. President, I
move acceptance of the Joint Committee's favorable
report and adoption of the resolution.

THE CHAIR:

On acceptance and adoption, will you remark
further, sir?

SENATOR LOONEY:

Yes. Thank you, Mr. President.

Mr. President, we know Mr. Michael Meotti is also
our State Commissioner of Higher Education, a former
distinguished member of the Connecticut State Senate
-- has his undergraduate degree from the Georgetown
University School of Foreign Service, and his law
degree from Georgetown University Law Center.

As Commissioner of the Department of Higher

Education, he has also served on the National Association of State Higher Education, executive committees for federal relations data and information systems. Again, during his eight-year career in the State Senate he served as -- during that time as assistant Majority Leader and served for a time as vice chair of the Education Committee.

He's also been President of the United Way of Connecticut and served as president of the Connecticut Policy and Economic Council, Chair of the Board of Governors' Tuition Policy Review Committee, a member of the Board of Governors' Public Agenda Advisory Committee.

As we all know, he's a very thoughtful scholar of government, and he has a deep and thorough understanding of the valuable work of the New England Board of Higher Education and will make a significant contribution to that regional body.

THE CHAIR:

Thank you, Senator Looney. Senator Handley.

SENATOR HANDLEY:

Thank you, Mr. President.

As a person who is now sitting in the seat that Mike Meotti once upon a time filled so well, I want to stand to encourage the members of the circle to

support his nomination.

THE CHAIR:

Thank you, Senator Handley. Will you remark?
Will you remark further on Senate Joint Resolution
Number 25? Senator Looney.

Will you remark further? If not, Mr. Clerk,
please call for a roll call vote. The machine will be
open.

THE CLERK:

Immediate roll call has been ordered in the
Senate. Will all senators please return to the
chamber. Immediate roll call has been ordered in the
Senate. Will all senators please return to the
chamber.

THE CHAIR:

Have all senators voted? If all senators have
voted, please check your vote. The machine will be
locked. The clerk will call the tally.

THE CLERK:

Motion is on adoption, Senate Joint Resolution
Number 25: Total number voting 35, those voting
yea 34, those voting nay 1, those absent/not voting 1.

THE CHAIR:

Senate Joint Resolution Number 25 passes.

Senator Looney -- Mr. Clerk. I'm sorry.

THE CLERK:

Calendar page 9, Calendar Number 23, Senate Joint Resolution Number 26, RESOLUTION CONFIRMING THE NOMINATION OF AMALIA BZDYRA OF WALLINGFORD TO BE A COMMISSIONER OF THE PUBLIC UTILITIES CONTROL AUTHORITY, favorable report of the Committee on Executive and Legislative Nominations.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President. Mr. President, I move acceptance of the Joint Committee's favorable report and adoption of the resolution.

THE CHAIR:

On acceptance and adoption of the resolution, will you remark further, sir?

SENATOR LOONEY:

Yes. Thank you, Mr. President. Mr. President, Amalia Bzdyra is a resident of Wallingford -- holds a bachelor's degree from Southern Connecticut State University, her law degree from Western New England College School of Law.

Many of us have known her for a lengthy period of time in the various capacities in state government in which she has distinguished herself over the years and

now is a very distinguished nominee to be a commissioner of the Public Utility Control authority.

She is someone whose diversity of experience in state government is probably unrivaled and unparalleled. She is currently serving as Deputy Commissioner of the Department of Social Services. She has been chair of the State Contracting Standards Board -- during a time in the private sector, was a vice president of the Connecticut Hospital Association.

She has served as director of legal legislative and policy affairs for the Office of Policy and Management, was a legislative counsel for the office of the chief court administrator in the judicial department, and was an associate LCO attorney for the General Assembly.

She has served in all three branches of government, and with great distinction in each. Her community involvement includes assisting in establishing the Capitol Child Development Center, worked to establish the Connecticut Hispanic Bar Association, has been chair of the Employment Services Advisory Council and chair of the Office of Victim Services placement study.

She has, again, as I said, served in all three

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branches of state government, affording her a great and wide-ranging and profound knowledge and understanding of how things work in government at all levels and from all sides. She will be a very distinguished commissioner as someone who, we all know, immerses herself in policy questions and detail -- will in a very short period of time, I'm sure, become the most comprehensively well-schooled commissioner, with an understanding, in great depth, of the policy areas in which she will work on the Public Utilities Commission.

So again, would strongly urge her confirmation. And we're very fortunate to, once again, have her serving in a very significant capacity for the State of Connecticut. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Looney. Will you remark?
Remark further on Senate Joint Resolution Number 26?
Senator Looney.

SENATOR LOONEY:

'Yes. Thank you, Mr. President. I would certainly want to commend the Governor greatly on this nomination and, if there's no objection, would move this item to the Consent Calendar.

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

THE CLERK:

Calendar 47, House Joint Resolution Number 17,
RESOLUTION CONFIRMING THE NOMINATION OF KEVIN M.
DELGOBBO OF NAUGATUCK TO BE A COMMISSIONER OF THE
PUBLIC UTILITIES CONTROL AUTHORITY, favorable report
of the Committee on Executive and Legislative
Nominations.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President. Mr. President, I
move acceptance of the Joint Committee's favorable
report and adoption of the resolution.

THE CHAIR:

On acceptance and adoption of the resolution,
will you remark further, sir?

SENATOR LOONEY:

Yes. Thank you, Mr. President.

As we all know, our former colleague in the House
of Representatives, Kevin DelGobbo, has been nominated
by Governor Rell to be commissioner of the Public
Utilities Control Authority. As we all know, Kevin
DelGobbo is someone whose specialty was energy related
issues during his service in the General Assembly --

is someone who is extraordinarily well prepared to take on this difficult assignment in these challenging times.

He holds a bachelor of arts degree from the University of Connecticut, where he also took traditional graduate work -- has completed academic programs at Jagiellonian University in Poland, and Norwich University, Russian School.

Again, we all know him from his service in the General Assembly, House of Representatives, from -- representing Naugatuck 1997 to 2008, where he served on the Finance Revenue and Bonding Committee, the GAE Committee, Regulations Review, Program Review and Investigations, Select Committee on Aging -- and was for a long time the ranking member of the Appropriations Committee and the Energy and Technology Committee.

His community service, apart from his work in the General Assembly, includes being president of the United Way of Naugatuck, active in the Naugatuck YMCA Capital Campaign, Naugatuck Day Care, a member of the board of the Waterbury Symphony.

He is someone who has devoted a life to public service and is extraordinarily well prepared to take on this important assignment now. Thank you, Mr.

President.

THE CHAIR:

Thank you, Senator Looney. Will you remark?

Senator Crisco.

SENATOR CRISCO:

Thank you, Mr. Vice President.

I speak to endorse Mr. DelGobbo. As a member of the Naugatuck delegation, along with Senator Hartley and Representative Labriola, we've had the pleasure of working with him for the past numerous years, and, as Senator Looney mentioned, he is an outstanding individual.

You kid him, and tell him that he, like, died and went to heaven, with this nomination, along with Chairman Bukowski. So -- but, we're very fortunate to have an individual with such expertise and knowledge, and who will make a fine contribution to the Department of Public Utilities. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Crisco. Senator Hartley.

SENATOR HARTLEY:

Thank you, Mr. President and I rise, also, to support the nomination of Kevin DelGobbo to be on the DPUC.

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As everyone has so articulately stated, Kevin comes very well poised to take on the challenges that will be presented to him as a commissioner there, and in the same breath, we will miss him as a representative in Naugatuck. I have enjoyed, over the years, working with him. He is a committed, dedicated public servant, and we will be very well served by this nomination. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Hartley. Will you remark further on House Joint Resolution Number 17? If not, Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President. If there's no objection, I would move to place this item on the Consent Calendar.

THE CHAIR:

Seeing none, so ordered. Mr. Clerk.

THE CLERK:

Calendar Number 48, House Joint Resolution Number 19, RESOLUTION CONFIRMING THE NOMINATION OF THE HONORABLE JAMES P. GINOCCHIO OF GOSHEN TO BE A MEMBER OF THE JUDICIAL REVIEW COUNCIL, AS A JUDGE, favorable report of the Committee on Executive and Legislative Nominations.

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THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President I move acceptance of the Joint Committee's favorable report and adoption of the resolution.

THE CHAIR:

On acceptance and adoption of the resolution, will you remark further, sir?

SENATOR LOONEY:

Yes. Thank you, Mr. President.

Earlier today, this chamber voted on Judge Ginocchio's renomination as a judge of the Superior Court. At this point, we are considering his nomination by the Governor to be a member of the Judicial Review Council, and he is certainly well qualified for that appointment.

It's a difficult assignment in which judges sit in judgment of other judges, but he has -- certainly does have the qualifications to do that. He has received his bachelor's degree in political science from Fairfield University, holds his law degree from the Bridgeport University school of law, currently serves as a judge presiding over criminal matters in the Bridgeport area.

His service, primarily in the Bridgeport district, included in one term presiding over 17 jury trials that went to verdict in the year before he was appointed presiding judge. He has also presided over criminal arraignments, housing courts, civil and family trials, administrative appeals in the Danbury judicial district.

Prior to his appointment to the bench, he served for nine years as an assistant public defender assigned to the Superior Court in Norwalk. So he has seen the criminal law from every side, and a distinguished career as someone of very seasoned judgment, and is very well aware of the significant responsibility of being a member of the Judicial Review Council.

THE CHAIR:

Thank you, Senator Looney. Will you remark? Will you remark further on House Joint Resolution Number 19? Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President. Mr. President, if there's no objection, would move to place this item on the Consent Calendar.

THE CHAIR:

Seeing none, so ordered. Mr. Clerk.

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THE CLERK:

Calendar Number 49, House Joint Resolution
Number 20, RESOLUTION CONFIRMING THE NOMINATION OF
JUSTIN R. CLARK, ESQUIRE, OF WEST HARTFORD TO BE A
MEMBER OF THE JUDICIAL REVIEW COUNCIL, AS AN ATTORNEY,
favorable report of the Committee on Executive and
Legislative Nominations.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Yes, Mr. President. Thank you, Mr. President.

I move acceptance of the Joint Committee's
favorable report and adoption of the resolution.

THE CHAIR:

Acting on acceptance and adoption of the
resolution, will you remark further, sir?

SENATOR LOONEY:

Yes. Thank you, Mr. President.

Mr. President, Attorney Justin Clark is a
resident of West Hartford. He holds his bachelor's
degree in economics and government from Wesleyan
University, a Master of Science in professional
accounting from the University of Hartford, and his
law degree from the University of Connecticut School

of Law.

He served as a law clerk to Justice Peter Zarella from May of 2006 to July of 2007 -- has been an associate with Robinson & Cole with trial and appellate experience, currently serves as an associate with the law firm of Pepe & Hazard, and has served a special counsel for the town of Newington's Charter Revision Commission.

He understands greatly the significance of serving as an attorney member of the Judicial Review Council and, I'm sure, will serve with distinction there. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Looney. Will you remark further on House Joint Resolution Number 20? Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President. If there's no objection, I would move to place this item on the Consent Calendar.

THE CHAIR:

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

THE CLERK:

Calendar page 10, Calendar Number 50, Senate Joint Resolution Number 27, RESOLUTION CONFIRMING THE

NOMINATION OF REVEREND SHELLEY COPELAND OF HARTFORD TO
BE A MEMBER OF THE COMMISSION ON HUMAN RIGHTS AND
OPPORTUNITIES, favorable report of the Committee on
Executive and Legislative Nominations.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President. Mr. President, I
move acceptance of the Joint Committee's favorable
report and adoption of the resolution.

THE CHAIR:

On acceptance and adoption of the resolution,
will you remark further, sir?

SENATOR LOONEY:

Yes. Thank you, Mr. President.

Mr. President, Reverend Copeland is a resident of
Hartford. She is a graduate of Central Connecticut
State University, also a graduate of the Hartford
Seminary with a Master's of Arts in Religious
Leadership -- has a Master of Divinity degree from the
Yale University Divinity School, Doctor of Ministry
from the Hartford Seminary.

Her professional experience includes serving as
executive director of the Capital Region Conference of
Churches, Assistant Director of the Black Ministries

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Program, pastor of Workman Memorial AME Zion Church, has been assistant director of the Office of Public Information at -- for the Connecticut Department of Children and Families.

Her community involvement includes service as board president, cofounder of the Sons of Thunder Coalition, Neighborhoods of Hartford Incorporated, a board member of the Salvation Army.

She is someone who brings a strong sense of advocacy and the pursuit of justice and will serve with distinction on the Commission of Human Rights and Opportunities.

THE CHAIR:

Thank you, Senator Looney. Will you remark? Will you remark further on Senate Joint Number 27? Senator Coleman.

SENATOR COLEMAN:

Thank you, Mr. President.

Mr. President, Reverend Copeland serves on the ministerial staff at the Metropolitan AME Zion Church, a church that I am a member of.

I intend to vote for her in hopes that she intends to continue to pray for me -- as well as the rest of us, I might add.

She's a dynamic leader at the church, and I have

every confidence that she will be a dynamic leader at the Commission on Human Rights and Opportunities. I commend the Governor for this nomination. Thank you, Mr. President.

THE CHAIR:

Amen, Senator Coleman.

Would anyone else like to speak on Senate Joint Resolution Number 27? Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President. If there's no objection, would move to place this item on the Consent Calendar.

THE CHAIR:

Hearing and seeing none, so ordered. Mr. Clerk.

THE CLERK:

Calendar Number 51, Senate Joint Resolution Number 28, RESOLUTION CONFIRMING THE NOMINATION OF MILTON JOHNSON OF BRIDGEPORT TO BE A MEMBER OF THE COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES, favorable report of the Committee on Executive and Legislative Nominations.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President. Mr. President, I

move acceptance of the Joint Committee's favorable report and adoption of the resolution.

THE CHAIR:

On acceptance and adoption of the resolution, will you remark further, sir?

SENATOR LOONEY:

Yes. Thank you, Mr. President. Mr. President, Mr. Milton Johnson, who has been nominated to serve on the Commission of Human Rights and Opportunities -- is a resident of Bridgeport.

He is a police officer in the city of Bridgeport -- is a -- received a certificate in culinary arts from Bullard-Havens Technical School, attended Housatonic Community College, and is a member of the Greater Bridgeport Board of REALTORS, is also an owner of ML Johnson Real Estate Services, has served as an executive board member of the Bridgeport Guardians, which is an organization of minority police officers -- has been very active in the community, and I would urge the approval of his confirmation as a member of the Commission on Human Rights and Opportunities.

THE CHAIR:

Thank you, Senator Looney. Will you remark? Will you remark further? Senator McKinney.

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SENATOR MCKINNEY:

Thank you, Mr. President.

Very briefly, Mr. President. I rise in support of this nomination and want to say that it is indeed -- was an honor and a privilege for me to appoint Milton Johnson to the Commission on Human Rights and Opportunity.

He has been serving the people of Bridgeport well as a police officer. He is a good man and has a lot to offer, and I look forward to his service on the CHRO. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator McKinney. Will you remark further on Senate Joint Resolution Number 28? Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President. If there's no objection, Mr. President, I would move to place this item on the Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered. Mr. Clerk.

THE CLERK:

Calendar Number 52, Senate Joint Resolution Number 29, RESOLUTION CONFIRMING THE NOMINATION OF THERESA HOPKINS--STATEN OF WEST HARTFORD TO BE A MEMBER

OF THE STATE BOARD OF EDUCATION, favorable report of the Committee on Executive and Legislative Nominations.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President. Mr. President, I move acceptance of the Joint Committee's favorable report and adoption of the resolution.

THE CHAIR:

On acceptance and adoption of the resolution, will you remark further?

SENATOR LOONEY:

Yes. Thank you, Mr. President.

Ms. Theresa Hopkins-Staten has been nominated to serve on the State Board of Education. She holds a bachelor's degree in sociology from the University of Connecticut, her law degree from the University of Connecticut School of Law, an Honorary Doctorate of Humane Letters.

Her professional experience includes having been a campaign director of the Connecticut Light and Power Company, chair and president of the Northeast Utilities Foundation, director of corporate community relations and programs for the Northeast Utilities

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foundation.

She is also very active and distinguished in community service as a trustee of the National Urban League, a member of the board of directors of the Greater Hartford Arts Council, executive board, has served on the MetroHartford Alliance Diversity and Inclusion Committee, and is president of the University of Connecticut African-American Alumni Council.

And she will certainly be a distinguished member of the State Board of Education.

THE CHAIR:

Thank you, Senator Looney. Will you remark? Will you remark further on Senate Joint Resolution Number two nine? Will you remark further? Senator Kissel, are you going to speak on this?

SENATOR KISSEL:

Yes, sir, Mr. President.

THE CHAIR:

Okay, sir. Please proceed.

SENATOR KISSEL:

Oh, I just stand in strong support of this nominee. I've had an opportunity to work with her on a personal basis -- and clearly, an outstanding candidate, and I think she'll bring an awful lot to

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the State Board of Education.

THE CHAIR:

Thank you, Senator Kissel. Will you remark?
Will you remark further on Senate Joint Resolution
Number 29? Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President. Mr. President,
if there's no objection, would move to place this item
on the Consent Calendar.

THE CHAIR:

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

THE CLERK:

Calendar Number 53, Senate Joint Resolution
Number 30, RESOLUTION CONFIRMING THE NOMINATION OF
CHERYL L. CLARKE OF MIDDLETOWN TO BE A MEMBER OF THE
COMMISSION ON HUMAN RIGHTS AND OPPORTUNITIES,
favorable report of the Committee on Executive and
Legislative Nominations.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President. Mr. President, I
move acceptance of the Joint Committee's favorable
report and adoption of the resolution.

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Acting on acceptance and adoption of the resolution, will you remark further, sir?

SENATOR LOONEY:

Yes. Thank you, Mr. President.

Mr. President, Ms. Clarke is a resident of Middletown. She holds an associate degree in business management from Albertus Magnus College in New Haven -- has extensive managerial communications, customer service and leadership training, extensive experience in race relations building, including -- inclusion team building, and efficacy training.

Her experience, her professional experience includes supplier relations specialist for Northeast Utilities, has been a subcontract administrator for Bell Atlantic Mobile, has been a call center manager, staff manager for Southern New England Telephone.

She has been very active in the community as well, is vice president of the American Association of Blacks in Energy, board member of the Connecticut Minority Supplier Development Council, served as a volunteer facilitator for the city of New Britain, and a business agent for Teamsters local early in her career.

She is someone with a great deal of experience and diversity. She is being reappointed to serve a

term that was, unfortunately, cut short by a serious illness, from which she now has recovered. And we look forward to her continuing service on the Commission on Human Rights and Opportunities.

THE CHAIR:

Thank you, Senator Looney. Will you remark further on Senate Joint Resolution Number 30? Will you remark? Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President. If there's no objection, would move to place this item on the Consent Calendar.

THE CHAIR:

Seeing no objection, so ordered. Mr. Clerk.

THE CLERK:

Calendar Number 54, Senate Joint Resolution Number 31, RESOLUTION CONFIRMING THE NOMINATION OF LINDA E. MCMAHON OF GREENWICH TO BE A MEMBER OF THE STATE BOARD OF EDUCATION, favorable report of the Committee on Executive and Legislative Nominations.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President. Mr. President, I move acceptance of the Joint Committee's favorable

report and adoption of the resolution.

THE CHAIR:

On acceptance and adoption of the resolution, will you remark further, sir?

SENATOR LOONEY:

Yes. Thank you, Mr. President.

Mrs. McMahon has been nominated by the Governor to be a member of the State Board of Education. She holds a bachelor's degree in French, with a certification to teach from East Carolina University.

Professional experience includes her status as Chief Executive Officer of World Wrestling Entertainment of Stamford. Since 2004, she has served on the Board of Trustees of Sacred Heart University. She began her professional career as a paralegal in the probate department for a large law firm.

She and her husband, of course, have built up a very large and successful business in the Stamford area, and she has used her global company to undertake many programs, including one called the Get REAL Program, which brings WWE stars into schools to promote respect in education, achievement and leadership.

And her company is known for a great deal of outreach, and in the schools around the state, has

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also -- has worked the professional stars of professional wrestling into a promotion of voter registration programs for young people. And has also managed and led a number of programs to encourage and celebrate youth volunteerism.

She will bring the spirit of hard work and a strong business sense and a sense of accountability to the State Board of Education, and would urge approval of her nomination. Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

I'd like to remind everyone the use of cell phones is not permitted within the chambers. If you're going to use your cellphone, if you could take it to the outer rooms, please. Thank you.

Senator Hartley.

SENATOR HARTLEY:

Good afternoon, Mr. President. Mr. President I rise reluctantly in opposition to the nomination of Linda McMahon to be a member of the State Board of Education.

While I do not question Ms. McMahon's business acumen, and even her business success, I do question the fact that she be a nominee to serve on the Board of Education. And while I may have supported her in a

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different kind of a nomination, I cannot, with regard to her serving on the board -- the State Board of Education.

So, for that reason I will not be supporting her. Thank you, Mr. President.

THE CHAIR:

Thank you, ma'am. Senator Frantz.

SENATOR FRANTZ:

Thank you, Mr. President. I rise in favor of Ms. Linda McMahon's nomination.

I think the Governor has given us a great candidate here for the State Board of Education and also a great business mind.

And if anybody is wrestling with this decision, I'd like to attest first -- firsthand to her high level of devotion to, not only the community, but the process of democracy starting with some of the younger children all throughout this country -- supporting the troops, supporting those who put themselves in harm's way for our country's benefit, for our own individual benefit, and also for her specific support of education and literacy in particular.

I believe that all boards and commissions in the state of Connecticut and throughout the country can stand to benefit from great minds like this with this

kind of experience, regardless of what kind of business they're in. There's no question that these sorts of decision makers will bring certain -- a sense of urgency to the process at that very high level within the state.

And I also want you to know that she's a terrific person to work with. She's a great consensus builder and yet, at the same time, a great leader, and she's very compassionate and, of course, keenly interested in education in particular. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Frantz. Will you remark?
Senator McDonald.

SENATOR McDONALD:

Thank you, Mr. President. Mr. President, I rise in support of the nomination.

I didn't want my friend and colleague from Greenwich to think that I was on the opposite side of the ring from him. But I find myself in his corner on this one.

Mr. President, I didn't know Ms. McMahon until I had an opportunity to sit down and talk with her a week ago. I was certainly familiar with the success of the company that she and her husband built. And while I do not consider her to be an educator, as it

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were, I do consider her to be an accomplished businesswoman who has certainly established a foothold in lower Fairfield County as a very responsible businesswomen.

And I think, speaking to her credentials to be on the State Board of Education, she has a -- an ability to work in large organizations and manage them effectively.

I do want to say what -- something here that I said to her privately, and that is that I think that the responsibility of somebody in her position is not only to volunteer, but to bring that message back to -- not only to her own company, but around the state. And she did commit to me that, even with her responsibilities as the CEO of a large corporation, that she would make a personal effort to visit districts around the state and understand the total aspect of the educational operation that she's going to be asked to help manage.

So I think, not because of her educational background or experience, but because of her organizational and business experience, I think it's something that the State Board of Education needs now.

And I hope I am right. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator McDonald. It's good to see you and Senator Frantz are on the ropes.

Will you remark further on Senate Joint 31?

Senator Harp.

SENATOR HARP:

Thank you. Very quickly, I just want to rise to support Ms. McMahon, as well. She has supported schools in my district and has shown, through her philanthropy, that she is intensely interested in achievement in all areas.

THE CHAIR:

Thank you, Senator Harp. Senator Caligiuri.

SENATOR CALIGIURI:

Thank you, Mr. President. I rise in support of this nomination.

I spent well over an hour meeting with Ms. McMahon, asking her tough questions that some of my constituents were asking me. And having met with her and studied her record, I believe, on balance, that she is worthy of our support and should serve on the State Board of Education. And I'd just like to briefly point out a couple of things that were influential to me in my own decision making.

Number one, as has been pointed out, she's a very successful businesswoman, and she has been able to run

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a very successful and large enterprise. From that perspective, she's got the ability to bring to the State Board of Education a perspective of what our current day workforce needs in the way of educating our children. Because she's running a large company with substantial responsibilities, I think she can bring that perspective to the State Board of Education.

Probably our hardest conversation was about trying to reconcile the image that professional wrestling, the industry that she is peddling, with the best interests of our children, and that's where I got the toughest questions from my constituents. And I think it's fair to say, having spoken with Ms. McMahon, that she and the organization that she runs, recognizing increasingly the responsibility that they have to be responsible in the work that they do, and that they've taken a number of steps to ensure that they're being good corporate citizens vis-a-vis our children and our youth.

And I would just point out two things in particular that she has worked on that I think are noteworthy: Number one, the Get REAL Program, which is designed to use the influence that their personalities have to positively influence our kids in

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school; and number two is the conscientious and deliberate move that the organization she runs made to change the programming on television that they have so that they can improve their rating from TV-14 to PG, all in recognition of the influence that the programming she is responsible for can have on our young people.

I would just note, when I was trying to ascertain just how to reconcile these competing interests and different things that I heard, the number of corporate sponsors that they have who themselves would have tremendous reputational risk if they were to associate with an organization that would ultimately not be to their benefit, and when you consider some of the sponsors that her organization has, including the Gillette Corporation, I think, on balance, that speaks to the fact that they run an enterprise which is not only successful, but which is increasingly aware of the role that they play in influencing young people and which is trying to use that influence in a positive way.

And for those reasons, I believe that Ms. McMahon ought to be appointed to our State Board of Education, and I will be supporting her nomination. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Caligiuri. Will you remark further on Senate Joint Resolution Number 31? Will you remark further? If not, Mr. Clerk please call for a roll call vote. The machine will be open.

THE CLERK:

Immediate roll call has been ordered in the Senate. Will all senators please return to the chamber. Immediate roll call has been ordered in the Senate. Will all senators please return to the chamber.

THE CHAIR:

Have all senators voted? If all senators have voted, please check your vote. The machine will be locked. The clerk will call the tally.

THE CLERK:

Motion is on adoption, Senate Joint Resolution Number 31: Total number voting 35, those voting yea 34, those voting nay 1, those absent/not voting 1.

THE CHAIR:

Senate Joint Resolution Number 31 passes.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. At this point would call for a vote on today's Consent Calendar.

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THE CHAIR:

Mr. Clerk.

THE CLERK:

Mr. President those items placed on the Consent Calendar begin on calendar page 1: Calendar Number 25, House Joint Resolution Number 21; Calendar Number 26, House Joint Resolution Number 22.

Calendar page 2: Calendar Number 27, House Joint Resolution Number 23; Calendar Number 28, House Joint Resolution Number 24; Calendar Number 30, House Joint Resolution Number 26.

Calendar page 3: Calendar Number 32, House Joint Resolution Number 28; Calendar Number 33, House Joint Resolution Number 29; Calendar Number 34, House Joint Resolution Number 30; Calendar Number 35, House Joint Resolution Number 31.

Calendar Page 4: Calendar Number 38, House Joint Resolution Number 34; Calendar Number 39, House Joint Resolution Number 35; Calendar Number 40, House Joint Resolution Number 36; Calendar Number 41, House Joint Resolution Number 37.

Calendar page 5, Calendar Number 42, House Joint Resolution Number 38; Calendar 43, House Joint Resolution Number 39; Calendar Number 44, House Joint Resolution Number 40; Calendar Number 45, House Joint

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Resolution Number 41; Calendar Number 46, House Joint
Resolution Number 42.

Calendar page 6, Calendar Number 55, Senate Joint
Resolution Number 32; Calendar 56, Senate Joint
Resolution Number 33; Calendar Number 57, Senate Joint
Resolution Number 34; Calendar Number 58, Senate Joint
Resolution Number 35; Calendar Number 59, Senate Joint
Resolution Number 36.

Calendar page 7: Calendar Number 60, Senate
Joint Resolution Number 37; Calendar Number 61, Senate
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Joint Resolution Number 40; Calendar Number 64, Senate
Joint Resolution Number 41.

Calendar page 8: Calendar Number 20, Senate
Resolution Number 10; Calendar Number 21, Senate
Resolution Number 11; Calendar page 9, Calendar
Number 23, Senate Joint Resolution Number 26; Calendar
Number 47, Senate Joint Resolution Number 17; Calendar
Number 48, Senate Joint Resolution Number 19; Calendar
Number 49, House Joint Resolution Number 20; Calendar
page 10: Calendar Number 50, Senate Joint Resolution
Number 27; Calendar Number 51, Senate Joint Resolution
Number 28; Calendar Number 52, Senate Joint Resolution
Number 29; and Calendar Number 53, Senate Joint

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[HJR19]

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Resolution Number 30.

Mr. President that completes those items placed on the first Consent Calendar.

THE CHAIR:

Thank you, Mr. Clerk. Please call for a roll call vote again. The machine will be open.

THE CLERK:

Immediate roll call has been ordered in the Senate on the Consent Calendar. Will all senators please return to the chamber. Immediate roll call has been ordered in the Senate on the Consent Calendar. Will all senators please return to the chamber.

THE CHAIR:

Have all senators voted? If all senators have voted please check your vote. The machine will be locked. The clerk will call the tally.

THE CLERK:

Motion is on adoption of Consent Calendar Number 1: Total number voting 35, those voting yea 35, those voting nay 0, those absent/not voting 1.

THE CHAIR:

Consent Calendar Number 1 passes.

At this time I will entertain any points of personal privileges or announcements. Senator Harris.

SENATOR HARRIS:

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Thank you, Mr. President. For purposes of an announcement.

THE CHAIR:

Please proceed, sir.

SENATOR HARRIS:

Thank you. I'll try not to well up on this one.

THE CHAIR:

Okay.

SENATOR HARRIS:

But I'd like to announce that, Mr. President, the Public Health Committee meeting, which was originally scheduled for Friday, February 13, has been canceled, per Senator DeBicella and I -- deciding that we'd let people go away for the weekend, right?

But we will have a Public Health Committee meeting on Wednesday, February 18th, and I believe that will be at 10 a.m. in 1D. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Harris. Senator Williams.

SENATOR WILLIAMS:

Thank you, Mr. President. Just want to inform the Senate Democrats, we will have a caucus immediately after our session here.

We have a lot of important information to discuss

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February 11, 2009

in a relatively short amount of time, so the sooner we get in there the better. Thank you, Mr. President.

THE CHAIR:

Thank you, sir. Anyone else -- points of personal privilege or announcements? Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. For a journal notation, first of all, Senator Gaffey is absent today, missed votes due to the tragic loss, recently, in his family.

And also Mr. President, having concluded, it's our intention to likely be in session again, two weeks from today, on February 25th.

So, if no one else is seeking recognition for purposes of announcement or personal privilege, Mr. President, would move that the Senate stand adjourned subject to the call of the Chair.

THE CHAIR:

The Senate will stand adjourned subject to the call of the Chair.

On motion of Senator Looney of the 11th, the Senate at 3:27 p.m., adjourned subject to the call of the Chair.

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SENATE

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February 13, 2009

THE CONNECTICUT GENERAL ASSEMBLY

SENATE

FEBRUARY 13, 2009

The Senate was called to order, at 10:13 a.m. in accordance with the provisions of Senate Rule 9(b) and under the authority of the President Pro Tempore and the Senate Minority Leader.

THE CHAIR:

The Senate will please come to order. Please give your attention to Acting Chaplain Lois Kelly of Windsor, who will lead us in prayer.

ACTING CHAPLAIN LOIS KELLY:

Dear Lord, give us the hindsight to know where we have been, the foresight to know where we are going, and the insight to know when we are going too far. Amen.

THE CHAIR:

Pursuant to Senate Rule 9(b) the Senate is called into Session by the Office of the Senate Clerk under the authority of the President Pro Tempore and Senate Minority Leader.

It is hereby moved that Senate Agenda Number 1, dated Friday, February 13, 2009, is adopted, the items on said Agenda shall be acted upon as indicated, and that the Agenda shall be incorporated into the Senate Journal and Senate Transcript.

With no further business remaining on the Clerk's desk, the Senate stands adjourned.

The Senate, at 10:15 a.m., adjourned under provisions of Senate Rule 9(b) subject to the call of the chair.

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SENATE

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February 17, 2009

THE CONNECTICUT GENERAL ASSEMBLY

SENATE

FEBRUARY 17, 2009

The Senate was called to order, at 10:08 a.m., in accordance with the provisions of Senate Rule 9(b) and under the authority of the President Pro Tempore and the Senate Minority Leader.

THE CHAIR:

The Senate will please come to order. Please give your attention to the Acting Chaplain, Frank A. Forzano, of South Windsor, who will lead us in prayer.

ACTING CHAPLAIN FRANK A. FORZANO:

Lord, guide our leaders, enable them to plan their work with Your teaching always in their mind. Help them to be thoughtful and caring. Make them ever aware that leadership consists of harmony, good sense, courtesy and understanding. Amen.

THE CHAIR:

Pursuant to Senate Rule 9(b) the Senate is called into Session, by the Office of the Senate Clerk's under the authority of the President Pro Tempore and Senate Minority Leader.

It is hereby moved that Senate Agenda Number 1 dated, Tuesday, February 17, 2009, is adopted, the items on said Agenda shall be acted upon as indicated and that the Agenda shall be incorporated into the Senate Journal and Senate Transcript.

SENATE AGENDA NUMBER 1

- (1) REPORT(S) RECEIVED to be referred to committee(s) indicated.

Route 11 Greenway Authority Commission.
Commission activities for the year 2008 as required by Section 11-4a of the Connecticut General Statutes. Received February 13, 2009.

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February 17, 2009

Referred to: Transportation and Planning and
Development

State of Connecticut Commission on Compensations
of Elected State Officers and Judges. 29th report
to the Legislature for consideration. Received
February 13, 2009.

Referred to: Judiciary

Connecticut Department of Agriculture Animal
Population Control Program. 2008 Annual Report
as required by Section 22-380k of the Connecticut
General Statutes. Received February 13, 2009.

(2) **INTRODUCTION OF SENATE AND HOUSE LIST OF
BILLS AND RESOLUTIONS (LISTS NO. 27)** - to be
waived and bills and resolutions to be
referred to committee(s) indicated.

(3) **BUSINESS FROM THE HOUSE:**

(A) **HOUSE BILL(S) FAVORABLY REPORTED WITH CHANGE
OF REFERENCE** - to be referred to
committee(s) indicated.

SELECT COMMITTEE ON CHILDREN

SUBST. HB NO. 6234 AN ACT CONCERNING FOSTER
PARENTS AND ANIMAL CONTROL OFFICERS AS
MANDATED REPORTERS OF CHILD ABUSE AND
NEGLECT.

Referred to: Human Services

SELECT COMMITTEE ON THE CHILDREN

HB NO. 6235 AN ACT CONCERNING THE USE OF
CRIMINAL HISTORY RECORD INFORMATION FOR
EMERGENCY PLACEMENT OF CHILDREN

Referred to: Human Services

SELECT COMMITTEE ON CHILDREN

HB NO. 6236 AN ACT CONCERNING THE
ELIMINATION OF CERTAIN REPORTS AND ADVISORY
COMMITTEES RELATED TO THE DEPARTMENT OF
CHILDREN AND FAMILIES.

Referred to: Human Services

PUBLIC SAFETY AND SECURITY COMMITTEE

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SENATE

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February 17, 2009

HB NO. 6288 AN ACT CONCERNING THE COLLECTION
OF DELINQUENT TAXES AND LOTTERY WINNERS.

Referred to: Finance, Revenue and Bonding

With no further business remaining on the Clerk's
desk, the Senate stands adjourned.

The Senate, at 10:11 a.m. adjourned under provisions
of Senate Rule 9(b) subject to the call of the
chair.

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SENATE

1
February 18, 2009

THE CONNECTICUT GENERAL ASSEMBLY

SENATE

FEBRUARY 18, 2009

The Senate was called to order, at 10:20 a.m., in accordance with the provisions of Senate Rule 9(b) and under the authority of the President Pro Tempore and the Senate Minority Leader.

THE CHAIR:

The Senate will please come to order. Please give your attention to the Acting Chaplain, Carmela Balducci, of Deep River, who will lead us in prayer.

ACTING CHAPLAIN CARMELA BALDUCCI:

O God, look with compassion on the whole human family; take away the arrogance and hatred which infect our hearts; break down the walls that separate us; unite us in bonds of love; and work through our struggle and confusion to accomplish Your purposes on earth; that, in Your good time, all nations and races may serve You in harmony around Your heavenly throne. Amen.

THE CHAIR:

Pursuant to Senate Rule 9(b) the Senate is called into Session by the Office of the Senate Clerk under the authority of the President Pro Tempore and Senate Minority Leader.

It is hereby moved that Senate Agenda Number 1, dated Wednesday, February 18, 2009, is adopted, the items on said Agenda shall be acted upon as indicated, and that the Agenda shall be incorporated into the Senate Journal and Senate Transcript.

SENATE AGENDA NUMBER 1

(1) **COMMUNICATION FROM THE GOVERNOR**

(A) **JUDICIARY NOMINATIONS** - to be referred to
Join Committee(s)

CORRECTED LETTER

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SENATE

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February 18, 2009

February 4, 2009

TO THE HONORABLE GENERAL ASSEMBLY:

Pursuant to Sections 51-50i and 51-165 of the Connecticut General Statutes, I have the honor to nominate for appointment by you, the Honorable **FRANCIS J. FOLEY, III** of Hanover, to be the Senior Judge of the Connecticut Superior Court, to serve for a term of eight years from May 19, 2009.

(2) REPORT(S) RECEIVED - to be referred to committee(s) indicated.

State of Connecticut Office of Policy and Management. A study of Incentives to Site Criminal Justice Facilities pursuant to Section 33 of Public Act 08-01. Received February 17, 2009.

Referred to: Judiciary and Government Administration and Elections

State of Connecticut Office of Policy and Management. Partners in Progress The State of Connecticut Re-Entry Strategy in response to Public Act 08-01, in addition Public Act 06-193 and act concerning Criminal Justice Policy and Planning and the Establishment of a Sentencing Task Force requires the Criminal Justice Policy and Planning Division within the Office of Policy and Management. Received February 17, 2009.

Referred to: Judiciary and Government Administration and Elections

(3) INTRODUCTION OF SENATE AND HOUSE LIST OF BILLS AND RESOLUTIONS (LIST NO. 27) - to be waived and bills and resolutions to be referred to committee(s) indicated.

(4) BUSINESS FROM THE HOUSE

(A) HOUSE BILL(S) FAVORABLE REPORTED WITH CHANGE OF REFERENCE - to be referred to committee(s) indicated.

PUBLIC SAFETY AND SECURITY COMMITTEE

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SENATE

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February 18, 2009

SUBST. HB NO. 6286 AN ACT SHIELDING FIRE
DEPARTMENTS THAT INSTALL SMOKE AND CARBON
MONOXIDE DETECTORS FROM LIABILITY.

Referred to: Judiciary

With no further business remaining on the Clerk's
desk, the Senate stands adjourned.

The Senate, at 10:23 a.m, adjourned under provisions
of Senate Rule 9(b) subject to the call of the
chair.

THE CONNECTICUT GENERAL ASSEMBLY

SENATE

FEBRUARY 19, 2009

The Senate was called to order at, 10:29 a.m., in accordance with the provisions of Senate Rule 9(b) and under the authority of the President Pro Tempore and the Senate Minority Leader.

THE CHAIR:

The senate will please come to order. Please give your attention to the Acting Chaplain, Thomas Shields, of Newington, who will lead us in prayer.

ACTING CHAPLAIN THOMAS SHIELDS:

O Lord, grant us the blessings and protection of Thy bountiful nature, in order that we may aid our legislators in fulfilling the duties of their offices and may achieve peace and prosperity for all the people of this state. Amen.

THE CHAIR:

Pursuant to Senate Rule 9(b) the Senate is called into Session by the Office of the Senate Clerk Under the authority of the President Pro Tempore and Senate Minority Leader.

It is hereby moved that Senate Agenda Number 1, dated Thursday, February 19, 2009, is adopted, the items on said Agenda shall be acted upon as indicated, and that the Agenda shall be incorporated into the Senate Journal and Senate Transcript.

SENATE AGENDA NUMBER 1

(1) COMMUNICATION FROM THE GOVERNOR**(A) EXECUTIVE AND LEGISLATIVE NOMINATIONS -
to be referred to Joint Committee(s)****TO THE HONORABLE GENERAL ASSEMBLY:**

Pursuant to Section 16 2 of the Connecticut General Statutes, I have the honor to nominate and, with your advice

and consent, reappoint **JOHN W. BETKOSKI, III**, of Beacon Falls, to be a member of the Public Utilities Control Authority, to serve for a term of four years from July 1, 2009 to June 30, 2013.

- (2) **COMMUNICATION FROM THE HOUSE MINORITY LEADER**
(A) **EXECUTIVE AND LEGISLATIVE NOMINATIONS** -
to be referred to Joint Committee(s)

January 21, 2009

TO THE HONORABLE GENERAL ASSEMBLY:

Pursuant to Section 46a-52 of the Connecticut General Statutes, It is my pleasure to nominate and submit to you, for your advice and consent, the name of **ANDREW M. NORTON** of Colchester, Connecticut, to be a member of the Commission on Human Rights and Opportunities, to serve a term of three years to expire July 14, 2011.

- (3) **SENATE BILL(S) FAVORABLE REPORTED WITH CHANGE OF REFERENCE** - to be referred to committee(s) indicated.

SELECT COMMITTEE ON AGING
SUBST. SB NO. 451 AN ACT ESTABLISHING SILVER ALERT SYSTEM

Referred to: Public Safety and Security

SELECT COMMITTEE ON AGING
SUBST. SB NO. 455 AN ACT CONCERNING THE NURSING HOME BILL OF RIGHTS.

Referred to: Judiciary

LABOR AND PUBLIC EMPLOYEES COMMITTEE
SB NO. 711 AN ACT CONCERNING THE ELIMINATION OF STATE FINANCIAL ASSISTANCE FOR COMPANIES THAT REDUCE RETIREMENT BENEFITS.

Referred to: Finance, Revenue and Bonding

PUBLIC SAFETY AND SECURITY COMMITTEE
SUBST. SB NO. 849 AN ACT CONCERNING MUNICIPAL ENFORCEMENT OF OCCUPATIONAL LICENSURE LAWS.

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February 19, 2009

Referred to: General Law

- (4) INTRODUCTION OF SENATE AND HOUSE LIST OF
BILLS AND RESOLUTIONS (LIST NO. 29) - to be
waived and bills and resolutions to be
referred to committee(s) indicated.

With no further business remaining on the Clerk's
desk, the Senate stands adjourned.

The Senate, at 10:32 a.m, adjourned under provisions
of Senate Rule 9(b) subject to the call of the
chair.

THE CONNECTICUT GENERAL ASSEMBLY

SENATE

FEBRUARY 20, 2009

The Senate was called to order, at 10:16 a.m., in accordance with the provisions of Senate Rule 9(b) and under the authority of the President Pro Tempore and the Senate Minority Leader.

THE CHAIR:

The Senate will please come to order. Please give your attention to the Acting Chaplain, Lois Kelly, of Windsor, who will lead us in prayer.

ACTING CHAPLAIN LOIS KELLY:

All of you should be like-minded, sympathetic, loving toward one another, kindly disposed, and humble. Do not return evil for evil or insult for insult. Return a blessing instead. This you have been called to do, that you may receive a blessing as your inheritance. Amen.

THE CHAIR:

Pursuant to Senate Rule 9(b) the Senate is called into Session by the Office of the Senate Clerk under the authority of the President Pro Tempore and Senate Minority Leader.

It is hereby moved that Senate Agenda Number 1, dated Friday, February 20, 2009, is adopted, the items on said Agenda shall be acted upon as indicated, and that the Agenda shall be incorporated into the Senate Journal and Senate Transcript.

SENATE AGENDA NUMBER 1

(1) REPORT(S) RECEIVED - to be referred to committee(s) indicated.

State of Connecticut Office of the Probate Court Administrator. Extended Family and Assisted Care Guardianship Pilot Project, as requisite by Section 45a-8b of the Connecticut General Statutes. Received February 19, 2009.

Referred to: Judiciary and Select Committee
on Children

- (2) **SENATE JOINT RESOLUTIONS(S) FAVORALBY
REPORTED** - to be tabled for the calendar.

JUDICIARY COMMITTEE

SJ NO. 47 RESOLUTION CONFIRMING THE
NOMINATION OF THE HONORABLE **C. IAN MCLACHLAN**
OF CHESTER TO BE AN ASSOCIATE JUDGE OF THE
SUPREME COURT AND A JUDGE OF THE SUPERIOR
COURT.

- (3) **SENATE BILL(S) FAVORABLY REPORTED WITH
CHANGE OF REFERENCE** - to be referred to
committee(s) indicated.

SELECT COMMITTEE ON AGING

SUBST. SB NO. 450 AN ACT CONCERNING NURSING
HOME OVERSIGHT.

Referred to: Human Services

SELECT COMMITTEE ON AGING

SUBST. SB NO 454 AN ACT CONCERNING NURSING
HOME STAFFING LEVELS.

Referred to: Public Health

PUBLIC HEALTH COMMITTEE

SB NO. 756 AN ACT CONCERNING A DEPARTMENT OF
CHILDREN AND FAMILIES CHILD ABUSE AND
NEGLECT REGISTRY CHECK FOR APPLICANTS OF
EMPLOYMENT WITH THE DEPARTMENT OF
DEVELOPMENTAL SERVICES OR THE DEPARTMENT'S
PROVIDERS.

Referred to: Human Services

PUBLIC HEALTH COMMITTEE

SB NO. 789 AN ACT CONCERNING THE SHARING OF
INFORMATION BETWEEN THE DEPARTMENT OF
CHILDREN AND FAMILIES AND THE DEPARTMENT OF
DEVELOPMENTAL SERVICES.

Referred to: Human Services

- (4) **INTRODUCTION OF SENATE AND HOUSE LIST OF
BILLS AND RESOLUTIONS (LIST NO.30)** - to be

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February 20, 2009

waived and bills and resolutions to be referred to committee(s) indicated.

(5) BUSINESS FROM THE HOUSE

- (A) HOUSE BILL(S) FAVORABLY REPORTED WITH CHANGE OF REFERENCE** - to be referred to committee(s) indicated.

SELECT COMMITTEE ON AGING

SUBST. HB NO. 5311 AN ACT INCREASING TEMPORARY FAMILY ASSISTANCE BENEFITS FOR GRANDPARENTS AND OTHER NONPARENT CARETAKER RELATIVES.

Referred to: Human Services

PUBLIC SAFETY AND SECURITY COMMITTEE

HB NO. 6358 AN ACT CONCERNING ADDITIONAL OFF-TRACK BETTING BRANCH FACILITIES.

Referred to: Finance, Revenue and Bonding

PUBLIC SAFETY AND SECURITY COMMITTEE

HB NO. 6323 AN ACT PERMITTING "FIFTY-FIFTY" COUPON GAMES AT CERTAIN ORGANIZATION FUNCTIONS AND THE ATHLETIC EVENTS

PUBLIC SAFETY AND SECURITY COMMITTEE

HB NO. 6390 AN ACT EXEMPTING STATE EMERGENCY AND LAW ENFORCEMENT VEHICLES FROM CERTAIN EMISSION AND FUEL STANDARDS.

Referred to: Government Administration and Elections

With no further business remaining on the Clerk's desk, the Senate stands adjourned.

The Senate, at 10:19 a.m., adjourned under provisions of Senate Rule 9(b) subject to the call of the chair.

THE CONNECTICUT GENERAL ASSEMBLY

SENATE

FEBRUARY 23, 2009

The Senate was called to order, at 8:50 p.m., in accordance with the provisions of Senate Rule 9(b) and under the authority of the President Pro Tempore and the Senate Minority Leader.

THE CHAIR:

The Senate will please come to order. Please give your attention to Acting Chaplain Tim Appleton, of South Windsor, who will lead us in prayer.

ACTING CHAPLAIN TIM APPLETON:

Almighty God, send down upon those who hold office in this State the spirit of wisdom, charity and justice; that with steadfast purpose they may faithfully serve in their offices to promote the well-being of all people. Amen.

THE CHAIR:

Pursuant to Senate Rule 9(b) the Senate is called into Session by the Office of the Senate Clerk under the authority of the President Pro Tempore and Senate Minority Leader.

It is hereby moved that Senate Agenda Number 1, dated Monday, February 23, 2009, is adopted, the items on said Agenda shall be acted upon as indicated, and that the Agenda shall be incorporated into the Senate Journal and Senate Transcript.

SENATE AGENDA NUMBER 1

(1) REPORT(S) RECEIVED - to be referred to committee(s) indicated.

State of Connecticut Advisory Commission on Wrongful Convictions. Reviewing criminal or juvenile cases involving a wrongful conviction and recommend reforms as required by Section 54-102pp of the Connecticut General Statutes. Received February 23, 2009.

February 23, 2009

Referred to: Judiciary

- (2) **SENATE JOINT RESOLUTIONS(S) FAVORALBY REPORTED** - to be tabled for the calendar.

JUDICIARY COMMITTEE

SJ NO. 48 RESOLUTION CONFIRMING THE NOMINATION OF **GERARD I. ADELMAN**, ESQUIRE, OF MERIDEN TO BE A JUDGE OF THE SUPERIOR COURT.

JUDICIARY COMMITTEE

SJ NO. 49 RESOLUTION CONFIRMING THE NOMINATION OF **MARY-MARGARET D. BURGDORFF**, ESQUIRE, OF WEST HARTFORD TO BE A JUDGE OF THE SUPERIOR COURT.

JUDICIARY COMMITTEE

SJ NO. 50 RESOLUTION CONFIRMING THE NOMINATION OF **ANGELO L. DOS SANTOS** OF EASTFORD TO BE A JUDGE OF THE SUPERIOR COURT.

JUDICIARY COMMITTEE

SJ NO. 51 RESOLUTION CONFIRMING THE NOMINATION FO THE HONORABLE **FRANCIS J. FOLEY, III**, OF HANOVER TO BE A SENIOR JUDGE OF THE SUPERIOR COURT.

JUDICIARY COMMITTEE

SJ NO. 52 RESOLUTION CONFIRMING THE NOMINATION OF **CORINNE L. KLATT**, ESQUIRE, OF MERIDEN TO BE A JUDGE OF THE SUPERIOR COURT.

JUDICIARY COMMITTEE

SJ NO. 53 RESOLUTION CONFIRMING THE NOMINATION OF **VERNON D. OLIVER**, ESQUIRE, OF PORTLAND TO BE A JUDGE OF THE SUPERIOR COURT.

JUDICIARY COMMITTEE

SJ NO. 54 RESOLUTION CONFIRMING THE NOMINATION OF **SHIELA A. OZALIS**, ESQUIRE, OF NEWTON TO BE A JUDGE OF THE SUPERIOR COURT.

JUDICIARY COMMITTEE

SJ NO. 55 RESOLUTION CONFIRMING THE NOMINATION OF **JOSE A. SUAREZ**, ESQUIRE, OF WEST HARTFORD TO BE A JUDGE OF THE SUPERIOR COURT.

JUDICIARY COMMITTEE

SJ NO. 56 RESOLUTION CONFIRMING THE NOMINATION OF THE HONORABLE **GEORGE N. THIM** OF TRUMBULL TO BE A JUDGE OF THE SUPERIOR COURT.

JUDICIARY COMMITTEE

SJ NO. 57 RESOLUTION CONFIRMING THE NOMINATION OF THE HONORABLE **PETER EMMETT WIESE** OF AVON TO BE A JUDGE OF THE SUPERIOR COURT.

JUDICIARY COMMITTEE

SJ NO. 58 RESOLUTION CONFIRMING THE NOMINATION OF **WILLIAM J. WENZEL**, ESQUIRE, OF FAIRFIELD TO BE A JUDGE OF THE SUPERIOR COURT.

JUDICIARY COMMITTEE

SJ NO. 59 RESOLUTION CONFIRMING THE NOMINATION OF **GLENN A. WOODS**, ESQUIRE, OF MIDDLETOWN TO BE A JUDGE OF THE SUPERIOR COURT.

- (3) **SENATE BILL(S) FAVORABLE REPORTED WITH CHANGE OF REFERENCE** - to be referred to committee(s) indicated.

GENERAL LAW COMMITTEE

SB NO. 778 AN ACT AMENDING THE WORKERS' COMPENSATION ACT

Referred to: Labor and Public Employees

ENVIROMENT COMMITTEE

SUBST. SB NO. 784 AN ACT CONCERNING ROAMING LIVESTOCK AND PUBLIC SAFETY.

Referred to: Planning and Development

- (4) **INTRODUCTION OF SENATE AND HOUSE LIST OF BILLS AND RESOLUTIONS (LIST NO. 31)** - to be waived and bills and resolutions to be referred to committee(s) indicated.
- (5) **BUSINESS FROM THE HOUSE**

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SENATE

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February 23, 2009

(A) **HOUSE BILL(S) FAVORABLY REPORTED WITH CHANGE OF REFERENCE** - to be referred to committee(s) indicated.

SELECT COMMITTEE ON AGING
SUBST. HB NO. 5297 AN ACT CONCERNING THE STATUS OF THE MONEY FOLLOWS THE PERSON PROJECT

Referred to: Human Services

HIGHER EDUCATION AND EMPLOYMENT ADVANCEMENT COMMITTEE
HB NO. 6292 AN ACT CONCERNING AN APPROPRIATION TO PROVIDE ASSISTANCE TO SCHOOLS OF VENERINARY MEDICINE AND TO CREATE THE KIRKLYN M. KERR GRANT PROGRAM.

Referred to: Appropriations

PUBLIC HEALTH COMMITTEE
HB NO. 6309 AN ACT CONCERNING ADMINISTRATION OF THE DEPARTMENT OF DEVELOPMENTAL SERVICES.

Referred to: Government Administration and Elections

PUBLIC SAFETY AND SECURITY COMMITTEE
SUBST. HB NO. 6326 AN ACT DESIGNATING SEPTEMBER AS PUBLIC SAFETY AWARENESS MONTH.

Referred to: Government Administration and Elections

With no further business remaining on the Clerk's desk, the Senate stands adjourned.

The Senate, at 8:53 p.m., adjourned under provisions of Senate Rule 9(b) subject to the call of the chair.

THE CONNECTICUT GENERAL ASSEMBLY

SENATE

FEBRUARY 24, 2009

The Senate was called to order, at 10:25 a.m., in accordance with the provisions of Senate Rule 9(b) and under the authority of the President Pro Tempore and the Senate Minority Leader.

THE CHAIR:

The Senate will please come to order. Please give your attention to Acting Chaplain Frank A. Forzano, of South Windsor, who will lead us in prayer.

ACTING CHAPLAIN FRANK A. FORZANO:

O God, You made us in Your own image and redeemed us. Look with compassion on the whole human family; take away the arrogance and hatred which infect our hearts; break down the walls that separate us; unite us in bonds of love; and work through our struggle and confusion to accomplish Your purposes on earth; that, in Your good time, all nations and races may serve You in harmony. Amen.

THE CHAIR:

Pursuant to Senate Rule 9(b) the Senate is called into Session by the Office of the Senate Clerk under the authority of the President Pro Tempore and Senate Minority Leader.

It is hereby moved that Senate Agenda Number 1, dated Tuesday, February 24, 2009, is adopted, the items on said Agenda shall be acted upon as indicated, and that the Agenda shall be incorporated into the Senate Journal and Senate Transcript.

SENATE AGENDA NUMBER 1

- (1) **SENATE JOINT RESOLUTIONS(S) FAVORALBY**
REPORTED - to be tabled for the calendar.

INSURANCE AND REAL ESTATE COMMITTEE
SUBST. SB NO. 290 AN ACT CONCERNING HEALTH
INSURANCE COVERAGE FOR BONE MARROW TESTING.

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SENATE

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PUBLIC SAFETY AND SECURITY COMMITTEE
SUBST. SB NO. 760 AN ACT CONCERNING SCHOOL
CRISIS RESPONSE DRILLS AND FIRE DRILLS.

PUBLIC SAFETY AND SECURITY COMMITTEE
SB NO. 761 AN ACT CONCERNING MUTUAL AID OR
MOBILE SUPPORT UNITS AND NUCLEAR SAFETY
EMERGENCY PREPAREDNESS PROGRAM PLANS.

PUBLIC SAFETY AND SECURITY COMMITTEE
SB NO. 762 AN ACT CONCERNING MUTUAL AID OR
MOBILE SUPPORT UNITS AND NUCLEAR SAFETY
EMERGENCY PREPAREDNESS PROGRAM PLANS.

- (2) **INTRODUCTION OF SENATE AND HOUSE LIST OF
BILLS AND RESOLUTIONS (LIST NO. 32)** - to be
waived and bills and resolutions to be
referred to committee(s) indicated.

With no further business remaining on the Clerk's
desk, the Senate stands adjourned.

The Senate, at 10:28 a.m., adjourned under
provisions of Senate Rule 9(b) subject to the call
of the chair.

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February 25, 2009

THE CONNECTICUT GENERAL ASSEMBLY

SENATE

FEBRUARY 25, 2009

Senate was called to order at 2:28 p.m., the
President in the Chair.

CHAPLAIN BERNARD AUGER:

-- Almighty Father, we ask your blessing on our
circle as we come together this afternoon to continue
our work on reducing our state's deficit.

Let us remember that every step forward is a step
toward the future and that the foundation of hope is
compiled of many bricks, bricks that each and every
one of us can cement in. And we ask this of You who
live and reign for ever and ever. Amen.

THE CHAIR:

Amen.

Senator McKinney, will you join us in the pledge
please?

SENATOR MCKINNEY:

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

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February 25, 2009

liberty and justice for all.

THE CHAIR:

Thank you, sir. Thank you, Brother OJ. At this time, I will entertain any points of personal privileges or announcements. Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President. Good afternoon, Mr. President.

THE CHAIR:

Good afternoon, sir.

SENATOR LOONEY:

Mr. President, I believe the clerk is in possession of Senate Agendas Numbers 1 and 2 for today's session.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Mr. President, Clerk is in possession of Senate Agendas Numbered 1 and 2 for Wednesday, February 25, 2009. Copies have been distributed.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President. Mr. President, I

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move all items on Senate Agendas Numbers 1 and 2, dated Wednesday, February 25, 2009, to be acted upon as indicated, and that the agendas be incorporated by reference into the Senate journal and the Senate transcript.

THE CHAIR:

Motion is on adoption. Seeing no objection, so ordered, sir. Senator Looney.

SENATOR LOONEY:

Yes. Thank you, Mr. President. Mr. President, I would yield the floor to any member seeking recognition for announcements or points of personal privilege.

THE CHAIR:

Senator Colapietro.

SENATOR COLAPIETRO:

Thank you, Mr. President. Mr. President, I don't get too often -- I've been here 16 years and very -- not very often, do I get to recognize one of my own constituents. And I just want to recognize the nine-year-old, Michael, and he has many more accomplishments than what I have on this paper, but I'll just read this short, short part of it. So hopefully, you'd be as impressed with I -- as I am

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with him and his karate expert. So, anybody gives me any grief, you're in trouble. Right, buddy? Yeah. Okay.

Michael has developed characteristics, such as discipline, self-respect, self-control, confidence and courage. He's traveled all over the United States and Canada competing on several circuits, the largest being NASKA, North American Sports Karate Association.

Completed his -- this year in the nine-year-old -- nine-year-and-under Black Belt Division and was named world champion not -- for nine-and-under boys Black Belt Division, as well as finishing second place in nine-and-under black belt boys traditional forms of traditional weapons.

Some of his other successes include winning two 12-year-old and younger Black Belt grand championships, one 17-year-old and younger black grand championship -- Black Belt grand championship. And he is also identified by the principal of his school as an example of a student that excels in outside work, as well as the school.

Karate has allowed Michael to visit places, such as Québec, Disney, California, Kentucky, Washington D.C., and New York City -- and many other places. And

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I would ask the Senate to give him a nice round of applause. Michael.

THE CHAIR:

Thank you, Senator.

SENATOR COLAPIETRO:

Thank you, Mr. President.

THE CHAIR:

And welcome to the State Senate, Michael. From one Michael to another Michael. Any other points of personal privileges or announcements at this time?
Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. If there are no other members seeking recognition, would move the Senate stand in recess for purposes of caucuses to prepare the day's business.

THE CHAIR:

The Senate will stand in recess subject to the call of the Chair.

On motion of Senator Looney of the 11th, the Senate at 2:32 p.m., recessed.

The Senate reconvened at 4:35 p.m., the President

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in the Chair.

THE CHAIR:

-- will come back to order. Senator Looney.

SENATOR LOONEY:

)
Yes. Thank you, Mr. President. Mr. President,
might proceed to the marking of the calendar.

Mr. President, on calendar page 1, Joint
Resolutions, both Calendar 68 and 69 should be marked
go.

On calendar page 2, all of the Joint Resolutions
of judicial nominations, Calendars Numbers 70, 71, 72,
73 and 74 should be marked go.

On calendar page 3, again the judicial
nominations, all Senate Joint Resolutions, Calendars
75, 76, 77, 78 and 79 all marked go.

And on calendar page 4, Mr. President, the first
item -- top of calendar page 4, Calendar Number 80,
Senate Joint Resolution Number 59, also marked go.
Continuing on page 4, under Executive and Legislative
Nominations, would also mark Calendar 66 and Calendar
67 marked go. Thank you, Mr. President.

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Thank you, sir. Mr. Clerk.

THE CLERK:

Calling from Senate Calendar for Wednesday, February 25, 2000, calendar page 1, Judicial Nominations, Calendar Number 68, Senate Joint Resolution Number 47, RESOLUTION CONFIRMING THE NOMINATION OF THE HONORABLE C. IAN MCLACHLAN OF CHESTER TO BE AN ASSOCIATE JUDGE OF THE SUPREME COURT AND A JUDGE OF THE SUPERIOR COURT, favorable report of the Committee on Judiciary.

THE CHAIR:

Senator McDonald.

SENATOR McDONALD:

Thank you, Mr. President. Mr. President, I move acceptance of the Joint Committee's favorable report and adoption of the resolution.

THE CHAIR:

Acting on acceptance, sir, would you like to remark further?

SENATOR McDONALD:

Yes, I would, Mr. President. Mr. President, I believe Judge McLachlan is known to many in the circle. He has been a jurist in the state of Connecticut since 1996. Of course, first starting out

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as a Superior Court judge, but most recently having served as a judge of the appellate court. Prior to ascending to the bench -- Mr. President, might I yield to Senator McLachlan.

THE CHAIR:

Yes, sir. Senator McLachlan, do you accept the yield?

SENATOR McLACHLAN:

I do. Thank you, Mr. President. Pursuant to Senate Rule 15, I'd like to recuse myself from the discussion and vote on the nomination of Ian McLachlan to be a justice of the State Supreme Court, and will remove myself from the chamber during the deliberation of the matter. Thank you.

THE CHAIR:

Thank you, sir. It will be noted. Senator McDonald.

SENATOR McDONALD:

Thank you, Mr. President. Mr. President, prior to ascending to the bench, Judge McLachlan had a long and distinguished career, predominantly at a small shop in Stamford, called Cummings & Lockwood. And he truly did distinguish himself in that capacity, primarily in the area of family law and has also been

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a adjunct professor at the University of Connecticut School of Law and an adjunct professor at Trinity College.

He's a graduate of Georgetown University and received his law degree from Fordham University School of Law. I believe, Mr. President, that Judge McLachlan is an extraordinarily bright individual with a rapier wit, and more importantly, with a keen ability to analyze and write on some of the most difficult issues in the law, and I think he will be a tremendous asset to the Connecticut Supreme Court.

And I'd like to commend Governor Rell for this appointment, and certainly hope that he will continue to be as brilliant a justice on the supreme court as he has been on the appellate court. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator McDonald. Will you remark further on adoption? Senator Kissel.

SENATOR KISSEL:

Thank you very much, Mr. President. I also rise in support of Judge McLachlan to go to the Supreme Court. It's my understanding that -- and I don't know if this is brought out, but he has a very interesting

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background in a variety of areas.

When we interviewed him, he was very -- he gave us very thoughtful answers. And it was actually a fairly long hearing regarding his nomination, first thing Monday.

And I appreciate the fact that Senator McDonald, in particular, took a good period of time in asking Judge McLachlan these questions because the more he responded to the questioning, the more I got to see inside this individual and not only a thoughtful and very studious jurist, but as you peeled away, sort of, the pieces of the onion, you could see that there was an individual with a great depth of humanity as well.

It's unfortunate that, I think given his age, that he'll only be on the bench -- I think, he's around 66 years old, so I think he only has less than one term before he reaches the mandatory age of retirement. But that being the case, I think he's going to be a tremendous asset, given the fact that he was involved in complex matrimonial matters when he was in private practice and things having to do with tax consequences and that matter.

We don't often see folks ascend to the highest courts in the land with that kind of specialized

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background. And at the same time, an individual who is very converse with any number of judicial decisions put to him -- he clearly did his homework, knew the line of questioning that probably was going to come his way by the leadership of our committee. And, I think, as a whole, our state will be served by his service, and I strongly support his nomination. Thank you.

THE CHAIR:

Thank you, Senator Kissel. Will you remark further? Will you remark further? If not, Mr. Clerk, please call for a roll call vote. The machine -- oops. I'm sorry. Senator McDonald.

SENATOR McDONALD:

Mr. President, if there's no objection might --

THE CHAIR:

We have to --

SENATOR McDONALD:

I apologize, Mr. President.

THE CHAIR:

That's quite all right. Mr. Clerk, please call for a roll call vote.

THE CLERK:

Immediate roll call has been ordered in the Senate. Will all senators please return to the

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chamber. Immediate roll call has been ordered in the Senate. Will all senators please return to the chamber.

THE CHAIR:

Have all senators voted? Senator Gomes, could I -- could you please vote? Thank you. Have all senators voted?

THE CLERK:

The Senate is still voting by roll call. Will all senators please return to the chamber. The Senate is still voting by roll call. Will all senators please return to the chamber.

THE CHAIR:

If all senators have voted, please make sure your vote is properly recorded. The machine will be locked. The clerk will call the tally.

THE CLERK:

Motion is on adoption of Senate Joint Resolution Number 47: Total number voting, 34; those voting, yea, 34; those voting nay, 0; those absent/not voting, 2.

THE CHAIR:

The resolution passes. Mr. Clerk.

THE CLERK: